



## **Navigating justice: Syrian migrant workers' battle with the informal laws and economy in Turkey**

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LATIF TAS<sup>1</sup> 

### **Abstract**

More than two billion people worldwide work in the informal economy without regulation or legal protection. Many of them work in the service sector, the textile and construction industries, and as domestic help. Migrant workers operating in these contexts, particularly those with precarious legal status, often face significant barriers to accessing formal justice mechanisms. As a result, informal dispute resolution frequently becomes the primary means of addressing grievances such as underpayment, exploitation and gender-based violence. This article addresses this gap by examining informal justice practices among Syrian migrant workers in Istanbul. Drawing on qualitative case studies, the article shows that exclusion from formal legal and economic systems not only pushes migrants into informal labour markets but also compels them to rely on community-based and often non-state forms of justice. The findings highlight the complex relationship between informality, alienation and justice.

### **Key words**

Migrant, informal labour, informal justice, alienation, gender, Istanbul

### **Resumen**

Más de dos mil millones de personas en todo el mundo trabajan en la economía informal sin regulación ni protección jurídica. Muchas de ellas trabajan en el sector de los servicios, en las industrias textil y de la construcción, y como personal doméstico. Los trabajadores migrantes que se desenvuelven en estos contextos, especialmente aquellos con una situación jurídica precaria, suelen enfrentarse a importantes obstáculos

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<sup>1</sup> Dr. Latif Tas is Associate Professor, and 150th Anniversary Award Winner at Aberystwyth University, Department of Law and Criminology, in the UK. Previously, Dr. Tas was awarded a Marie-Curie Global Fellowship and invited to be a member at the Institute for Advanced Study (IAS) at Princeton. His books include *Legal Pluralism in Action* (2016) and *Authoritarianism and Kurdish Alternative Politics: Governmentality, Gender and Justice* (2022). Dr. Tas is an interdisciplinary scholar working at the intersection of law, anthropology, politics, and science. Drawing on extensive research across the Middle East and Europe, specifically on Turkey, Syria, Iraq, Germany and the UK, his work examines governance, social justice, conflict, gender, institutions, informal laws, and informal economies.

a la hora de acceder a los mecanismos formales de justicia. Como consecuencia, la resolución informal de conflictos se convierte con frecuencia en el principal medio para abordar reclamaciones como la remuneración insuficiente, la explotación y la violencia de género. Este artículo aborda esta laguna analizando las prácticas de justicia informal entre los trabajadores migrantes sirios en Estambul. A partir de estudios de caso cualitativos, el artículo muestra que la exclusión de los sistemas jurídicos y económicos formales no solo empuja a los migrantes hacia los mercados laborales informales, sino que también les obliga a recurrir a formas de justicia comunitarias y, a menudo, no estatales. Los resultados ponen de relieve la compleja relación entre la informalidad, la alienación y la justicia.

### **Palabras clave**

Migrantes, trabajo informal, justicia informal, alienación, género, Estambul

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## 1. Introduction

Ahmad,<sup>1</sup> a 34-year-old Syrian migrant, lives in the migrant-dominated neighbourhood of Küçükçekmece in Istanbul. Before the war, he worked as a nurse in Syria, but like many Syrian refugees who arrived in Turkey after 2011, he has been unable to practise his profession due to legal and institutional barriers. Instead, he has been pushed into the informal economy, working in sectors such as textiles, restaurants and car washes. For the past two years, he has held multiple informal jobs without contracts or legal protection, earning approximately 7,500 Turkish lira (215 US dollars) per month, well below the official minimum wage of 17,000 Turkish lira (490 US dollars) a month).<sup>2</sup>

Despite these already exploitative conditions, Ahmad's employers have consistently underpaid him, withholding part of his already low wages. When he questioned this, they threatened to report him to the authorities for working informally, which could result in deportation. This threat effectively silenced him. As Ahmad explained, he felt he had no choice but to continue working under these conditions, describing intense frustration and despair: 'I don't have any hope for the future... I just bear all these hard conditions for my children.'

This case clearly illustrates a form of legal and economic alienation. Ahmad is excluded from formal labour protections and cannot access legal mechanisms to claim his rights due to fear of deportation. At the same time, he is economically dependent on exploitative employers who leverage his precarious legal status to maintain control. His situation also reflects a form of institutional exclusion, where formal justice systems are perceived as inaccessible or even dangerous.

Unlike some other cases, Ahmad was initially unable to rely on informal migrant-based dispute resolution mechanisms, as his employer was Turkish and did not recognise or respond to Syrian community authority. This highlights the limits of informal justice when power asymmetries extend across ethnic and national lines.

