Book Review: Unveiling Nuances, Empowering Voices, and Challenging Dichotomies in South-South Migration Dynamics

By:

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Olakpe's scholarly contribution is a thought-provoking addition to the discourse on South-South migration. Through an in-depth conceptual and methodological analysis of the law from below and Third World Approaches to International Law (TWAIL), Olakpe unveils the intricate layers of migration dynamics. Departing from the conventional south-north migration paradigm, this book unpacks the nuances of south-south migration through a critical and transformative lens, reorienting the dialogue towards the subtleties that characterize this unique migration pattern. At the heart of Olakpe's approach lies her innovative utilization of case studies and legal ethnographies in Nigeria and China. These studies serve as a lens through which she illuminates the experiences of marginalized subaltern communities, offering a critique of international law's role within the context of South-South migrations. Employing the 'hermeneutics

of suspicion,' this book endeavours to deconstruct overarching generalizations, contradictions, preemptive universalization, inherent biases, and power dynamics in the south-south migration paradigm.

Challenging the prevailing discourse that perpetuates the marginalization and 'othering' of migrants within the contexts of China and Nigeria, this book critically examines the cultural landscape. Through this examination, Olakpe questions the assumption of moral equivalency across cultures and, in doing so, dismantles the constraints imposed by international law, which often lead to 'othering.' Deconstructing preemptive universalization, Olakpe points to the intricacies of the migrant experience, unveiling their struggles, triumphs, and unwavering resilience. By peeling back the layers of stereotypical representations that frequently dominate mainstream conversations, this book creates space for a richer, more multifaceted comprehension of the lived realities of migrants within this corridor. For instance, Olakpe's analysis of the Nigerian immigrant community in China illustrates the practical reality of her approach, observing the tendency to portray these migrants as perpetual outsiders. A portrayal mainly attributed to misinterpretations of cultural norms and entrenched stereotypes. However, Olakpe's investigation goes beyond these limited portrayals, unravelling diverse narratives that challenge these simplistic categorizations, revealing a spectrum of experiences that extend far beyond the confines of societal misconceptions. Within the scope of these realities, the book uncovers a landscape marked by entrepreneurship, cultural exchange, and mutual adaptation. By dismantling the assumption of moral equivalency and shedding light on the intricacies of cultural interactions, the book challenges existing narratives that perpetuate the marginalization of migrant communities. Through this research, Olakpe expands intellectual discuss and encourages a more empathetic and nuanced approach to engage with south-south migration discuss.

The structure of the monograph is inherently cogent, progressively shifting focus from broader approaches and interpretations of international law to the realm of regional and local migration experiences within Nigeria and China. In this trajectory, Olakpe's work unearths the nuances present within international, regional, and local legal frameworks, intricately weaving together themes of gender, intersectionality, identity, vulnerability, agency, and justice in south-south migration discourse. These themes collectively serve as potent

instruments for amplifying the voices and narratives of marginalized migrants, often excluded from mainstream dialogues, laying bare the inequalities they encounter and the impacts of international law on their everyday lives.'

The methodological use of TWAIL throughout the book invites us to get down and dirty with international law in interrogating the impact of international law on the everyday realities of migrants within this south-south migration. Through this lens, Olakpe encourages us to engage intimately with international law, probing how it shapes the daily lives of migrants along this migration corridor. Through an examination of the "continuities and discontinuities between the law and the lived experiences of migrants in the Global South," Olakpe explores micro-level narratives that provide a counterbalance to critiques of TWAIL's tendency to prioritize macro narratives, which can sometimes obscure a nuanced understanding of legal dynamics at the local or individual level. In this way, international law emerges as not just a neutral, top-down set of rules but a living system interacting with local realities, influenced by and influencing experiences at the grassroots level.

The thematic engagement with gender reveals that while gender unquestionably plays a pivotal role in comprehending migrant realities, its intersections with other social identities culminate in shaping experiences of discrimination or privilege. Through chapters 5, 6, and 7, by mapping the intersectionality of gender with identities like nationality, sexuality and economic class among migrants within this corridor, Olakpe unearths overlapping and interdependent systems of discrimination. Taking a reflexive turn, Olakpe engages with the shifting and intersecting nature of identity to understand the realities of undocumented, stateless or displaced migrants in the Global South. This perspective expands the understanding of intersectionality and adapts it to an African context, where Western ideologies often took precedence, sidelining the experiences and viewpoints of the Third World. By this exposition, Olakpe makes bare that this imbalanced standpoint carries implications for identity, tending to generalize notions of justice, human rights, and democracy based predominantly on Western perspectives, leading to homogenization and universalization that other.

