“Footloose” female labour: transnational migration, social protection and citizenship in the Asia region

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“Footloose” female labour: transnational migration, social protection and citizenship in the Asia region

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Abstract:
This paper reviews the literature on female labour migrations flows within the Asia region from a gender perspective in order to gain a better understanding of their patterns, causes and consequences as well as their implications for current concerns with social protection and citizenship. The rationale for a gender perspective stems for evidence that women migrate for different reasons than men, they migrate along different routes and the consequences of their migration are also often different. Female migration therefore poses a particular kind of challenge for social protection and for the citizenship status of migrants. In addition, from a more analytical perspective, the study of gender-differentiated movements of the population are important for the mirror they hold up to the different ways in which gender inequalities in the division of labour are incorporated into the broader and spatially uneven processes of development in an era of globalization.
About the Author

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1. Introduction: the objectives and scope of the Paper

The aim of this paper is to review the literature on labour migration flows within the Asia region from a gender perspective in order to gain a better understanding of their patterns, causes, consequences and implications for current concerns with social protection and citizenship.¹ The rationale for a gender perspective on migration lies in the evidence that women migrate for different reasons to men, that they migrate along different routes, that the consequences of their migration are likely to be different and therefore that the policy implications are also likely to differ (Hugo, 2000). As Piper (2005) puts it, these gender-differentiated movements of population in search of work hold up a mirror to the way in which gender divisions of labour are incorporated into the broad and spatially uneven processes of development itself.

The migration process can be classified along a number of different continuums, each of which has significance for how it is experienced. These continuums relate to the distance travelled, borders crossed, motivation for, and duration of, migration and the degree of voluntarism or coercion involved. Distance has a bearing on the extent to which people are migrating into familiar or unfamiliar environments, the borders that may be crossed and the frequency with which they can return to the home community. Distance thus also has a bearing on duration of migration and the relative feasibility of daily commuting versus short or long term migration. The duration of migration, in turn, has implications for the strength of ties with the community of origin and processes of assimilation or marginalization in the receiving country. Rural to urban migration is a special case since it may not be physical distance per se but differences in the nature of the environment that is the distinguishing feature of the migration experience.

*Border crossings* bring their own set of complications, relating not only to the sociology of the migration experience but also to its political dimensions. They set up a continuum between *internal* and *international* migrations. The two phenomena can, for certain purposes, be treated within the same analytical framework in that they reflect

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¹ Many thanks to Avanti Mukherjee and Raman Sohal for their assistance with this review
similar, rather than distinct and separate, processes of causality. For instance, the migration literature talks about the ‘one step, two step’ dynamics of migration, referring to the support that internal migration provides to decisions to migrate across borders. Particularly where the borders crossed are into neighbouring countries with very similar cultures, one can be seen as an extension of the other. For instance, for many Bangladeshis living near the Assam border, Guwahati is the largest day labour market and they congregate daily at railway and bus stations to find work on Indian construction sites or farms (Deshingker, 2005).

Internal and international migration can also be treated within the same analytical framework when they reproduce similar problematic features. Both India and China are large enough for internal migration to carry many of the same policy challenges as cross-border migration, with internal migrants having to deal with destinations characterized by a different language and culture than their own, different ethnic or religious majorities and different sets of rights and provision to which they may not have automatic entitlement. In India, for instance, the ration system operates as an implicit control on internal mobility in that basic entitlements are tied to place of residence, acting as a barrier to the portability of citizenship rights within the country. Both China and Vietnam, on the other hand, operate explicit controls over internal population movements. China classifies people as rural or non rural through its hukou registration system while the KT classification system in Vietnam ranks uses differential residence categories from the most stable KT1 and 2 to the less stable KT3 and 4. In both these contexts, access to formal employment as well as basic services and public facilities such as water supply, electricity, health care, schooling, notary public services, land and housing all depend on registration status, giving rise to undocumented migrants within countries.

However, from a more general perspective, issues of legality associated with the crossing of national borders, the citizenship status ascribed to workers in countries other than their own, the difficulties of remitting money home and various other factors serve to differentiate the experience of internal and international migrations to the extent that one cannot be collapsed into the other. Bangladeshi migrants may
consider their daily migration into Assam a logical extension of their search for livelihoods, but they are certainly not regarded as internal migrants by Indian officials or the Indian media who view with alarm the possibility that the trickle of migrants has the potential to turn into a flood.

The motivations for migration also serve to classify migrants into different categories. Thus people may migrate for work, family reunification, to marry, to escape abusive family situations or political repression at home or in response to environmental degradation. However, here too, the distinctions are not clear-cut. In particular, migration ostensibly for marriage purposes may be strongly motivated by livelihood considerations so that it becomes difficult to disentangle migration for marriage from migration for work. Similarly family reunification may be a precursor to the entry of women into the labour force or to a shift in their livelihood activities.

Similarly challenging is the task of disentangling ‘voluntary’ from ‘involuntary’ forms of migration, a distinction, which partly overlaps with that between documented, and undocumented migrants and associated issues of legality. The distinction between voluntary and involuntary migration revolves around the question of motivation: there may be important overlaps between trafficking and the commercial sex industry, but it is important to distinguish between those who migrated for such work of their own volition, those who were deceived into it, or about the conditions associated with it and those who were coerced into it (Hennink and Simkhada, 2003).

There is also a continuum of relationships governing migration. Voluntary movements of documented migrants across national boundaries through legally recognized channels represent one end of this continuum. Among undocumented migrants, those who control the process of their migration journey and move along familiar well-established routes are closer to this end of the continuum. Other undocumented migrants rely on middlemen of various types who exercise different degrees of control over the process, with increasing coercion exercised the power of the latter increases to the extent that the latter end up controlling information about the migration process and destination and determine when migrants move, what it costs them, where they go.
and what jobs they go to. Migrants may be misled about the type of work and their working conditions and find themselves trapped by debt for an extended period into their sojourn abroad. They may be sold into bonded situations, often by their parents or husbands. And at the extreme end, are those who have been kidnapped and trafficked across borders against their will.

Bearing in mind the overlapping nature of these different categories, the main focus of this paper is on a very specific and increasingly important form of migration: voluntary, short term and cross border female labour migration within the Asia region. There is a tendency in activist and advocacy circles to conflate all undocumented female migration with trafficking and hence to criminalize it. This has problems. Much of both documented and undocumented female migration does not entail criminal forms of employment, but is nevertheless characterized by highly exploitative and corrupt practices and violations of human, women and workers’ rights. However, they do not lend themselves to the kind of headlines that trafficking rightly attracts as a result of which there has been far less policy attention to problems associated with the voluntary migration phenomenon. Hence the focus of this paper.