Ahmad's children also experience the broader effects of alienation. His two older children have withdrawn from school and entered the labour market, partly due to economic necessity and partly due to experiences of racism and exclusion. His 14-year-old son reported being called 'suri'<sup>3</sup> by peers and excluded from social activities at school, reinforcing a sense of marginalisation that extends beyond the workplace into everyday social life.

Eventually, Ahmad sought help through a religious network. He approached a local mosque, where the imam intervened by contacting his employer and demanding payment of outstanding wages. When the employer initially resisted, further pressure

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<sup>1</sup> All names from cases in this study have been changed.

<sup>2</sup> This interview was carried out in September 2024. Turkey currently has high inflation, and exchange rates and salaries are always fluctuating.

<sup>3</sup> In Turkish, *Suriyeli* is the ordinary term for a Syrian person. During this research, '*Suri*' was found to be a shortened, informal form of *Suriyeli*. While its use is not necessarily derogatory in all contexts, in some school, peer, and workplace settings it can function as a slur-like label and carry pejorative connotations. This is particularly evident when the term is directed at Syrian children in a contemptuous or mocking manner, or when it is used alongside other insults.

was applied through a wider religious network. Under this collective pressure, the employer agreed to pay Ahmad the money owed to him.

This outcome demonstrates how, in contexts of deep *legal alienation*, informal and faith-based networks can function as alternative systems of dispute resolution. While these mechanisms can provide effective ‘moral’ bargaining and immediate remedies, their necessity also reflects the failure of formal institutions to ensure basic labour rights and protections. Rather than relying primarily on formal labour law, which many Syrian workers in Turkey cannot safely or effectively invoke, informal or religiously based mediation mobilise a moral repertoire centred on justice, reciprocity, religiously grounded notions of entitlement (*haqq*), fulfilment of promises, hospitality toward vulnerable and alienated refugees, family responsibility, honour and community reputation. Rather than invoking the Syrian worker primarily as a bearer of legally enforceable labour rights, mediators reconstruct the wage claim as a matter of moral obligation and interpersonal responsibility. This process makes payment more acceptable to employers by framing compliance not as submission to an external legal authority, but as the fulfilment of religious, social and relational norms.

This case shows that community reputation, social pressure, notions of moral responsibility, and shared religious and social norms can influence employers’ behaviour when formal legal mechanisms are inaccessible to migrant workers. The effectiveness of these mechanisms does not derive from formal legal authority but from the social and moral consequences associated with violating community expectations. Ahmad’s case thus encapsulates the central argument of this study: alienation not only results in vulnerability and exploitation but also reshapes the pathways through which justice is sought and achieved.

## **2. Working without protection: The global scale of informal labour**

Not only have individuals like Ahmad faced severe exploitation, but in recent years many migrants have also been subjected to increasing public hostility and direct violence. From domestic workers to factory labourers, migrant communities have experienced growing anti-migrant sentiment, with some neighbourhoods facing attacks by far-right groups. This broader climate of exclusion has also shaped political outcomes, as migration has become a decisive issue in recent local and national elections.

These dynamics must be understood within a broader global context. More than two billion people worldwide work in the informal economy without regulation or state protection (IMF 2020, Torkington 2024). As in Ahmad’s case, many of these workers operate under highly precarious conditions, including low wages, unsafe environments and limited freedom to exit exploitative arrangements. They are frequently employed informally across sectors such as construction, textiles, agriculture, hospitality, and domestic labour, often without contracts, legal documentation or guaranteed wages. For migrants in particular, these vulnerabilities are often intensified by displacement, debt and legal insecurity, placing them at heightened risk of exploitation, trafficking and forms of contemporary forced labour (Piotrowicz 2021). These conditions reflect a broader pattern of legal and economic alienation, in which migrants are excluded from formal labour protections and deprived of meaningful access to justice.

Globally, informal employment accounts for over 60 per cent of total employment, and approximately 25 per cent in Europe (International Labour Organization —ILO— 2018a, 2018b, International Monetary Fund —IMF— 2020, Organisation for Economic Co-operation and Development —OECD— 2023, Torkington 2024). Migrants constitute a significant proportion of this workforce, often facing barriers to formal employment due to language constraints, non-recognition of qualifications, insecure legal status and widespread discrimination (Kretsos and Livanos 2016, Thuesen 2016, Dedeoğlu 2021). The ILO found out that the majority of Syrian workers in elsewhere were employed informally and that many worked long hour for less than the minimum wage (ILO 2020, Badalic 2023). As a result, they are disproportionately exposed to exploitation, underpayment and unsafe working conditions.