Further, an intersectional perspective on identity reveals that within the Global South, certain migrants may encounter compound vulnerability stemming from

the intricate interplay of their identity intersections. This complex interaction gives rise to heightened levels of invisibility, marginalization, and a diminished scope for resistance or empowerment. Even though a comprehensive enumeration of conditions precipitating migrant vulnerability remains elusive, a prevailing view is that vulnerability emerges from the intricate interweaving of situational and personal factors or identity markers. This complex nexus of factors evolve in tandem with shifting circumstances, yielding multi-dimensional, context-specific experiences of vulnerability.

One such context is regarding undocumented or asylum-seeking migrants. Experiences of vulnerability owing to the precarious legal status of this particular group of migrants are especially prone to heightened vulnerability, subjecting migrants to various injustices and systemic disadvantages -making them 'peripheralized.' Laws and policies formed around this periphery further Western political thought on citizenship, inclusion and exclusion, overshadowing and marginalizing alternative identities, thereby pushing them into the realm of non-political or pre-political spheres. This perspective of citizenship remains unchanged in countries like China and Nigeria, where the exclusivity of borders and citizenship is firmly embedded and accepted. In this way, Western hegemonic practices permit states to avoid legal obligations such as the requirement to abide by human rights standards when dealing with certain types of migrants, and states in the South have normalized this behaviour.

Consequently, due to the exclusion and limitations faced by undocumented or asylum-seeking migrant groups, their interaction with states significantly shapes their encounters with justice and their responses to injustices within the host nation. The lack of enforceable protection leads to injustice, compelling these migrant communities to establish alternative mechanisms. These mechanisms, manifesting as informal justice systems operating at the community level, become essential to address the injustices experienced by these marginalized migrant groups. In this way, the agency of undocumented migrant communities becomes a potent tool for countering hegemony. As Olakpe puts it, "much like the accrual of hegemonic ideals can give rise to oppression, the gradual accumulation of resistance over time has the potential to systematically reshape identities and alter power dynamics within the Global South."

Building on the idea of the resilience of migrant communities in the face of exclusion and inclusion, Olakpe x-rays the grit of migrants within these communities to find justice in contexts that lie beyond the margins of conventional justice schemes, especially in new environments. Hitherto, existing research on informal justice has primarily overlooked certain aspects that pertain to legal systems operating beyond traditional or cultural structures, particularly those emergent in foreign and unfamiliar contexts. While conventional analyses of informal justice highlight people's active choice to engage with it due to cultural, religious, or economic considerations, the same does not hold for displaced or undocumented communities. This indicates that informal justice remains a living force within these communities, intertwined with their everyday experiences, despite the perception of exclusion from formal legal systems. In chapter 6, Olakpe links informal justice to TWAIL, and while acknowledging the utility of informal justice systems in creating resistance, also highlights the co-option of informal justice mechanisms by neoliberal institutions. These informal justice systems shift the focus from top-down legal intrusions to more egalitarian and grounded forms of law and justice. The use of informal justice by migrants within the context of Olakpe's analysis then reflects an attempt to grasp a rich and diverse reality of law that mainstream international law often overlooks. Through this lens, the book brings to the fore the dynamic interplay between legal consciousness, agency, and the creation of alternative justice mechanisms stemming from interactions with formal legal structures. By focusing on the experiences of these communities, the book enriches our understanding of how informal justice operates as a vital response to the shortcomings of formal legal systems. And with it, a compelling realization that individuals are, in fact the ultimate subjects and practitioners of international law, and by accepting this premise, individuals have a legitimate expectation to be privy to international law norms in ways that enrich them.

By skillfully blending the perspectives of TWAIL and the concept of law from below, this book enriches the discourse on South-South migration. The book not only prompts a rigorous analysis of the intricate interplay between international legal frameworks and south-south migration but also offers perspectives on who benefits from them and whose voices are included or excluded, underscoring the importance of empowering migrants and their communities to

actively participate in shaping the laws and policies that affect their lives.

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