The structure of the paper is as follows. Section 3 of the paper provides some estimates of the magnitude and direction of migration flows across the region. Section 4 examine some of broader factors which help to explain the rise in international migration in the region while Section 5 focuses on the factors behind the feminization of these migration flows. Section 6 reports on the policy and other institutional actors that influence the migration experience while Section 7 deals with some of the different dimensions of migration experience for women, their families and communities. Finally Section 8 draws out the implications of the analysis for research and policy advocacy around the inter-related themes of social protection and citizenship.
2. Social protection and citizenship: the policy challenge

Motivating the analysis of the paper is a concern with research, advocacy and policy on the inter-related questions of social protection and citizenship. The theoretical justification for this concern lies in the idea of ‘double movement’ which Polanyi suggested characterized the rise of industrial capitalism in Europe and which has a fresh relevance today. The first movement referred to the unregulated expansion of market relations and the erosion of the social relationships of kin, family and custom that this entailed. As Polanyi pointed out, the logic of this movement was to reduce all factors of production, including land and labour, to the status of commodities. Left unchecked, the logic of commodification would have destroyed humanity and transformed the natural environment into a wilderness. In recognition of this danger, societies had taken measures to protect themselves, giving rise to a second counter-movement, which sought to regulate markets and protect ‘man and nature’ (p. 132). In the European context, the counter-movement provided the impetus for the welfare state and to a concept of citizenship, which added economic/social rights to the civil/political rights, which had defined earlier liberal notions of citizenship (Marshall, 1950). While civil and political rights related to the right to vote, to free speech, to religious freedom, to enter contract and dispose of one’s property, social and economic rights effectively ‘de-commodified’ labour by de-coupling the living standards of individuals from their ‘price’ in the market place: ‘market forces (were) thus tempered by recognition of an obligation on society to ensure that individual members of a particular society are able to meet their basic needs’ (p. 17).

The liberalization of markets and opening up of national economies in recent decades has led to a new era of expanded commodification – a second great transformation - but this time on a far more global scale than was the case in the early years of capitalist expansion in Europe. This is evident in the growing flexibilization of labour markets, as public welfare provision is cut back and the labour force increasingly forced into informal forms of work with little or no social protection. Concerns about the
increased commodification of labour across the world and the near-total reliance of many workers on market forces to meet their basic needs have assumed greater prominence in the development agenda after the Asian financial crisis brought home to policy makers, both within the region and internationally, the high costs associated with reliance on unregulated market forces in a volatile global economy (World Bank, 2001; ILO, 2001). However, a great deal of the thinking about social protection thinking remains rooted within the paradigm of an 'immobile' labour force and has failed to capture the needs of mobile, particularly internationally mobile, labour.

The phenomenon of trans-national female labour migration exemplifies many aspects of the globalization process and of the challenge it presents to current thinking about social protection. It represents an important strand of what has been described as dual 'feminization' of the labour force: via the increase in the percentages of women in paid work globally precisely at a time when labour markets are generally being made more flexible and employment increasingly characterized by the casualized and informal conditions traditionally associated with women’s work (Standing, 1999). Not only are women an increasing percentage of labour migration flows, particularly in the Asia region, but the vast majority of female migrants are employed in precisely those sectors of stratified labour markets which are characterized by the generalized absence of protective measures and hence feminized in the second sense of the word. They share this unprotected status with non-migrant women workers in the informal economy and hence must be considered in any discussion about social protection for the informal economy.

However, as migrants, their status is different from that of other workers in the informal economy, male as well as female. They are citizens of countries other than the ones in which they work and consequently, have uncertain legal standing as workers and little legal recourse should they face violations of rights as workers. They share this ambivalent status with male migrants in the countries in which they work. However, the articulation of their gender-specific vulnerabilities as women with their vulnerabilities as migrant workers in the informal economy makes it imperative to consider social protection from a perspective that integrates class, gender and
citizenship issues. It requires attention to interactions between the range of institutional actors involved in the migration process, including households in pursuit of employment as well as states, employers, recruitment agencies, NGOS and trade unions at both local and global levels who all contribute by their actions and inactions to determining the nature of the migration experience for vulnerable workers.

3. Estimating migration flows in the Asia region

Although the overwhelming majority of movements in search of work across the world continues to be internal, there has been a systematic increase in the actual numbers involved in international migration to a historically unprecedented scale, making it one of the most important drivers of globalization today. The number of people counted as living outside their country of birth has almost doubled in last 50 years – increasing to around 191 million in 2005. Around 1 in every 35 people was an international migrant in 2000 (BRIDGE, 2005)

There has also been a diversification in terms of distance and destinations. Much of the migration is in the direction of the developed countries and net migration accounts for a major and growing share of population growth in developed regions: around 75% in 2000-2005. Of the 36 million who migrated between 1990 and 2005, 33 million ended up in industrialized countries. However, there has also been an increase in cross-border migration within the developing regions of the world.

As Hugo (2006) notes, the sheer size of the population in the Asian region, accounting for 58% of the world’s population, means that it looms large in any consideration of global demographic trends, including trends in international migration. The main sending countries in the Asia region today are Philippines, Indonesia, Sri Lanka and Thailand while the main receiving countries are Gulf Co-operation Council States – in particular, Saudi Arabia and Kuwait – Hong Kong, Japan, Taiwan, Singapore, Malaysia and Brunei (see Table 2).

The primary form of international migration within the Asian region today is short-term overseas contract labour. There are two categories of such labour. One is relatively
small and involves highly skilled professionals from India, Pakistan, Bangladesh, Sri Lanka and the Philippines who migrate to the more developed countries of the region as well as to some of he labour surplus economies like Indonesia where there is a mismatch between the products of the educational system and the skilled labour demands of a rapidly restructuring economy. Skilled women within this category tend to go into welfare and social professions. The other category, which makes up the overwhelming majority of migrant workers, are unskilled and semi-skilled workers who are employed in the so-called 3-D jobs (dirty, dangerous and difficult, but also often demeaning) generally eschewed by local workers in the fast growing, and labour-constrained economies of East and South East Asia and the Middle East. We are concerned with this latter category.

Women make up nearly half of all international migrants in the world (around 94.5 million) and dominate in streams to developed countries (UNFPA, 2006). While historically, women tended to migrate for marriage or family reunification, recent decades have seen an increase in both married and unmarried women migrating on their own or in the company of other women or fellow migrants outside family circle. The feminization of international migration has been most pronounced in the Asian region. In 1976 women made up around 15% of the 146,000 Asian workers reported to be working overseas. By 1987 they made up around 27% of the million or so workers who left to work on temporary contracts overseas (Lim and Oishi, 1996). The 1990s saw even greater feminization with around 2 million Asian women working overseas, legally and illegally, in 2000. Women outnumbered men in international migration streams from a number of countries in the region (Lim and Oishi, 1996). In 2005, over 65% of nearly 3000 Filipinos who left the country to work or live abroad were women. There were two female to every male migrant in Sri Lanka in 2002. Indonesian female migrants outnumber male by more than two to one in official statistics: between 2002-2003, an average of 79% of all migrants leaving Indonesia to work abroad were women. The gender breakdown of registered migrants from Laos, Cambodia and Myanmar into Thailand suggests that the percentage of women has grown from 30% in 1998 to 45% in 2005, with Lao women outnumbering men (Caoette et al. 2006).
However, most estimates tend to refer only to the official recorded component of legal labour migration. They exclude workers who leave or enter a country illegally for work related reasons as well as those who leave a country for reasons other than work, but end up working illegally in the country of destination. Counting undocumented migrants would increase the magnitude of flows enormously. For instance, a series of amnesties in Malaysia netted in thousand hundreds of thousands of undocumented migrants, despite the fact that in all cases, the majority of illegal migrants did not register: a 1991-92 amnesty saw 423000 workers legalized and registered; a 1996-97 exercise saw another 423 180 regularized, a 1997 exercise in Sabah saw 280,000 legalized while a 2005 amnesty saw 382,082 registered. Illegal Indonesian contract workers are believed to outnumber their legal counterparts by as many as 7 to 1. Sri Lankans leaving through official channels are approximately just 40% of total migrants (Lim and Oishi, 1996).

