

PJHSS

Volume 11, Number 03, 2023, Pages 2924-2933

Analyzing the Limitations of Agency and Rights in Migrant Women's Empowerment

Syed Raza Shah Gilani ^[D], Ali Mohammed Al-Matrooshi ^[D], Aisha Nayab Qureshi³

¹ Assistant Professor, Department of Law, Abdul Wali Khan University Mardan. Pakistan. 🖂

² Police Officer, General Department of Human Rights Dubai, United Arab Emirates.

³ Lecturer, Department of Political Science, Woman University Swabi, Pakistan.

ARTICLE INFO

ABSTRACT

Article History:Received:July 04, 2023Revised:August 29, 2023Accepted:August 30, 2023Available Online:September 01, 2023Keywords:Empowering Migrant WomenInternational Labour LawNGO's	nations of birth in pursuit of enhanced prospects, frequently encountering distinctive obstacles and susceptibilities during the
Funding: This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.	economic inequalities, gender expectations, and governmental regulations pertaining to migration. Additionally, it draws attention to the various overlapping forms of discrimination that people experience and which depend on things like gender, race, socioeconomic status, and immigration status. Migrant women actively participate in various industries, encompassing both low- skilled and informal labour, domestic service, healthcare, and agricultural sectors. The labour and contributions of individuals have far-reaching global implications, exerting influence on the economies of both the countries from which they originate and the countries where they are received. Nevertheless, these individuals frequently encounter economic exploitation, precarious labour circumstances, and restricted availability of rights and social safeguards. To gain a comprehensive understanding of the abstract notion of migrant women, it is imperative to acknowledge the wide range of experiences they encounter and the ways in which their identities intersect. Addressing the systemic issues and inequalities faced by individuals requires a collective effort of global cooperation, collaboration, and dialogue. This article aims to shed light on the empowerment of migrant women and the insufficiency of agencies and rights in achieving this goal.
DOI: 10.52131/pjhss.2023.1103.0582	© 2023 The Authors, Published by iRASD. This is an Open Access article distributed under the terms of the Creative Commons Attribution Non-Commercial License

Corresponding Author: Syed Raza Shah Gilani

1. Introduction

Migrants are individuals who move from one place to another, typically across national borders, with the intention of settling temporarily or permanently in the new location. The reasons for migration can vary widely and may include economic, social, political, or environmental factors. Women can be migrants just like men, and they often face unique challenges and experiences in the process. Women migrate for a variety of reasons, including economic opportunity, family reunification, education, marriage, and the desire to flee conflict or persecution. Women may migrate for similar reasons as men, but they may also do so to

Pakistan Journal of Humanities and Social Sciences, 11(3), 2023

escape gender discrimination, violence, or limited prospects in their home countries (Briones, 2017). Women migrants may confront unique vulnerabilities and obstacles both during and after their journey. Gender-based violence, human trafficking, exploitation, discrimination, and limited access to healthcare, education, and career opportunities are some examples (Briones, 2017). They may also face legal and administrative stumbling blocks that limit their capacity to relocate or achieve legal status. Women frequently perform important caregiver duties and preserve family ties, which can impact their migratory decisions. They may relocate to be with family members or to help their relatives back home. Migration, on the other hand, can alter family structures and connections, resulting in separation from children or other family members (McDowell, 2011).

As migrant workers, women contribute to the labour force in a variety of industries. They could work in the home, healthcare, agricultural, manufacturing, or service industries. Women migrants may encounter exploitative working conditions, low earnings, and restricted labour safeguards in some circumstances. When discussing women as migrants, it is critical to consider intersectionality. Race, ethnicity, social status, age, sexual orientation, and disability can all influence women's experiences and challenges. Discrimination and marginalization can interact and have an impact on their migration experiences.

Governments, international organizations, and civil society groups have recognized the need to address the specific needs and rights of women migrants. Efforts are being made to develop gender-responsive migration policies, provide support services, promote gender equality and women's empowerment, and combat gender-based violence and exploitation in the context of migration. It's worth noting that the experiences of women as migrants can differ greatly depending on the specific context, region, and migration routes they undertake (Choo, 2013). Migration is a complex and multifaceted phenomenon, and individuals' motivations for migrating can vary greatly. Additionally, the legal status and protections afforded to migrants can differ depending on the country and the specific circumstances of their migration.