These risks are further compounded by gender and social inequalities (Al-Ali and Tas 2017, 2021, Paraskevopoulou 2020). Women, particularly migrant women and LGBTQ+ individuals, are more likely to be concentrated in low-paid, invisible and unregulated sectors such as domestic and care work (Thukral 2010, Kofman 2013, Anderson 2014). In such contexts, they face heightened vulnerability to gender-based and sexual violence, as well as limited access to protection or redress (Dunlop *et al.* 2018, Torkington 2024). These intersecting inequalities reinforce broader patterns of social and gendered alienation.

Despite the scale of these challenges, relatively little is known about how disputes arising within the informal economy are actually addressed. The absence of formal contracts and labour protections makes it difficult, if not impossible, for many migrants to seek redress through official legal channels, particularly when their residency status is insecure (Ambrosini 2016, Schultz 2020). Fear of deportation, mistrust of the authorities, and structural exclusion further discourage engagement with formal justice systems.

In response, migrants and small minorities, who face barriers to formal legal institutions, often develop and rely on alternative, community-based forms of dispute resolution. They turn from bureaucratic and formally rational mechanisms towards forms of dispute resolution grounded in social relationships, moral values, religious authority and community expectations. These informal justice mechanisms, ranging from mediation by community leaders to religious or culturally embedded arbitration systems, provide accessible and context-specific means of resolving conflicts. Such practices are not unique to Turkey but are observed across Europe and beyond, where legally and economically alienated communities increasingly turn to non-state legal orders and create judicial resistance (Chaudhary 1999, Menski 2006, Rossum 2008, Berger 2013, Rabo 2016, Shah *et al.* 2016, Tas 2016, Rigoni 2022, Cardinal 2025).

Debates around informal justice in Europe have become particularly visible in discussions of religious and community-based courts, including Islamic councils and other faith-based arbitration bodies. For example, in London, the presence of numerous Islamic councils has led some commentators to describe the UK as a central hub for such practices (Ehsan 2024, Kennedy 2024). Similarly, alternative dispute resolution initiatives have emerged in other communities, including the establishment of a Sikh mediation forum in London in 2024 (Harris 2024). These developments reflect broader

processes of legal pluralism, in which multiple normative systems coexist and interact (Berman 2012, Cotterrell 2012, Tas 2016, Tamanaha 2021).

Across these contexts, informal justice systems are shaped by notions of trust, belonging and community authority, often relying on oral agreements and social norms rather than formal legal rules (Tas 2016, 2022a, Rigoni 2022). While such mechanisms can offer flexible and immediate forms of redress, their growing prominence also reflects the limitations of state-based legal systems in addressing the needs of marginalised populations. Moreover, these practices increasingly operate across national boundaries, highlighting the transnational dimensions of informal law and migrant life.

### 3. Methodology and theoretical framework

Building on the concept of the ‘semi-autonomous social field’ developed in legal anthropology (Moore 1973), this study examines how informal justice mechanisms operate within migrant communities and how they regulate disputes arising in informal economic activities. Drawing on empirical research among Syrian migrants in Istanbul, it explores how informal courts shape labour relations, dispute resolution and access to justice, as well as their implications for migrants’ rights, alienation and integration.

The study builds on over two decades of research on informal economies, community and religion-based dispute resolution systems. Non-participant observation has been central to capturing everyday practices, including gendered interactions and power relations, and to identifying potential interviewees. For this project, fieldwork was conducted in three migrant-dominated neighbourhoods in Istanbul — Fatih, Küçükçekmece and Zeytinburnu — between September 2024 and April 2026.<sup>4</sup> A total of 78 semi-structured interviews were carried out with a diverse group of participants, including migrants, members of the host society, legal professionals, activists, journalists, policymakers and individuals involved in informal labour and dispute resolution. 52 migrants were interviewed. The total sample consisted of 46 male and 32 female participants from varied socio-economic and educational backgrounds.

Theoretically, the study introduces the framework of legal and economic alienation to analyse how lived experiences, perceptions and normative preferences shape engagement with informal economies and justice systems (Diken 2004, Van Eijk 2010, Eksner 2013, Accetturo *et al.* 2014, Rawls 2001, Ruef and Grigoryeva 2023). Alienation has been widely theorised across philosophy, sociology, economics and legal studies, generally referring to forms of disconnection between individuals and the social structures that govern their lives. In this study, *legal alienation* denotes a condition in which individuals experience disconnection from legal systems due to barriers in accessing justice, weak enforcement of rights or exclusionary legal frameworks. This often leads to a loss of trust in institutions and disengagement from formal legal processes.