Counting undocumented migration is also likely to increase the share of women in migration flows. Although women accounted for only 25% of Thai overseas workers in 1990, Hugo points out that clandestine female migration is known to be significant and the increase in female migration more rapid than male. In Bangladesh, official sources suggest that 13, 544 women migrated abroad in search of work between 1991 and 1999 viz. 0.65% of the total flow of migration during this period (Sidiqqui, 2001). However, field survey of 1500 villages, reporting low, medium and high levels of migration, estimated 21,625 female and 57, 576 male migrants. Extrapolating on the basis of the distribution of migrants across different unions gave a national estimate of 430,000 women migrant workers and 2.7 million males (compared to official estimates of 3.8). Women thus make up 15% of the total flow (Blanchet et al. 2005).

In addition, South and South East Asia are home to the largest numbers of internationally trafficked persons in the world: 225,000-150,000 respectively. Indonesia and the Greater Mekong are areas with highest incidence of trafficking. Thailand is both a major destination country and a source and transit hub from other Asian countries as well as Australia, US and Western Europe. India and Pakistan are major destination countries but also transit countries into the Middle East. An
estimated 12,000 women and girls are trafficked from Nepal into India every year. The ADB estimates that around 100,000 – 200,000 Nepalese women and girls are held against their will in Indian brothels, with around 25% under 18. Many are illiterate and not even aware that they have been taken across the border.

4. Globalization and the rise of labour migration

The growing feminization of migration within the region has to be understood in relation to the larger forces, which have given rise to a general increase in trans-national migration across the region. Hugo (2006) suggests that three main sources of differences and disparities drive patterns of migration in the Asia region: development, demography and democracy. The first of these drivers relates to the high, but uneven rates of economic growth in Asia and the associated widening of social and economic disparities both within and across countries. This has fuelled the movement of people in search of better prospects. A great deal of this movement was, and remains, internal. Uneven industrialization, the spread of capital-intensive technologies, commercialization of agriculture, growth of landlessness, widening of the urban-divide and large scale urbanization have all spurred migration from rural to urban areas and to centres of high growth (Caoette et al, 2006). Pressures to migrate are strongest where nascent industrialization processes have failed to absorb the growing labour force but have at the same time, have undermined traditional subsistence agriculture (Yamanaka and Piper, 2005).

However, as towns, cities and other economic centres exhaust their capacity to absorb entrants into their labour force, migrations take on a cross-border dimension. Improvements in road, rail and water transportation across the region have facilitated this movement, bringing within reach opportunities for work, which had previously been considered too distant. In addition, rising levels of education and the spread of mass media and communication technologies have increased the general awareness of disparities across the region, publicized opportunities for higher earnings in other
countries and communicated images that promise the possibility of a more affluent life styles.

Demographic changes have also played a role in propelling international migration. Since 1970, the population of the region has almost doubled, but thanks to a remarkable decline in fertility from around 5.4 to 2.4 in 2003, the annual growth rate of population has halved. Average life expectancy of both men and women has increased by around 15 years during this period, leading to a gradual ageing of the population. However, there is enormous variation within the Asian region between countries at different stages of the demographic transition. For instance, the average annual population growth rate in Thailand is 0.8% while it is 1.2% - 2.4% in its neighbouring countries. As a result, only 30% of Thailand population is aged less than 20 years compared to 60% of Cambodian population and 50% of Laos (Caoette et al, 2006). The tightening of labour markets in higher income countries of the region, which have had an extended period of low fertility, has created a demand for different kinds of labour, skilled as well as unskilled (Hugo, 2005). At the same time, the poorer countries have an unskilled labour surplus due to rural poverty, underdeveloped infrastructure and low or poor-quality education, a surplus that is added to each year by the increasing numbers of young labour force entrants who cannot be absorbed by the local economy. It is this young cohort who is the most mobile. 15-24 year olds made up 17% of the Asian population in 1960 and increased to 21% in 1985, although declining to 18% in 2000 with falling fertility. They will continue to grow in absolute numbers in the foreseeable but at a slower rate.

The final factor motivating migration flows, according to Hugo, relates to differences in political regimes and democratic cultures. However, the evidence for this is less persuasive. It is certainly the case that the promotion of national identities in many countries have led to policies which exclude minority communities, leaving them marginalized and deprived of full access to citizenship, basic services and social protection. This may explain the high percentage of ethnic minorities in undocumented flows from Burma to Thailand. However, the ‘difference in democracy’ argument is less persuasive for the Asia region as a whole when it is considered that dominant flows of
migration are countries in the Middle East and East Asia with extremely authoritarian governments and the denial of civil and political rights to their own citizens, and even more so to migrant labour.

5. Globalization and the feminization of migration

In is within this larger context of global - and regional – restructuring that the factors that ‘push’ and ‘pull’ female migration flows must be sought. As Sassen-Koob (1984) suggested in an early contribution to the globalization literature, international migration together with the geographical relocation of production emerged by the early 1980s as two key mechanisms through which the large-scale incorporation of Third World women into wage labour took place. Both represented the means by which a cheap and unorganized labour force could be secured and organized workers in developed countries of the ‘North’ bypassed. Forms of production that could not be relocated to other national contexts but had to be carried out close to their demand (in, for instance, restaurants and hospitals) in the north drew on migration flows from less developed countries while forms of production that did lend themselves to such relocation took advantage of the abundant supplies of low wage labour within these less developed countries. In both cases, it was labour-intensive forms of production and services that were involved.

It is evident that versions of these processes have been playing out in the Asia region in recent decades but driven by a more complex and diversified set of factors. Structural adjustment policies combined with the increasing need to compete in global labour markets have given rise to economic regimes that seek to attract and to retain ‘footloose’ capital flows by dismantling legal and social protection measures for labour in order to render it less costly and more flexible. Women have emerged in this process as the flexible labour force par excellence for the highly competitive labour intensive sectors of the global economy. There are a number of reasons for this. First of all, they are generally free of the ‘fixed costs’ associated with the largely male-dominated and organized labour force in what is now a shrinking pool of formal
employment. Secondly, ideologies of the male breadwinner continue to justify the representation and payment of women as ‘secondary earners’. And thirdly, limited opportunities in segmented labour markets curtail their options and reduce the reserve price of their labour.