2. Capability and International Labour Migration for Domestic Work

International labour migration for domestic work refers to the movement of individuals across borders to work as domestic workers in households in foreign countries. Domestic work includes tasks such as cleaning, cooking, childcare, elderly care, and other household chores. The capability approach, developed by philosopher and economist Amartya Sen, offers a framework for understanding and evaluating the well-being and freedom of individuals. It emphasizes that people should have the capability to lead lives they value and have the freedom to choose the life they have reason to value.

In the context of international labour migration for domestic work, the capability approach can be applied to analyse the opportunities and challenges faced by domestic workers. Here are some key points:

- 1. Empowerment and agency: The capability approach recognizes the importance of empowering individuals and ensuring that they have agency in making decisions about their lives. In the case of domestic workers, it means ensuring that they have the freedom to choose whether to migrate for domestic work and are not forced or coerced into it.
- 2. Working conditions and rights: The capability approach highlights the importance of decent working conditions and the protection of workers' rights. Domestic workers should have access to fair wages, reasonable working hours, safe and healthy working environments, and social security benefits. They should also be protected from exploitation, abuse, and discrimination (Radhakrishnan & Solari, 2015).
- 3. Social and economic opportunities: The capability approach emphasizes the need for individuals to have opportunities for social and economic participation. International labour migration for domestic work can provide employment opportunities for individuals who may not have sufficient job prospects in their home countries. It can contribute to their economic well-being and the well-being of their families.
- 4. Social inclusion and integration: The capability approach recognizes the importance of social inclusion and integration of individuals into their host societies. Domestic workers

should be treated with dignity and respect, have access to social services, and be able to participate in the social and cultural life of the community (Fleury, 2016).

Support and empowerment programs: Governments, international organizations, and civil society groups can play a crucial role in promoting the capabilities of domestic workers. This can be done through the provision of support services, such as legal assistance, education, vocational training, and social support networks. Empowerment programs can help domestic workers develop skills, enhance their bargaining power, and improve their overall well-being. It is important to ensure that international labour migration for domestic work is conducted in a manner that respects the rights, dignity, and well-being of domestic workers. Governments, employers, and relevant stakeholders should work together to develop and enforce policies and practices that promote the capabilities and improve the conditions of domestic workers in a way that aligns with the principles of the capability approach.

3. Why Agency and Rights are not Enough

While agency and rights are important components of empowering migrant women, they alone may not be sufficient to address the complex challenges they face. Here are some reasons why agency and rights may not be enough:

3.1 Structural Barriers

Migrant women often encounter structural barriers that limit their opportunities and hinder their ability to exercise agency and enjoy their rights. These barriers can include discriminatory immigration policies, limited access to social services, lack of recognition of their qualifications and skills, language barriers, and restricted mobility. Overcoming these structural barriers requires broader societal changes and systemic reforms (Güven-Lisaniler, Uğural, & Rodriguez, 2008). Yes, migrant women frequently encounter structural barriers that can significantly impact their lives and limit their opportunities. These barriers are often rooted in social, economic, and political structures that perpetuate inequalities and discrimination. Immigrant women may face difficulties as a result of restrictive immigration regulations. These policies may include stringent visa restrictions, fewer options for legal immigration, and lengthy and complicated immigration procedures. Such obstacles can impede migratory women from gaining access to possibilities for employment, education, and social integration (Vrabiescu & Kalir, 2020). Migrant women frequently suffer prejudice in the labour market, which can take numerous forms. They may face a lack of job prospects, low earnings, unstable working conditions, and exploitation. Discrimination can occur on the basis of gender, race, ethnicity, language, or migrant status. Migrant women endure multiple sorts of prejudice as a result of their gender and migratory status. Gender-based violence, such as domestic abuse, sexual harassment, and human trafficking, may befall them. Migrant women may also have limited access to reproductive healthcare, maternal care, and caregiver assistance. Migrant women may discover that their degrees and skills from their home countries are not recognized or acknowledged in their host nations. As a result, individuals may be underemployed or unemployed if they are unable to find work that is comparable to their degree and expertise (Fleury, 2016).

Access to important social services such as healthcare, education, housing, and legal assistance may be difficult for migrant women. Language problems, a lack of information, and apprehension about immigration enforcement can all make it difficult for them to receive these services, leaving them vulnerable and disenfranchised. Migrant women may face cultural and social restrictions that limit their liberty and prospects. Traditional gender norms, expectations, and discriminatory behaviours in both migrant and host communities might limit their autonomy and rights.