Drawing on the work of Karl Marx and Friedrich Engels (1988), economic alienation is understood as the estrangement of workers from their labour and the broader economic system, a condition that helps explain why marginalised groups are pushed into

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<sup>4</sup> This study has received ethical approval from the Aberystwyth University Ethics Board. For comparative and previous research and methodologies, see also, Tas 2013a, 2013b, 2016, 2022a, 2022b.

informal and precarious forms of work. Beyond Marx, other scholars have also examined related forms of alienation. Émile Durkheim approached the issue through the concept of *anomie*, referring to a breakdown of social norms and moral regulation in modern societies (Durkheim 1992, 1997). Although he did not explicitly use the term ‘alienation’, his analysis highlights how increasing specialisation and weakened social cohesion can produce feelings of disconnection, isolation and social instability, often reflected in higher rates of crime and suicide.

Max Weber also does not use the term ‘alienation’ in the same central way as Marx. Weber argued that modern societies are shaped by rationalisation, the increasing dominance of calculation, rules, efficiency and bureaucracy (Weber 2019). This leads to what he famously described as the ‘iron cage’ of modernity (Weber 2001). Individuals become constrained by impersonal systems and formal rules; social life becomes less personal, more procedural and less meaningful; people feel trapped, powerless and disconnected from systems that govern their lives. For migrants specifically, bureaucratic systems, permits, documentation and legal status can feel rigid and exclusionary. The law becomes formal but inaccessible, contributing to *legal alienation*. The state governs without being present, and a ‘ghost bureaucracy’ (Borelli *et al.* 2023) is created where many issues continue unresolved. Weber distinguishes between formal rationality, such as rule-based, codified law (state courts, bureaucracy), and substantive rationality — decisions based on cultural values, religion or social norms (Weber 2001, 2019). So, when migrants turn to informal courts, they are not rejecting state law entirely, they are shifting toward a system that feels more meaningful, accessible and legitimate for them.

Weber also recognised that multiple legal orders coexist, such as state law, religious law and customary/community norms. Informal justice systems are not anomalies; they are parallel normative orders operating alongside the state law. From a Weberian perspective, migrants’ reliance on informal economies and informal justice mechanisms reflects their exclusion from systems of legal-rational authority. As formal institutions become inaccessible or unresponsive, individuals turn to substantively rational forms of regulation grounded in community norms, trust and alternative authority structures. This shift does not represent a rejection of order, but rather a reorientation toward more accessible and meaningful forms of social and legal organisation.

More recently, David Harvey has extended the concept of alienation by emphasising its spatial and political dimensions. He argues that under contemporary capitalism, alienation permeates not only the labour process but also urban life, consumption and political subjectivities. Harvey links these broader forms of alienation to rising social inequalities and the growth of right-wing populism, including anti-migrant sentiments (Harvey 2014, 2018). This perspective is particularly relevant for understanding how structural alienation shapes both the marginalisation of migrant workers and the societal conditions in which informal economies and alternative justice mechanisms emerge.

For Syrian migrants in Turkey, alienation operates across legal, economic and social dimensions. Barriers to formal employment, non-recognition of qualifications, precarious legal status and discrimination limit access to both labour markets and justice systems. Even where rights formally exist, they are often inaccessible in practice. As a result, migrants are pushed into informal economic activities where survival depends

on flexibility rather than legality. These conditions render formal institutions distant, ineffective or even threatening.

In this context, informal economic practices and informal justice mechanisms should not be understood as mere alternatives, but as structurally produced responses to exclusion. When individuals are alienated from formal legal systems, disputes are not abandoned but instead relocated to community-based and non-state arenas. This shift highlights the central argument of this study: alienation not only produces marginalisation but also reshapes the ways in which economic life and justice are organised and experienced.

#### **4. Socio-political and economic realities of migration in Turkey**

Turkey is an important gateway into Europe for migrants from the Middle East, Asia and Africa. In the last ten years it has received more than five million migrants, mostly from Syria (numbering approximately three million Arabs and 800,000 Kurds respectively). Migration from Syria is a recent issue in Turkey and elsewhere. After the war and break up of Syria in 2011, millions of Syrians have been forcibly displaced both within Syria and across its borders. Although approximately 5–6 million Syrians were registered as refugees in neighbouring countries at various points during the peak of the displacement crisis, comprehensive data disaggregating this population by ethnicity and religion are not available (The UN Refugee Agency – UNHCR – 2021). Consequently, the numbers of Syrian refugees belonging specifically to Arab, Kurdish, Christian, Muslim, and Yazidi communities cannot be reliably established from existing international refugee and states statistics.

Turkey, especially Istanbul, has become the central hub for different migrant transnational network activities, and its social and economic policies have long coexisted with large networks of informal economy activities (Esen and Binatlı 2017, Dedeoğlu 2021, Aksu *et al.* 2022). Istanbul is one of the oldest cities of immigration in human history and today hosts more than two million migrants from different countries. Most of the recent arrivals are from Syria. Istanbul is a multicultural city marked by stark contrasts: luxury districts and financial centres coexist alongside poor migrant neighbourhoods, where forms of marginalisation, alienation and ghettoisation persist along the shores of the Bosphorus.