Similar considerations apply in the case of temporary migrant labour: it too comes unencumbered by fixed costs; it too has limited options in the markets it is leaving behind but also in those it is migrating into and, finally, it too finds its status and opportunities devalued by the prejudices of the host society. The use of short-term contracts allows migrant labour to be maintained as a global ‘reserve army’ for receiving countries, ‘a buffer to even out the swings of the business cycle’ (Yeoh et al.) drawn in during periods of growth but dispensed with in times of crisis\(^2\). The vulnerability of female migrants thus reflects the intersection of several axes of inequality, including gender, ethnic minority status and ambiguous legality.

The incorporation of women into the regional labour force has occurred, as suggested by Sassen-Koob, through the largely unregulated movements of capital across national borders together with the more restricted movements of labour. Industries relying on low cost, physically taxing and relatively unskilled female labour began by relocating from advanced industrialized countries to the early industrializing countries in the Asian (and to a lesser extent, Latin American) region but subsequently began to relocate within the Asian region itself. There has been, for instance, a relocation of female labour intensive export manufacturing from the early industrializing countries of Japan, Hong Kong, South Korea, Taiwan and Singapore, where rising wages reflect rising

\(^2\) This was observed during the Asian financial crisis when both Malaysia and Thailand, which had large population of mainly irregular migrants, announced plans for the deportation of irregular workers and the non-renewal of work permits for regular workers. Immigrant worker replacement was one of the seven planks of Thailand’s Unemployment Relief Scheme, Malaysia toughened its drive to save jobs for locals and Korea offered an amnesty to illegal workers who left voluntarily. Wickramasakera (2002) relates a telling story about the exploitation of migrant workers and their function as a reserve labour force. When the government in Thailand wanted rice mills to switch away from their use of migrant labour, in this case mainly from Myanmar, to Thai workers in the aftermath of the economic crisis, it found appalling conditions, including the requirement that workers raise rice bags weighing 100 kg. Mill owners were ordered to use 50 kg. bags in order to attract Thai workers.
levels of education and tightening labour markets, to the lower wage, labour-abundant economies of the Philippines, Indonesia. Cambodia and Bangladesh. Cambodia’s recent economic growth has been largely driven by its garment and textile industry, which employs over 200,000 largely female migrants from rural areas.

Economic disparities have also fuelled the movement of labour in the reverse direction, from low wage economies of the region to economies with relatively higher wages. Some of the earliest flows were in response to the massive increase in the demand for labour in the Middle East in the aftermath of the rise in oil prices in 1972. These flows of workers came from South Asia, Korea, Philippines and Thailand and worked on infrastructure projects. They were also largely male: women made up 15% of 146,400 Asian workers who took up overseas employment in the 1970s (Abella, 1995, cited in Asis, 2004).

Over subsequent decades, destinations of Asian overseas contract workers have become more diverse, with local Asian destinations account for more migrants than the Middle East, and women constituting a larger share of the flows. Intra-regional migration has now overtaken that from the Asian region to the oil rich countries of the Middle East, which dominated the 1970s and 1980s. Migrants can be found in the geographically ‘immobile’ sectors of construction, commercial agriculture and fishing and various services, including domestic services, but also some of the more mobile sectors, which have, in some cases, relocated precisely to take advantage of low cost migrant, labour. A recent example of such relocation is that of textile manufacturing to the Thai border to draw on migrant women from across the border. Women from Myanmar make up around 70% of workforce in the 200 or so factories in the area around Tak Province, Thailand. They earn about US$80 compared to US$15 at home.

In her 1984 paper, Sassen-Koob suggested that it was increased prosperity of the middle classes in advanced industrialized countries and the associated ‘gentrification’ of life styles which gave rise to the demand for low-wage migrant labour in a range of specialized consumption ‘services’. Within the Asian region, there has also been sustained economic prosperity in some countries, allowing significant sections of their
populations to enjoy higher incomes, conspicuous consumerism and expanding services (Yamanaka and Piper, 2005). The growth in the tourism, entertainment and hospitality industries, which employ large percentages of women, may constitute an equivalent expansion in lifestyle ‘consumption’, although, with the increasing internationalization of tourism, it caters to a more global market than the phenomenon described by Sassen-Koob.

In addition, however, the labour market opportunities that drive the feminization of migration flows have extended in recent decades to include a range of ‘care’ and domestic services, which reflect the different demographics of affluence in the region. The fastest growing countries in the region are also countries, which have experienced an extended period of fertility decline. The resulting ageing of the population has brought with it demands for nursing and care which offset the decline in care responsibilities for children. In addition, these are also countries in which, along with the rise in female education and declines in fertility, there has been a rise in female labour participation in all age groups. The more highly educated of the labour force, including women, have moved into managerial and professional occupations while young working class men and women have moved out of less desirable forms of work on the construction sites, farms, plantations and domestic service into jobs with better-pay and working conditions in manufacturing and services. In the absence of any social support for working women’s responsibilities in the care of children and the elderly, or of much change in the domestic gender division of roles and responsibilities, working women who can afford it have looked to paid domestic labour to replace their unpaid labour within the home. Given shortages of local labour for this segment of the service sector, it is migrant female labour from other countries in the region that has met this demand.

The growth in the flow of migrant domestic workers into some of these higher growth economies has closely mirrored the rise in the national female labour force participation. This can be illustrated by data from Singapore. Between 1980 and 1994, a period when the average participation of married women in the labour force increased from around 29% to around 45%, was characterized by a steady rise in
number of foreign maids. The recruitment of local women for this work was out of the question because they preferred to work in factories where pay was better and they earned additional benefits. It took around ten years for the number of maids to reach 20,000 from the limited numbers allowed in 1978 but numbers doubled the following year to 40,000 and rose steadily. In 1997 there were around 100,000 foreign maids in Singapore with the most recent estimates at 150,000. This represents one foreign maid in every 8 houses in Singapore (Yeoh, Huang and Gonzales).

Similar trends are to be found in Kuwait (Shah et al. 1991). There was a marked increase in the participation of Kuwaiti women in professional and technical occupations: from 22% in 1965 to 51% in 1985. This has been accompanied by a rise in the percentage of Kuwaiti households with at least one maid from 13% in 1977/79 to 62% in 1986/87. Until 1980, 64% of Asian females in Kuwait were with their husbands or other male relatives. By 1985, 61% of Asian females were in Kuwait for employment. Data from the 1985 census showed that 84% of Asian women in the Kuwaiti labour force were in domestic service compared to less than 1% of Kuwaiti women.

However, while domestic service has a utilitarian function, freeing up middle class women to go to work, it also has a symbolic one. Foreign maids have come to represent the achievement of the affluent life style. Chin (1997) notes this in the context of Malaysia but it is greater evidence in the Middle East. In fact, Shah et al. found that the presence of maids in Kuwaiti households was only weakly related to the work status of female members. 21% of Kuwaiti households had at least 2 maids in 1986/87. In the UAE there was an average of 3 maids to a household. As they observe, ‘Maids, it seems, have come to be ‘consumed’ for social status and other reasons in addition to carrying out domestic and childcare duties for working women’ (p. 471).