Addressing structural hurdles necessitates a multifaceted approach that includes legislative changes, legal reforms, increased societal awareness, and institutional support. Advocating for inclusive immigration policy, combating gender-based discrimination, ensuring labour rights and protections, promoting access to education and healthcare, and providing culturally sensitive support services are all crucial (Erel, 2016). Efforts should also be directed toward combating discriminatory social conventions and fostering gender equality in all parts of

society. By removing these structural barriers, migrant women will have more prospects for empowerment, integration, and overall well-being.

3.2 Intersectional Discrimination

Migrant women may face multiple forms of discrimination based on their gender, race, ethnicity, class, and other intersecting identities. These intersecting forms of discrimination can compound the challenges they face and create additional barriers to empowerment. It is crucial to address the specific needs and experiences of migrant women within an intersectional framework. Yes, migrant women often face multiple forms of discrimination due to the intersection of various identities such as gender, race, ethnicity, class, and migration status. These intersecting forms of discrimination can compound the challenges they face and create unique barriers to their empowerment (Kempadoo & Doezema, 2018). Migrant women may face discrimination based on their gender, including unequal access to education, employment opportunities, and decision-making power. They may also face gender-based violence, such as domestic violence, sexual harassment, and trafficking. Migrant women from specific racial or ethnic backgrounds may experience discrimination based on their race or ethnicity. They may face stereotypes, prejudice, and systemic biases that limit their opportunities for employment, housing, education, and social integration. Migrant women from lower socioeconomic backgrounds may face additional discrimination and marginalization due to their class. They may be concentrated in low-wage and precarious jobs, facing exploitation and poor working conditions (Lodigiani & Salomone, 2015).

Migrant women who lack legal status or have uncertain immigration status may face discrimination and vulnerability. They may be denied access to essential services, exploited in the labour market, and live in fear of deportation, which limits their ability to assert their rights and seek assistance. Migrant women who do not speak the local language fluently or adhere to the dominant cultural norms may face discrimination and exclusion. Language barriers can limit their access to information, services, and social networks, making integration and empowerment more challenging. Migrant women may also face discrimination within their own communities, stemming from traditional gender roles, cultural norms, and patriarchal practices. This can restrict their autonomy, limit their opportunities for education and employment, and perpetuate harmful practices (Lutz, 2016).

Addressing the multiple forms of discrimination faced by migrant women requires a comprehensive approach. It involves combating gender inequality, racial and ethnic discrimination, promoting social inclusion, providing legal protections, ensuring access to education and healthcare, and challenging cultural norms that perpetuate discrimination. Intersectionality should be considered in policy and programming to address the specific needs and experiences of migrant women in a holistic and inclusive manner.

3.3 Economic Exploitation

Migrant women, particularly those engaged in low-skilled and informal work sectors, are vulnerable to economic exploitation. They may experience low wages, long working hours, unsafe working conditions, and the withholding of their rights. Addressing economic exploitation requires not only recognizing their rights but also improving labour protections, ensuring fair wages, and promoting decent work opportunities. Migrant women often find employment in lowskilled and informal work sectors (Ladegaard, 2016). These sectors encompass a range of jobs that typically require minimal education or specialized skills, and they often lack formal employment protections and benefits. Here are some key points about migrant women engaged in low-skilled and informal work: Domestic work, including tasks such as cleaning, cooking, and caregiving, is a common low-skilled sector where migrant women find employment. They may work as live-in domestic workers or perform domestic tasks for multiple households. Domestic work is often characterized by long hours, low wages, and a lack of legal protections. Migrant women may work in agricultural sectors, including crop harvesting, planting, and farm labour (Freedman, 2016). These jobs can involve physically demanding work, exposure to harsh conditions, and low wages. Agricultural work is often seasonal, leading to temporary or seasonal migration patterns. Migrant women may be employed in manufacturing sectors, such as textile, garment, or electronics factories. These jobs often involve repetitive tasks, long working hours, and low wages. Workplace safety and labour rights violations can also be prevalent in this sector. Migrant women may work in the service industry, including hospitality, cleaning, and retail sectors. They may take on jobs as hotel housekeepers, restaurant staff, janitors, or retail

Gilani, Al-Matrooshi & Qureshi

salespersons. These jobs can be characterized by low wages, precarious employment conditions, and limited access to benefits.