In Istanbul, most migrants from Syria are concentrated around the Küçükçekmece, Fatih, Aksaray, Zeytinburnu, Esenyurt and Sultangazi neighbourhoods, where they are described as poor, marginalised and disconnected from state institutions. Many migrants in Turkey work within the informal economy without formal contracts, secure wages or official registration (Akgündüz and Torun 2020, Altındağ *et al.* 2020, Toksöz and Memiş 2020, Aksu *et al.* 2022, Aracı *et al.* 2022). They face insecure working conditions and harsh and exploitive treatment, with women and LGBTQ+ persons as the most vulnerable groups for such conditions (Kabeer *et al.* 2013, Freedman *et al.* 2019, Williams *et al.* 2021).

The precarisation of Syrian labour in different sectors in Turkey has been widely influenced by intersecting vulnerabilities. Syrian families mostly rely on their communities, social networks and informal work opportunities to sustain their livelihoods. However, this also reinforces intra-community dependency (Dedeoğlu 2021). Anti-migrant hostility, insecurity and economic hardship have further

contributed to the onward migration of many Kurds and Arabs from the Middle East to Europe, with Turkey frequently serving as a transit or 'bridge' country (Eroğlu 2017, İçduygu and Nimer 2020). In addition, political governance and policy on refugees in Turkey is limited and provides only temporary protection, so the migrant and refugee networks mostly rely on alternative solutions and their transnational links (UNHCR 2021, Sahin Mencutek 2021). Moreover, some Muslim entrepreneurs are reluctant to take out a formal business loan, as interest charges (*riba*) are forbidden in Islam. As a result, many migrants approach different Islamic social and financial associations, community networks, and mosques, while also relying on family support to secure alternative forms of support.

Before the arrival of recent international migrants from the Middle East, Asia and Africa, ethnic tensions in Turkey were largely shaped by internal labour migration, particularly between Turkish and Kurdish populations. In recent years, these dynamics have shifted, with tensions increasingly emerging between newly arrived migrants and their host communities. In Turkey, almost all unwanted migrants are currently labelled as 'Syrian', a categorisation that reinforces social and political exclusion. Exposure to discrimination and exploitation within the formal and informal sectors, linked to their status as migrants, has compelled many Syrians and other migrant groups in Turkey to form closed, 'safe' community networks. Ghettoisation and informality often remain the only choices left to them.

These conditions have enabled far-right and, at times, far-left groups to act as 'protectors of the state', engaging in acts of hostility and racially motivated crowd violence against migrants and minority groups. For example, in July 2024, in Kayseri, central Turkey, a mobilized nationalist riots set fire to approximately 400 workplaces, vehicles and homes belonging to Syrians, and looted them, following allegations that a Syrian individual had molested a child. Similar incidents were reported in other parts of the country, and subsequently, a 17-year-old Syrian, Ahmet el Naif, was fatally stabbed in Antalya. Kayseri, often characterised as a conservative and nationalist stronghold and historically one of Turkey's economic centres, experienced several nights of intense violence before authorities intervened. This delay left parts of the city in shock and deepened uncertainty among migrant communities (BBC 2024, Bourcier 2024, Frazer 2024).

Initially, far-right violence was not effectively prevented by state authorities or security forces; instead, a Turkish court imposed a broadcast ban on reporting the riots (BBC 2024). Such acts of lawless violence against minorities and migrants are often legitimised through a nationalist discourse framed as 'saving the state from terrorism' (Al-Ali and Tas 2018). As Stuart Hall asserts, the state is never a neutral arbiter of social conflict (Hall 1984). In this context, state institutions and their local representatives frequently adopt stricter measures targeting migrant individuals and communities in the name of 'law and order', which can directly or indirectly align with far-right demands that claim to defend the state. Within such an environment, trust in the state and its justice system erodes, particularly where enforcement appears selective and arbitrary, thereby deepening the alienation of individuals, marginalised minorities and migrant groups.

State selectivity and bias have far-reaching effects across sectors and institutions. Within this context of unequal power relations, employers may be reluctant to hire migrant workers formally, fearing association with positions perceived as contrary to dominant

far-right narratives. In certain sectors, such as tourism — where there are labour shortages — many Turkish firms prefer not to hire migrants from Syria and instead recruit workers from Central Asian countries, including Kazakhstan, Turkmenistan and Uzbekistan, who are perceived as being of ‘Turkish descent’. Employers typically cite three main reasons for this choice. First, hiring Syrian migrants is seen as potentially damaging to local reputation, risking the loss of social and state support. Second, there is a perception that Syrian workers are ‘less able’ or ‘willing to meet demanding work schedules’ compared to their Central Asian counterparts. Third, Central Asian migrants are often constructed as cultural or ‘blood’ relatives, whereas Syrians are positioned as ‘others’.