To sum up therefore, gender appears to differentiate migration flows in terms of sending as well as receiving countries. As far as sending countries are concerned, most of the recorded female migration within the region tends to come from countries,
such as Sri Lanka, the Philippines and Indonesia, which are not only characterized by sluggish economies, depressed labour markets and low foreign exchange reserves but also by the absence of social norms which restrict female mobility in the public domain. These are also all countries with a long-standing tradition of female labour force participation. By contrast, Nepal, Pakistan and Bangladesh, where there social norms restrict women’s movements in the public domain have largely male dominated migration streams, although poverty in Bangladesh and Nepal may explain rising numbers of undocumented female migrants.

As far as destinations are concerned, the direction of flows tends to be in same direction for both women and men, with the Gulf Co-operation Council States (particularly Saudi Arabia and Kuwait), Taiwan, Japan, Republic of Korea, Hong Kong and Singapore as the main destinations. India, Malaysia, Pakistan and Thailand feature as both sending and receiving countries. However, in some cases, the disaggregation of the GCC category into its constituent states may give a somewhat different picture. In the case of Bangladesh, for instance, such a disaggregated picture suggests India is the single most important destination for female migrants while Saudi Arabia is the most important for men. (Blanchet et al, 2005). In the Philippines, men were more likely to migrate to the Middle East or become seamen ‘all over the world’ ships while women were most likely to go to industrialized East Asian countries (Semyonov and Gorodsiezky, 2004).

6. The institutional environment for international migration

According to the UN (2004), three factors have to be present for international migration to take place: there has to be a supply of labour - or ‘push’ - from countries of origin, a demand or ‘pull’ from the destination countries and social networks which creates linkages between the two. The institutional environment which structures and mediates these forces of supply and demand will clearly have important ramifications for the
experience of migration for different groups of migrants. We focus here on the implications of this environment for women’s experience of migration.

6.1. Official policies

The policies of governments from both the sending and receiving ends of migration flows will obviously have a great deal of bearing on the experience of migration for all sections of the migrant work force. These have largely tended favour certain sections of this work force over others, ranging from providing the skilled professionals with better terms of employment abroad as well as the option of family reunification to active discrimination against lower skilled migrants, often turning a blind eye to illegal migration as in the case of Malaysia (Chin. 1997) and Japan (Ball and Piper. 2002), thereby allowing abuses to go unchecked. What is also evident in these policies is the extent to which gender-related norms and values, often combining with ethnic and racial prejudices and preconceptions, colour the responses of both sending and receiving governments.

This can occur as an unintended side effect of apparently neutral policies. For instance, while labour importing countries do not usually specify sex as a criteria for admission, regulations governing the flows of skills and occupations into the country interact with the gender-segmented structures of labour markets in receiving and/or sending countries to produce highly gender-specific outcomes (Lim and Oishi, 1996). Thus, recent emigration policies relating to temporary labour migration have favoured the recruitment of female migrant labour because of their selective bias towards female-dominated occupations, such as domestic helpers, entertainers, nurses and service sector workers. Japan has no visa categories for unskilled or semi-skilled labour, but strong pull factors have resulted in a largely undocumented flow of migrant labour from other parts of Asia. In addition, it has had to circumvent its own rules of non-admission by classifying the category ‘entertainers’, overwhelmingly women, as ‘skilled’ in order to allow them to enter (Oishi, 2005).

Secondly, most receiving country regulations make it impossible for less skilled migrant workers to see their families for several years or to bring their family members with
them. This means that unskilled labour migrants must leave their families behind, giving rise to the phenomenon of ‘trans-national families’ whose membership is spread across national boundaries. However, male and female migrants experience this phenomenon very differently since solo male migration does not disrupt dominant gender ideologies within their communities of origin in the way that solo female migration does. We will return to this in our discussion of the impacts of migration.

There are also other indirect ways in which rules and regulations in receiving countries differentiate the experience of migration for women and men. Among the generalized forms of discrimination are the short-term nature of the contracts through which governments attempt to curtail the migration of less skilled labour along with the tying these contracts to prior placement in employment. Such employment is frequently in sectors and occupations that are not covered by existing labour codes or social protection provision and where women tend to be over-represented. Workers in these sectors are dependent on employers for basic needs such as housing and food, and payment of due wages which employers frequently withhold arbitrarily in order to secure compliance. And migrant workers are additionally dependent on employers for their legal status\(^3\). Such conditions, which make it difficult for migrant workers to change employers, can trap them in abusive situations, often outside the public view and the purview of law and policies. As Zlotnik notes (1995: 263), legality of admission does not alter the dependent and low status positions in which low skilled migrant labour finds itself.

The conditions of admission and stay also discriminate in more direct ways (See Appendix 2 for a comparison of provisions for male and female workers in Singapore). Domestic work combines stringent regulations to control the entry and duration of stay with near total neglect of the terms and conditions of employment. The Singapore state, for instance, maintains that domestics do not come under the Employment Act

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\(^3\) In some countries, however, governments do impose a certain degree of formal protection on migrant women. For instance they may be required to have a valid standard contract and a stipulated monthly minimum wage which is HK 350 dollars; Singapore, 200 dollars, Saudi Arabia, 213; Malaysia, 200 per month) while local maids are not covered by such regulations. Whether these are observed is another matter (Oishi).
because they are recruited through a private agreement with employers and that in any case, 'it prefers to leave the free market to determine the wages and other conditions of service for foreign maids because it is too impractical to impose standard times' (Yeoh et al.).

Hong Kong forbids foreign domestic workers to change employment, exacerbating dependence of domestics on their employer. Singapore and Malaysia are even stricter – migrant domestic workers are not allowed to become pregnant, are subject to pregnancy tests every six months and forbidden to marry local citizens. Both countries also impose levies on the employment of foreign maids. In Singapore, where monthly salaries average about 2-300 dollars, the levy was $345 in 1998. There are stringent rules for the hiring of foreign maids based on employers' household income, and for second maids, justification in terms of care needs of children, elderly and invalid members. Singapore also requires employers to provide a security bond of USS5000, which is higher than the sum of $2000 for other types of workers. The employer forfeits the bond if the domestic worker becomes pregnant. Permits for domestic workers are issued on a two-year basis, normally renewable up to 8 years. Renewals beyond 8 years have to be considered on a case-by-case basis. Since 1997, employers have been required to purchase a personal accident insurance of at least $10,000 for the maid, with the maid or her next of kin as beneficiaries.

In some cases, receiving countries may specify the gender and ethnic groups they favour in specific jobs. Malaysia, for instance, favours Indonesians over Filipinas, as domestic workers because 'Indonesians are more skilled at doing domestic work' (Malay official, cited in Chin, 370). Bangladeshi women are admitted to work in factories in Malaysia (Dannecker), but not as domestics while the immigration of male domestic servants is strictly prohibited in on the grounds that 'it would create social problems' (p. 370).

Discrimination also takes the form of explicit forms of exclusion from social services and support. In Kuwait, foreign workers are not included in social insurance schemes and foreign domestic workers (usually women) are denied access to end of service
compensation provisions of labour laws. A 2003 Saudi Arabia ministry of health directive prohibits pregnant domestic workers from accessing health services unless accompanied by the father, putting women whose husbands are abroad or who have been raped into a precarious situation. Unaccompanied women in need of emergency care are held in specially designated rooms to prevent escape.