Migrant women may be engaged in informal work sectors, which are not regulated by formal labour laws and lack legal protections. This can include street vending, domestic entrepreneurship, and day labour. Informal work often offers irregular income, lack of job security, and limited access to social security and benefits. Migrant women in low-skilled and informal work sectors face numerous vulnerabilities and challenges. They are more susceptible to exploitation, wage theft, abusive working conditions, and labour rights violations. They may also face language barriers, lack of access to healthcare, limited social protection, and difficulty asserting their rights due to their precarious status. Improving the conditions and rights of migrant women in low-skilled and informal work sectors requires addressing labour exploitation, promoting fair wages, strengthening legal protections, and ensuring access to advocate for their rights, promoting formalization of informal work, and enforcing labour laws to protect the rights of migrant women engaged in these sectors.

3.4 Social Integration and Cultural Barriers

Migrant women may face social isolation, discrimination, and exclusion in their host societies due to cultural differences, language barriers, and xenophobia. Simply having rights may not guarantee social acceptance or inclusion. Efforts should be made to foster social integration, promote intercultural understanding, and challenge negative stereotypes and prejudices. Yes, migrant women often face social isolation and discrimination in their host societies. These experiences can significantly impact their well-being, sense of belonging, and opportunities for social integration.

Migrant women may suffer from language acquisition issues, limiting their capacity to communicate, form social connections, and access resources. Cultural differences can also lead to feelings of isolation and exclusion since people from other cultures may fail to understand social norms and conventions in their host societies. In their host societies, migrant women may experience xenophobic sentiments and prejudice. They may face discrimination, prejudice, and negative stereotypes as a result of their migrant status, race, ethnicity, or cultural heritage. This might result in social exclusion, marginalization, and limited integration chances. Migrant women may be socially isolated because they lack established social networks in their host country. They may have difficulty making new friends and connections, especially if they live in secluded communities or work in environments with few possibilities for interaction (Afshar, 2016).

When it comes to housing, migrant women may experience prejudice, resulting in limited options and bad living conditions. They may be limited to specific neighbour hoods or communities with few resources and social support networks. Access to critical social services such as healthcare, education, and support networks may be difficult for migrant women. Language challenges, a lack of information, and apprehension about immigration enforcement can all make it difficult for them to receive these services, leaving them socially isolated and vulnerable. In their host societies, migrant women may endure gender-based discrimination and violence. Gender inequity, sexual harassment, and domestic violence are all possibilities. These events can further isolate them and have an influence on their general well-being (Kempadoo, 2018).

Access to comprehensive support services: Migrant women often require a range of support services, including healthcare, legal assistance, counselling, and language classes, to fully exercise their agency and rights. Access to these services is critical for their well-being and empowerment. Adequate funding, availability, and cultural sensitivity of support services are important considerations. Policy and institutional frameworks: Empowering migrant women require comprehensive policy frameworks that address their specific needs and challenges (Erel, 2020).

It is essential to have gender-responsive migration policies that integrate a rights-based approach and consider the intersecting vulnerabilities and strengths of migrant women. Institutional mechanisms should be established to ensure the implementation and enforcement of these policies (Hennebry, 2019).

In summary, while agency and rights are important, addressing the complex challenges faced by migrant women requires a multi-dimensional approach. It involves tackling structural barriers, addressing intersectional discrimination, combating economic exploitation, promoting social integration, providing comprehensive support services, and developing inclusive policy and institutional frameworks. Only through such comprehensive efforts can the empowerment of migrant women be achieved.

4. Empowering Migrant Women

Empowering migrant women is crucial for promoting their rights, well-being, and full participation in society.

Access to education and skill development is critical for empowering migratory women. It enables individuals to gain knowledge, improve their abilities, and improve their economic prospects. Language classes, occupational training programs, and educational opportunities customized to their individual requirements can all help empower them. It is critical to ensure equal access to good work and to preserve the labour rights of migrant women. Fair salaries, safe working conditions, access to social assistance, and the abolition of discrimination and exploitation are all part of this. The economic empowerment of migrant women enables them to support themselves and their families while also contributing to the economic development of the host society. Establishing legislative frameworks that protect migrant women's rights and assist their regularization can increase their empowerment (Farris, 2017). In order to ensure their safety, security, and access to rights and services, clear and inclusive immigration rules, pathways to legal status, and protection from discrimination and exploitation are required. Access to healthcare, social services, and support networks for migrant women is critical to their well-being and empowerment. This includes removing barriers like language, cultural sensitivity, and knowledge gaps in order for them to have access to critical healthcare, social welfare, and support networks.