## 5. The case of domestic workers

Female migrant domestic workers in Istanbul, in particular, experience multiple and intersecting forms of exploitation, including sexual harassment, economic abuse and unfair dismissal, alongside the broader vulnerabilities faced by male migrants such as Ahmad. In one case, Maryam, a Syrian domestic worker in the Fatih district, reported being subjected to sexual harassment by her employer and subsequently dismissed by both the husband and wife without receiving her wages. When she attempted to seek help, she was physically assaulted in the presence of the police, who failed to intervene or provide protection. It was only through sustained community pressure that she was eventually able to recover her unpaid wages.<sup>5</sup> This case illustrates a profound form of *legal alienation*; whereby formal institutions not only fail to uphold rights but actively contribute to experiences of exclusion and vulnerability.

As Weber and many others have argued, where formal legal protection is absent or ineffective, individuals may turn to substantively rational forms of regulation rooted in community norms, interpersonal trust, and alternative forms of authority. Maryam also turned to her community. This outcome highlights the role of informal justice mechanisms as substitutes for inaccessible or unresponsive formal systems. At the same time, the case underscores the gendered dimensions of alienation. As a female domestic worker, she faced sexual violence, economic exploitation and institutional neglect, all of which reflect intersecting inequalities linked to gender, migrant status and precarious labour conditions. This case demonstrates how alienation not only produces vulnerability but also reshapes pathways to justice, shifting them from formal legal institutions to community-based mechanisms.

Physical appearance emerges as a significant yet deeply ambivalent dimension of women’s experiences in domestic labour. There is a large body of feminist, sociological and anthropological scholarship on embodied labour, aesthetic labour and domestic service has demonstrated how women’s bodies and bodily presentation become sites of both economic valuation and social regulation, with appearance, dress, sexuality and bodily comportment shaped by intersecting relations of gender, race, ethnicity and class (Constable 1997, Duffy 2007, Anderson 2000, De Casanova 2013, Wade 2013, Mears 2014). In domestic labour, appearance may, depending on employers’ preferences and expectations, facilitate access to employment, while simultaneously exposing workers to heightened forms of surveillance, discrimination and vulnerability (Anderson 2007,

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<sup>5</sup> This interview was carried out in April 2025.

Wade 2013, Mears 2014). Several Syrian migrant women in Istanbul interviewed for this study reported being dismissed without notice or payment because of aspects of their appearance, while others described experiencing harassment related to their clothing or to how their bodies and appearance were perceived within the household. These experiences illustrate how physical appearance can function simultaneously as a condition of employability and a mechanism through which unequal gendered power relations are reproduced in the domestic workplace.

At the same time, employers' attitudes toward appearance are not uniform. Some households adopt more supportive approaches, encouraging workers to develop skills or present themselves confidently. One Syrian domestic worker described this duality: 'Looks can be both a disadvantage and an important asset for getting a job. I faced difficulties in the past and lost my job without payment because of my appearance and the way I dress. However, I am now working for a family that treats me as a member of the household and encourages me to dress well and take care of myself.'

This variability highlights how hiring and employment conditions are shaped less by formal standards than by subjective, gendered expectations embedded within household dynamics. Even where appearance is positively valued, it remains a key criterion through which workers are assessed, often overshadowing their skills, reliability and professionalism. It shows that domestic labour can involve the commodification of the worker's body and appearance (De Casanova 2013, Wade 2013, Antona 2023). The employer may effectively purchase not only cleaning, cooking or caring services, but also particular forms of bodily presentation, dress, behaviour, cleanliness, emotional self-regulation and personal interaction (Anderson 2007, Antona 2023). In this sense, the worker's body functions simultaneously as a means of producing labour and as an object subject to employers' scrutiny and regulation. These expectations are also shaped by femininity, ethnicity, nationality or suitability for domestic work (Anderson 2000, 2007, Wade 2013, Mears 2014, Antona 2023).

Importantly, 'beauty' operates as a double-edged condition in domestic labour. On the one hand, physical attractiveness may be valued by employers and incorporated into perceptions of a worker's suitability or desirability; on the other, women whose appearance is perceived as conforming to socially valued ideals of femininity may become subject to heightened sexualised attention and objectification (Mears 2014, Ward *et al.* 2023, Hofmann 2024). In the intimate and highly unequal setting of the household, such dynamics may increase workers' vulnerability to unwanted sexual attention, harassment, or exploitation (DeSouza and Cerqueira 2009, Kocanci *et al.* 2025). At the same time, their perceived attractiveness may be constructed as a source of potential sexual or marital tension within the household, particularly where employers' intimate relationships and gendered expectations shape the treatment of domestic workers. The significance of appearance is therefore not inherent in women's bodies themselves, but is produced through gendered norms, perceptions of sexuality, and unequal relations of power.