Hong Kong does allow migrant workers to sue employers for non-payment or underpayment and there are cases of women who have run away and then sued employers for back pay. However, rates of success are marginal because the ‘two week’ rule stipulates that migrant workers must return to their home countries within two weeks of date of contract termination. Although they are allowed to stay longer if they filed suit in court, they are not allowed to work. Most either work illegally, earning even lower wages and risking deportation, while others simply give up.

The policies of governments of the sending countries in the region often help to encourage migrant labour but do little to improve their situation (Lim and Oishi, 1996). Emigration policies are ostensibly governed by a number of considerations: the promotion of labour exports, the protection of migrant workers and maximization of the development impact of labour migration. However, as Oishi (2005) points out, promotion of labour exports and protection of migration labour may have conflicting imperatives. This is particularly sharpened in the case of female labour, particularly when the question of protection can veer so easily into paternalist concerns (see Table 3). The greater stability of the demand for female migrant labour in domestic service, nursing etc., relative to the demand for male labour in construction work means that female migration represents a more stable source of foreign exchange. At the same time, the greater vulnerability of women workers, often generating international publicity, puts sending country governments under pressure to protect female migrants.
In attempting to secure some degree of protection for its female nationals, the state has to negotiate a precarious path between promotion and protection. The Philippines Overseas Employment Agency has established basic requirements such as base salary and number of rest days a month to regulate Malaysian employment of Filipina servants. It also requires contracts to be signed prior to departure. But these contracts are not legally enforceable under Malaysian legal system and are violated in practice. While labour attaches from sending countries can, in principle, mediate between domestics and employment agencies, they have been known to discount the extent of abuse, partly because of the atmosphere of competitive placement of their migrant workers and partly because of their reluctance to get involved with ‘lower classes’ of migrants.

In some cases, governments place restrictions on female migration in deference to the restrictive norms of their society, in other cases, in response to reports of abuse. Iran, Nepal, India and Pakistan have all placed bans on female migration in some form or other. The Nepalese Supreme Court only recently ended the requirement of parental or spousal consent for a women under the age of 35 to obtain a passport. While Bangladesh is one of the leading proponents of worldwide liberalization of the movement of unskilled and semi-skilled labour, it banned the overseas migration of these categories of female labour in the 1970s, the period when it began to be more pro-active about the export of labour. The ban was relaxed in 1988 but re-imposed on domestic workers in 1998, after stories of abusive treatment in the Middle East, and then subsequently lifted in 2005. The huge disparity between official figures on female migration from Bangladesh (1% of total migration flows) and the figures estimated by Blanchet et al (15%) reflects the fact that bans have not succeeded in preventing female labour, but simply driven it underground. The ADB has also noted the large numbers of undocumented Bangladeshi female migrants in the Gulf States and South-east Asia.

Indonesia specifically incorporates targets of how many women to send overseas for work while Sri Lanka has banned the emigration of women as entertainers. The Philippines also does not ban female migration per se but has imposed country
specific and occupation specific bans in attempt to protect migrant workers. There was a ban on domestic workers to Saudi Arabia in 1982 and to Singapore in 1987 because of widespread reports of abuse.

6.2. Mediating Networks
The other set of institutions necessary to understanding the experience of migration are those which link demand and supply. As the migration literature has pointed out, social networks play an important role in this. The bulk of Asian migration is influenced by established social networks and when migrants arrive at destinations, they join communities of earlier migrants who assist their entry into labour and housing markets and more general adjustments. Strong social networks have supported the self-sustaining and cumulative nature of Asian female migration (Oishi, 2005). It is through these networks that information is transmitted, contacts established, employment opportunities for new migrants created and utilized and social support provided. ‘Harbingers’, those who migrated earlier, play a critical role in providing information to those left behind and linking them up to destination countries.

However, alongside these informal social networks, there has been an explosion in the migration ‘industry’. Unskilled labour in particular faces considerable legal, bureaucratic and financial barriers to mobility across borders. Official labour migration programs are slow and costly with transaction costs largely borne by migrants. Labour recruitment has become a highly lucrative and competitive business as well as an internationalized one with recruiting agencies having links in both origin and destination countries. Indeed, labour recruiters have become powerful enough to organize themselves into trade associations and to lobby government for favourable policy changes. The UNFPA (2006) report suggests: “Were it not for recruitment agents, overseas employment promoters, manpower suppliers and a host of other legal and illegal intermediaries, Asian labour migration since the mid-1970s would not have reached this scale”. And as Lim and Oishi point out, ‘it could be argued that this group has been much quicker to see the advantages of bilateral and multilateral alliances in migration than many of the governments of destination nations which are still highly unilateral in the development and carrying out of migration policy’ (2006, p. 169).
However, while the migration industry has paved the way for migration to take place, it also constitutes a major source of the vulnerability of migrants. In the absence of formal financial institutions offering the requisite services, recruiting agencies step into the breach, providing information and performing an informal banking role, offering loans and advances and arranging remittances. Migrants pay their fees through family loans, sale of family property or the provision of bonded labour for the duration of the debt. Even where debt bondage is involved, Sobieszczyk (2002) argues that these agencies provide a service: “Because debt bondage recruitment does not require migrants to cover recruitment fees and travel expenses up front, this is the most accessible mode of recruitment and perhaps the only one for women whose families are too poor to be able to pay recruitment fees from their savings and who lack land or houses of sufficient value to serve as collateral for local money lenders’ (p.4). And like unauthorized migrants more generally, debt bondage migrants bypass lengthy contract approval procedures and the need to obtain police and health clearances or skills certification.

On the other hand, where recruiting agencies represent the only source of information and access for migrants, and their only contact aside from employers, in received countries, they can slide easily into highly exploitative practices. In Thailand, for instance, brokerage fees charged by intermediaries vary between 46-87% of the total costs of moving. While the government of Thailand has set an average cost of 56,000 baht for brokers’ fees, the average costs of obtaining work are 221,000 in Japan; 142,000 in Taiwan; and 111,000 in Singapore.

Exploitative practices have proliferated further since the international migration industry has been penetrated by organized crime. Unregistered agencies and other illegal intermediaries at both origin and destination sites have sprung up to facilitate the growth of illegal migration. They include small time operators who guide illegal immigrants across borders or purvey false documents as well as well organized underground syndicates engaged in lucrative smuggling of people and international trafficking of women for prostitution. The proliferation of illegal channels reflects the high costs and time consuming procedures involved in legal migration, whether
through government or private legal agencies. Both migrants and employers find it easier to resort to illegal channels. UNFPA (2006) suggests that women are more likely to use illegal channels because of their lower levels of education and more limited access to information. Those who migrate through these channels or become illegal because they have overstayed or violated conditions of visas are most vulnerable because they are without any legal status in receiving countries and totally cut off from official assistance or legal redress.

7. Patterns and processes of female migration

We have looked so far at some of the broad global and national factors, which influence the flows of trans-national migration. In this section, we draw on micro-level studies to provide a finer-grained account of the migration experience for women workers. Analysis of the migration experience can be broken down into a number of components: who migrates and why, the process of transition to destination countries, labour market experiences in these countries and finally return, reintegration and impact. We consider each in turn, starting with the question of who and why.