Combating gender-based violence and providing survivors with support services is an essential component of empowering migratory women. This includes raising awareness, creating safe spaces, offering counselling, and ensuring survivors of gender-based violence have access to justice. Promoting the social integration and engagement of migrant women in host societies is critical for their empowerment (Hennebry, 2019). Community engagement, intercultural discussion, awareness campaigns, and activities that challenge stereotypes, prejudice, and discrimination can help achieve this. Encouraging migrant women's active participation and leadership in decision-making processes and community initiatives is critical for their empowerment. Providing forums and chances for their opinions to be heard, as well as guaranteeing representation in a variety of sectors and supporting their leadership development, can help to increase their agency and impact. To empower migrant women, governments, civil society organizations, employers, and migrant communities must work together. Partnerships and dialogue platforms can allow the sharing of knowledge, resources, and best practices, leading to more effective and comprehensive approaches to empowerment (Ahmad, 2017).

It is critical to acknowledge that empowering migrant women necessitates a comprehensive and intersectional strategy that addresses the many facets of their experiences and identities. Policies and interventions should be customized to their individual requirements, taking gender, race, ethnicity, class, and migrant status into account. We can create more inclusive, equitable, and just societies for all by supporting their empowerment. Creating legislative frameworks that protect migrant women's rights is critical to guaranteeing their safety, well-being, and empowerment. Discrimination based on gender, race, ethnicity, nationality, or migrant status should be clearly prohibited by legal frameworks (Gilani, Rehman, & Khan, 2021). They should ensure that migrant women receive equal treatment and opportunities in a variety of areas, including employment, housing, education, healthcare, and access to social services. Legal frameworks should protect migrant women's labour rights, such as fair salaries, safe working conditions, and the freedom to organize and bargain collectively. They should address issues like wage theft, exploitation, and harsh working conditions, which disproportionately affect migrant women working in low-skilled and informal jobs. Legal frameworks should establish clear and transparent immigration regulations that allow migrant women to enter, remain, and work in the host nation in an accessible and equitable manner. These regulations should take into account migrant women's unique needs and vulnerabilities,

Gilani, Al-Matrooshi & Qureshi

ensuring that they are not subjected to arbitrary detention, expulsion, or exploitation (Andall, 2017).

In cases of human rights breaches, such as gender-based violence, exploitation, and discrimination, legal frameworks should ensure that migratory women have access to justice and appropriate remedies. They should make legal aid, information, interpretation services, and specialized support available to migrant women navigating the judicial system more accessible. Legal frameworks should address the rights of migrant women in terms of family reunion and child safety. They should include mechanisms for keeping families together, ensuring children's well-being and rights, and safeguarding against family separation or forced removal. Genderbased violence, including domestic abuse, sexual harassment, and human trafficking, should be addressed in legal frameworks (Gilani, Ali, & Zahoor, 2023). They should criminalize and prosecute such offenses, provide survivors with support services, and ensure that perpetrators face appropriate penalties. Legal frameworks should ensure that migrant women have equal access to healthcare, including sexual and reproductive health services. They should also ensure that everyone, regardless of immigration status, has access to social services such as education, housing, and welfare assistance. Legal frameworks should encourage migrant women's participation and representation in decision-making processes that influence their lives (Phizacklea, 2022). They should provide opportunities for their perspectives to be heard and include them in policy creation, program implementation, and community projects.

Legal frameworks must be complemented by enough resources, enforcement mechanisms, and awareness-raising initiatives to ensure their effective application. To promote the protection and promotion of migrant women's rights, it is also critical to foster cooperation and coordination among relevant parties, including government agencies, civil society organizations, and migrant women themselves.