As noted by a Syrian activist, female employers may regard attractive workers as a threat, particularly in relation to husbands or male family members. In such cases, workers may be blamed, disciplined or dismissed regardless of their conduct, reflecting deeply gendered norms that regulate women's visibility and behaviour. These dynamics

also impose significant emotional and psychological burdens. Workers may feel pressured to manage their appearance in ways unrelated to their labour, while performing physically demanding and often precarious work. This reinforces a broader condition of social and gendered alienation, in which workers are not recognised as rights-bearing individuals but are instead evaluated through inconsistent and discriminatory criteria.

Such vulnerabilities are further intensified by precarious legal and economic conditions. Many migrant domestic workers lack formal contracts or legal documentation, limiting their access to justice and increasing their dependence on employers. In these contexts, power asymmetries within private households enable abuse, non-payment of wages and arbitrary dismissal with minimal accountability. As the earlier, Ahmad case demonstrates, when formal institutions fail, workers are compelled to turn to community networks and informal dispute resolution mechanisms to seek redress.

Migrants usually navigate between multiple normative and institutional orders depending on the circumstances of the dispute. As like Ahmad case, in Maryam case also, in circumstances where formal bureaucratic and legal mechanisms are inaccessible, community-based mechanisms has provided an alternative form of authority grounded in shared values, moral obligations, social relationships and religious norms. Informal mechanisms emerge precisely because formal institutions and courts are also perceived as too slow or costly, linguistically and culturally inaccessible, discriminative, biased and risky (especially for those with precarious legal status). Informal institutions gain legitimacy because they are embedded in everyday social life. This is one important reason why informal dispute resolution is often more preferred by many than formal courts within marginalised groups. It reflects lived realities rather than abstract legal norms.

These cases demonstrated that alienation is also deeply gendered. Women face double alienation, which a person feels or is structurally positioned as an outsider in more than one social or institutional context. Especially migrant women can experience more than one form of marginalisation at the same time, because they are migrants and because they are women, from state' legal system and from patriarchal norms within their own communities. They face language barriers, social exclusion, discrimination or restrictions associated with their immigration status. Many of them concentrated in insecure, temporary, informal, low-paid or poorly protected forms of work. This can make it more difficult to challenge workplace exploitation because they may fear losing their employment or income. As women, they encounter gender-based discrimination, unequal pay, occupational segregation or expectations concerning caring and domestic labour. Immigration status, unfamiliarity with legal systems, financial constraints, language barriers or insecure employment can make it difficult to access courts, employment tribunals, trade unions or other official mechanisms of protection.

Lack of legal status within the state and lack of cultural status within their community also increases the women's double alienation. While informal justice mechanisms, community and religious networks may provide migrants with culturally accessible mechanisms for recovering unpaid wages or resolving certain labour disputes, however these same networks can also reproduce existing gender and power hierarchies and inequalities. They have limitations in addressing structural forms of gender-based

violence, sexual harassment, unequal pay and exploitation. The availability of informal justice can have different consequences for men and women. In some circumstances, community-based informal laws and justice may provide essential support to women who cannot safely or effectively access formal institutions. In other circumstances, however, patriarchal norms and concerns about family or community reputation may constrain women's ability to pursue claims, particularly where disputes involve intimate relationships, sexuality, domestic violence or gender-based abuse.

Informal justice, like state-based formal justice, is a complex and ambivalent phenomenon that cannot be understood simply as an alternative to formal law. Although informal mechanisms may mitigate *legal alienation* by offering forms of justice that are more accessible and embedded within community relationships, their reliance on local norms and social hierarchies may simultaneously reproduce or reinforce gendered power relations.

As we have studied from Ahmad and Maryam cases, all these forms of exclusion should not necessarily be treated as independent problems. These multiple overlapping forms of exclusions and disadvantages are interconnected, interacting rather than operating separately. They intersect and produce distinctive forms of vulnerability and can reinforce one another.

## **6. Interconnections between informal economy and informal law**

Exclusion from formal economic and legal opportunities, combined with widespread discrimination, leaves many migrants with little choice but to rely on informal economic activities that remain largely unregulated by the host state. In Turkey, the informal economy has historically constituted a significant share of economic activity, estimated at around 31.4 per cent of GDP between 2003 and 2018 (Medina and Schneider 2018, Deléchat and Medina 2021, Ohnsorge and Yu 2021). For migrants, particularly Syrians, participation in this sector is not incidental but structurally driven by legal restrictions, labour market barriers and social marginalisation.