7.1. Who moves and why

We have noted already that migration flows are mainly from some poorer countries of the region, that they are largely drawn from a more youthful population and that they include increasing numbers of women. The women in question (with the exception of the Philippines) generally have lower levels of education than the average for their countries and they come from lower-income household. However, given the level of resources necessary to finance migration, they are rarely the poorest, at least within legal migration flows. Women move as part of families, as dependents of male migrants but also, increasingly, as independent economic actors.

However, micro-level analysis suggests a much greater diversity of reasons for female migration than might be suggested by focusing simply on the poverty of the migrants.
While the rising global demand for female-specific services clearly constitutes the ‘pull’ to female migration, the ‘push’ is provided by a variety of factors relating to women’s own situation and the situation of their families: their family obligations, restricted employment opportunities, low wages, poverty and the desire to expand their horizons.

This diversity of motives is evident in Oishi’s analysis of women migrants from Sri Lanka, Philippines and Bangladesh. For some younger single women with education or older married women with no children, some education and dead end jobs, migration represented an adventure, a broadening of their horizons. Others had migrated out of familial obligation as mothers and daughters. There were also a number of women seeking to escape problems at home, most often, abusive, alcoholic and unfaithful husbands or husbands who had taken other wives. While the majority of Filipino women in Oishi’s study had been employed prior to migration, primarily in white-collar jobs, a finding also reported by Zlotnik (1995), a Semyonov and Gorodzeisky (2004) found that 27% of all men and 68% of all women in their survey had been unemployed before migration, suggesting that lack of opportunities for workers with an average of 11-12 years of education played a role in propelling migration.

A somewhat different story of female migration emerges from Bangladesh. In Oishi’s study, this sample contained the highest numbers of illiterate women, many destitute, often divorced or separated, migrating to escape poverty and the absence of work opportunities for women within their communities. Sidiqqui (2001) who studied around 439 documented female migrants reported that only 7 gave ‘poverty’ as the most important reason for migrating (although 31 gave it as one of their reasons). 36 gave the desire for economic improvement as their most important reason while 18 wanted to diversify family income. 15 mentioned dowry-related reasons (for self, sister or daughter) while another 15 gave reasons that reflected some notion of empowerment as their main reason: their desire to take up new challenges, to enjoy new experiences, to gain work experience and to use their skills. Others migrated to escape unhappy marital and family relationships (8), harassment and violence (6) and lazy, useless husbands (7). (ie. 36 altogether). Most worked as domestic servants (56%) or
as garment factory workers (33%). Of those that earned before migration, comparisons showed that they earned 5173 takas monthly as a result of migration compared to 1179 takas at home. Of the 150 returnees, 84% wanted to go back and 52% had made the attempt already.

Divorced, abandoned, widowed and unhappily married women were disproportionately represented in work done by Blanchet et al. (2005) on cross-border female migration from Bangladesh to India and to the Middle East. These were mainly younger women (with an average age of 22 when they first migrated) with adolescents mainly migrating to Mumbai. 46% were illiterate and 42% had only primary education. The majority left because they had to fend for themselves, because they were sent by husbands who saw an opportunity to make money, because they were a burden on their parents.

Blanchet (2005) also found a number of the younger women had been ‘sold’ into marriage to men in UP in India, a state with some of the largest demographic deficits of women, as a result of excess levels of female mortality. As the Indian literature points out, parents in some of the poorer eastern states of India, including West Bengal, were selling daughters (and thus avoiding dowry payments) to men in ‘female-deficit’ states who were unable to find wives locally because they were too poor, too old, had bad reputations or had been married before. These marriages were generally long lasting and while they could not be seen as prostitution, they did involve hard labour in the fields. Blanchet suggests that the sale of girls from Bangladesh has gone down and many more young girls are now heading for Mumbai and the Middle East to earn more than their brothers at home.

A study of rural migrants in Nepal found that the majority were men and boys looking for work. Women generally migrated to join their husbands, although migration to join husbands or in association with families often leads to higher levels of female labour force participation, suggesting that familial motives for migration can disguise
economic ones. Women who were explicitly migrating in search of work were largely on their way to the Gulf for domestic service. In addition, the study found that domestic violence had led many women and girls to move the country’s capital in search of work. Those migrating to India were generally poorer than those who migrated to Nepali towns.

Chin’s (1997) study of Indonesian and Filipina domestics in Malaysia divided them into married women who had left because of lack of employment opportunities in their home economies as well as to escape oppressive relations at home and single migrant women who cited the higher pay they could earn in Malaysia and more ‘comfortable’ working life, a reflection of the rosy pictures painted by recruitment agencies. A study by Dias (1989; cited in Zlotnik, 1995) of female migrants from urban Sri Lanka found that they had generally been unemployed prior to migration and dependent on earnings of a male breadwinner who had been employed in the informal economy. Structural adjustment policies, particularly the elimination of subsidies, and the resulting rise in the cost of living, together with the failure to find work locally had provided a major impetus to female migration.

Caoette et al (2006) found extreme low levels of literacy among workers migrating into Thailand from neighbouring countries, much lower than those prevailing in Thailand. Most migrants were involved in subsistence agriculture before leaving while others had worked a few years in the informal economy as vendors or in low skilled work in manufacturing or construction. Women had mainly been in farming or housework except for those who had moved to the cities to work in manufacturing or services.

Duong et al (2005) as well as Lu (2005) document the mixture of trafficking and voluntary migration that lies behind the rising percentage of cross border marriages by women from various East and South East Asian countries to men from Taiwan and PRC. In their interviews of 213 women who had been ‘trafficked’ into China, Duong

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4 Analysis of Indian census data from 2001 also shows that female labour force participation among women who migrate with their families tends to rise after migration. In addition, while independent female migration for work is still low, it is also on the rise.
found that they all came from very poor families and worked in agriculture, petty trade and the informal economy, mainly in poorer areas of rural South Vietnam (see also Wang and Chang, 2002). Husbands across the border were seen as economic assets.

Ryang (2002) notes that one factor behind the considerable proportions of women from different socio-economic backgrounds who engage in work-related circular migration from South Korea to Japan was women’s general lack of entitlements in the lineage system, either paternal or matrimonial. Those who found themselves supporting children on their own had little social support: “Single motherhood and widowhood are not well protected or supported, not just by the governmental system of welfare and social security but also by the moral standards of their society”. For these women it was easier to seek to provide for themselves and their children in terrains outside their countries where they are unknown.

7.2. The transition process
The migration literature attests to the importance of social networks for female migration in Asia, both internal as well international. Women, particularly, younger women, are generally more likely to move as part of a chain migration, following sisters and relatives who were already in employment overseas (Lim and Oishi, 1996). A tracer study of Filipino domestic helpers abroad found that friends and family represented the most widespread source of information concerning openings for domestic work in Hong Kong. Prospective employers preferred to ask for referrals from trusted domestic workers already in HK rather than go through costly and sometimes unreliable agencies. Another study found that while 68% of Sri Lankan female migrants found work abroad through private recruitment agencies 83% of male workers while 32% used informal channels compared to 17% of male workers (Oishi).