5. The Structural Context of Global Domestic Work Migration

The structural context of global domestic work migration refers to the broader social, economic, and political factors that shape the patterns and experiences of domestic work migrants worldwide. Globalization has boosted labour migration, notably in the domestic employment sector. People seek greater economic possibilities elsewhere because of economic differences between countries and areas. Global economic inequality and the demand for inexpensive domestic labour in developed nations facilitate domestic job migration. Gendered labour division, both within households and in the labour market, has a considerable impact on domestic work migration. Care labour, which is primarily undertaken by women, is undervalued and underpaid, which contributes to the demand for migrant domestic workers to fill these responsibilities (Gilani & Rehman, 2020). A lack of legal protections, social security, and formal employment benefits distinguishes the informal sector, which is frequently associated with domestic work. Many domestic workers migrate to low-skilled jobs with little upward mobility, leaving them vulnerable to abuse and hazardous working conditions. Gender, race, class, and migration status are structural disparities that converge to determine the experiences of domestic work migrants. Migrant women, especially those from marginalized racial or ethnic backgrounds, endure extra layers of discrimination and exploitation in the domestic work industry and in society as a whole.

Migration policies and regulations vary by country and can have an impact on the conditions and rights of domestic workers. Some nations have particular visa categories or migration programs that make it easier to recruit domestic workers, while others have more stringent laws that make them more vulnerable and limit their access to legal safeguards. Labour recruiting companies and middlemen play an important part in the process of domestic job migration. They facilitate recruiting and placement, as well as frequently controlling the movements and working conditions of domestic workers. These middlemen's unethical conduct can contribute to the exploitation and abuse of domestic workers (Fellmeth, Fazel, & Plugge, 2017). Domestic work migration frequently entails transnational arrangements in which migrants leave their native nations to work in another. Separation from family, cultural adaptation, language obstacles, and limited access to support networks can all be exacerbated by this global dimension (Gilani, 2019).

Pakistan Journal of Humanities and Social Sciences, 11(3), 2023

Understanding the institutional environment is essential for tackling the systemic difficulties and injustices that domestic workers confront. Root problems such as gender inequality, labour exploitation, discrimination, and the informal nature of household employment must be addressed. Improving labour standards, providing legal rights, supporting fair recruitment procedures, boosting social protections, and opposing discriminatory practices in the domestic work sector and elsewhere should be the focus of policy initiatives. Furthermore, addressing the structural context of global domestic work migration requires promoting gender equality, addressing economic disparities, and advocating for the rights and empowerment of domestic work migrants (Holliday, Hennebry, & Gammage, 2019).

6. Migrant Woman. The Structuralist Perspective, Absent or Latent Agency

The structuralist perspective in the context of migrant women refers to a theoretical approach that focuses on the broader social, economic, and political structures that shape their experiences and opportunities. It emphasizes the role of structural factors in constraining or enabling agency, often highlighting the limitations and constraints that migrant women face within existing power structures. Within this perspective, agency is seen as relatively absent or latent due to the structural barriers and inequalities that migrant women encounter. Here are some key points related to the structuralist perspective and the absence or latent agency of migrant women:

- 1. Structural constraints: The structuralist perspective recognizes that migrant women operate within systems characterized by inequalities, power imbalances, and discrimination. Structural factors, such as gender norms, migration policies, labour market dynamics, and racial or ethnic hierarchies, shape and limit the agency of migrant women. These structural constraints can include legal barriers, limited access to resources and opportunities, social and cultural norms, and discrimination in host societies.
- 2. Economic exploitation: Migrant women often find employment in low-skilled and informal work sectors, where they are vulnerable to exploitation and poor working conditions. The structuralist perspective highlights how economic structures perpetuate the subordination of migrant women by undervaluing their labour, denying them fair wages, and subjecting them to precarious employment arrangements.
- 3. Intersectionality and multiple oppressions: The structuralist perspective recognizes that the experiences of migrant women are shaped not only by their gender and migration status but also by intersecting forms of oppression, such as race, class, and nationality. These intersecting systems of power further limit their agency and create additional barriers to accessing rights, resources, and opportunities (Gilani et al., 2021).
- 4. Limited bargaining power: Migrant women often face power imbalances due to their marginalized social position and reliance on employers or intermediaries. Structural factors, such as restrictive migration policies and the lack of legal protections, limit their bargaining power and ability to negotiate fair working conditions, wages, and benefits.
- 5. Limited voice and representation: Migrant women's voices and perspectives are often marginalized or silenced within the dominant discourse and decision-making processes. The structuralist perspective highlights the lack of representation and agency for migrant women in shaping policies and structures that affect their lives.
- 6. Activating latent agency: While the structuralist perspective emphasizes the limitations on agency, it also recognizes the potential for latent agency within the constraints of the structural context. This refers to the capacity of migrant women to exercise agency in navigating and contesting these structures, even if it is constrained and not immediately visible. Activating latent agency involves creating spaces for collective action, promoting solidarity among migrant women, and supporting their efforts to challenge and transform the structural inequalities they face (Lazaridis, 2020).