As a result, many migrants work under highly precarious conditions, often receiving low, irregular or unpaid wages. In response to these uncertainties, they develop informal networks and support structures within their communities to cope with everyday challenges. These networks can provide access to employment, housing and basic services, while also fostering solidarity in contexts of exclusion. At the same time, limited opportunities and resource scarcity may intensify competition and tensions within and between migrant groups.

New arrivals frequently settle in neighbourhoods where co-ethnic or co-national communities are already established, such as in parts of Istanbul. These areas offer access to informal labour markets, shared language and cultural familiarity, and existing social networks. Such settlement patterns are shaped by both structural constraints, such as legal barriers to formal employment, and practical considerations, including affordability and social support. In these contexts, informal economic participation becomes a primary means of survival, particularly for those facing language barriers, lack of recognised qualifications or irregular legal status.

Within these settings, migrants also develop and rely on informal norms, practices and dispute resolution mechanisms. Because their work is unregistered and often outside the scope of formal legal protection, conflicts — whether between workers and employers or within communities — are frequently addressed through informal justice systems. These may involve community leaders, respected elders, intermediaries or religious figures acting as mediators or arbitrators. Such mechanisms provide a degree of predictability and order in otherwise insecure environments.

The relationship between informal economies and informal legal systems is therefore deeply interconnected and shaped by conditions of alienation. Legal and institutional exclusion not only pushes migrants into informal labour markets but also limits their access to formal justice, reinforcing reliance on alternative systems. In highly segregated and marginalised communities, informal norms and ‘courts’ often regulate economic and social life, filling gaps left by the state and its institutions.

At the same time, informal and formal systems are not entirely separate. There are continuous interactions between them, as individuals navigate multiple legal and economic frameworks depending on their needs and circumstances. Informal practices may influence formal economic activities, and disputes originating in formal settings may also be resolved informally. This process of ‘legal pluralism’ reflects the strategic choices of actors who move between systems, engaging in forms of ‘forum shopping’ to secure more favourable outcomes.

## 7. Conclusion

Turkey hosts one of the largest refugee populations in the world, particularly from the Middle East, and migration has reshaped the country in profound ways since the onset of the Syrian civil war in 2011. In cities such as Istanbul, some neighbourhoods now have significant Syrian populations, many of whom live in low-income areas and work in sectors such as services, textiles, construction and agriculture. These conditions have contributed to the expansion of informal employment and intensified labour precarity, particularly in the absence of secure legal status and accessible work permits.

Despite enduring difficult journeys and precarious living conditions, migrants are frequently framed as a ‘problem’ in public and political discourse. Yet migration is an inherent feature of social and economic transformation. The marginalisation, ghettoisation and alienation of migrants, observed not only in Turkey but across many societies, reflect deeper structural inequalities rather than the presence of migrants themselves. Many remain confined to the margins of society, working under insecure conditions, often without legal protection, stable income or access to basic services such as housing, healthcare and justice.

This study has demonstrated that the relationship between migration, informal economies and informal justice systems is best understood through the lens of alienation. Legal, economic and social forms of alienation limit migrants’ access to formal institutions, rights and protections, pushing them toward informal labour markets and alternative mechanisms of dispute resolution. In this context, informality is not merely a survival strategy, but a structurally produced condition shaped by exclusion, discrimination and institutional failure.

The findings also highlight the central role of gender and embodiment in shaping informal labour dynamics. Gender, sexuality and physical appearance influence access to employment, exposure to exploitation and experiences of justice. As demonstrated in the case of domestic workers, women face intersecting vulnerabilities, including sexual harassment, economic abuse and dismissal without recourse, while navigating complex expectations around visibility, modesty and 'respectability'. These dynamics reinforce forms of gendered alienation and deepen reliance on informal systems of support and dispute resolution.

Community networks and informal justice mechanisms often provide crucial forms of protection and redress where formal institutions fail. However, reliance on such systems also underscores the limitations of existing legal and policy frameworks, which frequently fall short of ensuring equitable access to rights and justice. Like state-based formal justice, informal laws should be also understood as a complex and ambivalent phenomenon rather than as an uncomplicated alternative to formal law. Informal legal orders can also simultaneously provide protection and reproduce inequality. While they may mitigate experiences of legal alienation by providing accessible and socially embedded forms of dispute resolution, they may also reproduce or reinforce existing gendered power relations and inequalities.

Addressing these challenges requires more than restrictive migration policies. It calls for strengthening legal protections, expanding access to formal employment, improving the enforcement of labour rights, and developing inclusive support systems that account for gendered and social inequalities. Without addressing the underlying conditions of alienation, informal economies and informal justice mechanisms will remain central to migrants' everyday lives.

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