Addressing the absence or latent agency of migrant women within the structuralist perspective requires structural changes that challenge the underlying power dynamics and inequalities. This includes advocating for policy reforms, promoting labour rights, addressing discriminatory practices, fostering social inclusion, and creating opportunities for collective mobilization and empowerment of migrant women. By addressing the structural barriers, it becomes possible to create conditions that enable migrant women to exercise agency, influence their circumstances, and work towards more equitable and just societies (Rydzik & Anitha, 2020).

7. Conclusion

Finally, guaranteeing the rights of migratory women is critical for building a just and inclusive society. Because of their gender, migration status, and overlapping forms of discrimination, migrant women confront specific challenges and vulnerabilities. Respecting and safeguarding their rights is important not just for human rights but also for social, economic, and political advancement. Here are some key points to consider before concluding on migrant women's rights: Migrant women, like other individuals, have the right to fully exercise their human rights, which include civil, political, economic, social, and cultural rights. These rights include the right to life, liberty, security, equality, non-discrimination, a job, education, healthcare, and access to justice. Addressing the rights of migratory women requires a gender perspective. It acknowledges the interlocking types of prejudice they experience on the basis of gender, ethnicity, class, and migrant status. It ensures that policies and programs address their unique needs and experiences, including gender-based violence, reproductive rights, and economic empowerment. To defend the rights of migratory women, strong legal frameworks are required. Non-discrimination laws, labour rights safeguards, access to justice, and measures to address gender-based violence and exploitation should all be included in these frameworks. Migrant women should have access to social assistance as well as the ability to seek recourse for human rights breaches.

Creating safe and lawful travel routes is critical to defending migrant women's rights. Addressing the core reasons for migration, strengthening labour recruitment techniques, giving regular migration choices, and guaranteeing safe border crossings are all part of this. Deterring irregular migration should not result in human rights violations or the criminalization of migrant women. It is critical to empower migratory women to exercise their agency. This entails offering education, skill training, economic opportunities, and support networks that allow them to make educated decisions, have control over their lives, and participate in decision-making processes that affect them. Promoting social inclusion and integration is critical to guaranteeing migrant women's rights. This includes fostering inclusive cultures that value variety, addressing stereotypes and prejudices, encouraging intercultural understanding, and facilitating migrant women's engagement and representation in all aspects of society. To protect the rights of migratory women, governments, civil society organizations, employers, and migrant communities must work together. Partnerships and dialogue can lead to the creation of comprehensive policies, initiatives, and interventions that address the complex issues confronting migrant women.

We can develop societies that preserve human dignity, equality, and social justice by recognizing and protecting the rights of migratory women. It is critical to ensure that all individuals' rights, regardless of immigration status, are respected, protected, and realized.

Conflict of Interest Statement:

The authors of this paper published in the Pakistan Journal of Humanities and Social Sciences (PJHSS) declare that they have no financial or non-financial conflicts of interest related to this research.

References

Afshar, H. (2016). Women and empowerment: Illustrations from the Third World: springer.

- Ahmad, A. (2017). Everyday conversions: Islam, domestic work, and South Asian migrant women in Kuwait: Duke University Press.
- Andall, J. (2017). *Gender, migration and domestic service: The politics of black women in Italy*: Routledge.
- Briones, L. (2017). *Empowering migrant women: Why agency and rights are not enough*: Routledge.
- Choo, H. Y. (2013). The cost of rights: Migrant women, feminist advocacy, and gendered morality in South Korea. *Gender & Society, 27*(4), 445-468. doi:<u>https://doi.org/10.1177/0891243213483896</u>
- Erel, U. (2016). *Migrant women transforming citizenship: Life-stories from Britain and Germany*: Routledge.
- Erel, U. (2020). Reconceptualizing motherhood: Experiences of migrant women from Turkey living in Germany. In *The transnational family* (pp. 127-146): Routledge.

Pakistan Journal of Humanities and Social Sciences, 11(3), 2023

- Farris, S. R. (2017). *In the name of women's rights: The rise of femonationalism*: Duke University Press.
- Fellmeth, G., Fazel, M., & Plugge, E. (2017). Migration and perinatal mental health in women from low-and middle-income countries: a systematic review and meta-analysis. *BJOG: An International Journal of Obstetrics & Gynaecology, 124*(5), 742-752. doi:<u>https://doi.org/10.1111/1471-0528.14184</u>
- Fleury, A. (2016). Understanding women and migration: A literature review. *Washington, DC,* 55.
- Freedman, J. (2016). Sexual and gender-based violence against refugee women: a hidden aspect of the refugee" crisis". *Reproductive health matters*, 24(47), 18-26. doi:<u>https://doi.org/10.1016/j.rhm.2016.05.003</u>
- Gilani, S. R. S. (2019). The significance of the doctrine of proportionality in the context of militant democracy to protect the freedom of expression. Brunel University London,
- Gilani, S. R. S., Ali, M. A., & Zahoor, M. S. (2023). Limitations on Parliamentary Sovereignty in the UK: A Critical Analysis. *Journal of European Studies (JES), 39*(1), 47-47. doi:<u>https://doi.org/10.56384/jes.v39i1.288</u>
- Gilani, S. R. S., & Rehman, H. U. (2020). The Limitation Clauses On Human Rights and Fundamental Freedoms: The Role of the Court of Justice of the European Union (CJEU). *Journal of European Studies (JES), 36*(2), 83-99.
- Gilani, S. R. S., Rehman, H. U., & Khan, I. (2021). The Conceptual Analysis of the Doctrine of Proportionality and, its Role in Democratic Constitutionalism; A Case Study of UK. *sjesr*, 4(1), 204-210. doi:<u>https://doi.org/10.36902/sjesr-vol4-iss1-2021(204-210</u>)
- Güven-Lisaniler, F., Uğural, S., & Rodriguez, L. (2008). Human rights of migrant women workers in janitorial services and night clubs: A case of North Cyprus. *International Journal of Social Economics*.
- Holliday, J., Hennebry, J., & Gammage, S. (2019). Achieving the sustainable development goals: surfacing the role for a gender analytic of migration. In (Vol. 45, pp. 2551-2565): Taylor & Francis.
- Kempadoo, K. (2018). Introduction: Globalizing sex workers rights. In *Global sex workers* (pp. 1-28): Routledge.
- Kempadoo, K., & Doezema, J. (2018). Women, labor, and migration: The position of trafficked women and strategies for support. In *Global sex workers* (pp. 69-78): Routledge.
- Ladegaard, H. J. (2016). The discourse of powerlessness and repression: Life stories of domestic migrant workers in Hong Kong: Taylor & Francis.
- Lazaridis, G. (2020). Filipino and Albanian women migrant workers in Greece: Multiple layers of oppression. In *Gender and migration in Southern Europe* (pp. 49-79): Routledge.
- Lodigiani, E., & Salomone, S. (2015). Migration-induced transfers of norms. The case of female political empowerment. *University Ca'Foscari of Venice, Dept. of Economics Research Paper Series No, 19*.
- Lutz, H. (2016). Introduction: Migrant domestic workers in Europe. In *Migration and domestic work* (pp. 1-10): Routledge.
- McDowell, L. (2011). Empowering Migrant Women: Why Agency and Rights are Not Enough. *Feminist Economics*, *17*(1), 163-166. doi:https://doi.org/10.1080/13545701.2010.541864
- Phizacklea, A. (2022). One way ticket: Migration and female labour (Vol. 18): Taylor & Francis.
- Radhakrishnan, S., & Solari, C. (2015). Empowered women, failed patriarchs: Neoliberalism and global gender anxieties. *Sociology Compass, 9*(9), 784-802.
- Rydzik, A., & Anitha, S. (2020). Conceptualising the agency of migrant women workers: resilience, reworking and resistance. *Work, Employment and Society, 34*(5), 883-899. doi:<u>https://doi.org/10.1177/0950017019881939</u>
- Vrăbiescu, I., & Kalir, B. (2020). Care-full failure: How auxiliary assistance to poor Roma migrant women in Spain compounds marginalization. In *Roma Migrants in the European Union* (pp. 96-108): Routledge.