Oishi also found that women coming from highly restrictive cultures were at particular disadvantage in terms of access to information regarding job opportunities in destination countries, costs, benefits and the steps necessary to migrate legally and
safely. The majority of Sri Lanka migrants in her study had found jobs through personal contacts while the Filipinas were more likely to use recruitment agencies. Most knew ‘harbinger’ migrants who had been an important source of information. However, ‘sub-agents’, operating independently or subcontracted by recruitment agencies, had recruited a large number of extremely poor women, mainly from Bangladesh. Intense competition in the migration industry has led many agencies to pursue many previously considered to poor to yield any profit. While the agents demanded only a small or no cash deposit, they deducted their exorbitant fees from the salaries that migrants earn, turning them into semi-indentured labourers for a period of six or more months.

In many cases, agencies and middlemen imposed high unofficial charges but did not always supply the training and information that is paid for. Salary deduction schemes, often with interest added in, combined with initial cash payment upfront were a common practice among recruitment agencies so that the majority of migrants started their employment in debt. Contracts with agencies were often negotiated and agreed verbally while terms and conditions rarely explained in any detail. Language differences and limited options for locating work opportunities in the receiving countries meant migrants had to endure exploitative conditions till debt was paid, sufficient savings accumulated and more reliable recruitment networks identified for alternative jobs.

Illegal migration is increasingly the response to this combination of costly and cumbersome channels for official migration, on the one hand, and the manifest demand for unskilled labour in the higher growth economies of the region, on the other (Caoette et al, 2006). The immigration industry has prospered from the irregularity of migration: “While the irregular status of migrants is often tolerated, and indeed to a certain extent encouraged…that status places migrants at the risk of exploitation and exposes them to vulnerability on several levels. For many profiting from the migration system – although pointedly not for the migrants themselves – risk and vulnerability can be a valued aspect of the system. In the legal shadows there are large profits to be made at origin, transit and destination points’ (p. 26).
Irregularities can occur at several stages in the process: recruitment, transport, entry to the country of destination, residence in the country, employment there and the return home (Table 4). Illegal migrants may have to travel through different routes, stopping at various places on the way, before reaching their destination. During transit, females, particularly undocumented ones, risk sexual harassment and abuse, often coerced into providing sexual favours in exchange for protection or permission to cross borders. The study by Duong et al notes that many of the women that ended up trafficked for marriage in China had crossed the border of their own accord in search of work and fallen victim to traffickers. In Nepal too, it was young girls who had run away from home to find work who fell victim to traffickers. Irregular migrants are also more likely to be targeted for prosecution than recruiters, brokers, traffickers or employers. Battostella and Asis point out that violations are more often committed against migrants by migration industry, employers and even the state than by the migrants themselves.

The journey home also has its own share of irregularities. A report submitted by the National Commission on Violence against Women and CARAM (2002) on Indonesian migrant workers documents notes that returning migrant workers must go through a special terminal (Terminal 3) and must pay a special fee, much higher than normal costs, for transport home (see also Surtees, 2003). Intended as a one stop service for returning workers, mismanagement has turned these facilities into an institutionalized process of exploitation with fees and bribes demanded at several points between arriving at the immigration desk and arriving at their homes (2002). In Myanmar, Laos, Vietnam and China it is illegal to leave the country without notifying authorities and returnees face fines, detention or rehabilitation.

7.3. Migration experiences in destination countries

The experience of migrants in destination countries reflects both their labour market experiences in these countries and the receptiveness of the wider society to their presence. As far as their labour market experiences are concerned, migrants tend to
be channelled into highly gender-stratified markets. Male migrants are largely found in wage labour in agriculture, construction and manufacturing while female migrants dominate in a narrow range of household and commercial services, although a small proportion are also to be found on the assembly line and in wage labour in agriculture and the fishing industry (Yamanaka and Piper, 2005).

Smaller scale studies offer further insights into the way in which markets discriminate along lines of gender, ethnicity and legal status. In Thailand, Caoette et al (2006) report that migrants receive lower wages than Thai workers with unregistered migrants receiving even lower wages than those who are registered. Women working alongside men in construction work reported lower wages with men earning the equivalent of $3.90-5.25 while women earned $US2.90-3.90. Within the sex industry, migrant workers are found to work in the lower end of the industry under more difficult conditions: they were more likely to be street based or located in cheap brothels where they received lower pay and had to deal with more abusive clients.

Semyonov and Gorodzeisky (2004) found that, despite very similar education levels, 23% of Filipino men and 12% of Filipino women found higher status professional and technical jobs abroad while 67% of men and 79% of women found work in lower status manual and personal service jobs. However, among overseas female migrants, Filipino domestic workers are paid better than Sri Lankan and Indonesian counterparts, primarily because they are considered better educated (Yamanaka and Piper, 2004). In the UAE, college-educated Filipino domestic workers earn more than their Indian counterparts, regardless of the latters’ skills and qualifications.

Discrimination against migrants can lead to a waste of skills through ‘occupational sliding’ (Hugo, 2005). Stalker (1994) found that 36% of sample of Filipino women intending to migrate to work as domestic servants were college graduates or undergraduates. In host countries, they are not allowed to shift to higher skill jobs even if these are available. Many migrants in the Middle East entered country on ‘nursing’ visas but were forced to enter domestic work. A recent survey in Japan found
that 80% of women who had entered classified as entertainers, a skilled occupation, were working as hostesses and waitresses.

While unskilled migrant labour is generally assigned an insecure status in destination countries, female migrants tend to be more vulnerable because they are more likely to go into individualized work situations, with less visibility, greater isolation and lower chance of establishing networks of information and social support. Construction projects and plantations, which largely use male labour lend themselves to the corporate export of migrant labour in a way that female dominated jobs do not. Women are also concentrated in occupations that are not covered by existing labour codes or social security provisions in destination countries, less likely to know what rights they may have and less likely to contact the police if they suffer abuse or support services if they need care or help. This is particularly the case for those who do not speak the language of the host country or who come from countries where there is little public awareness of health matters and attention to justice issues.

Some of these vulnerabilities show up in the health status of migrants reported in studies cited by Caouette et al. (2006). A study of Myanmar immigrants in two Thai provinces found that 25% of mothers had delivered without a skilled birth attendant, 55% of infants had not been immunized, only half of all married used contraceptives, 50% of all adults interviewed lack basic knowledge of HIV-AIDS while 30% of unmarried men paid for sex without consistent use of condoms. A UNDP study in Samut Sakhon province which has a high concentration of migrants found that prevalence of HIV-AIDS was 4.3% among pregnant migrant women compared 2% among pregnant Thai women. The Thai Ministry of Health records complications for abortions were 2.4 times higher for migrant workers than for the local population: this can be explained by fears about the deportation of pregnant workers, pressures from employers, the illegality of abortion in Thailand and failure of migrant women to access relatively safe abortion clinics provided by Thai NGOs with implicit collusion of government.
There are also a great deal of evidence in the literature attesting to frequent abuse and violation of basic human rights. In 1994 according to the Dept. of Labour in the Philippines, there were 14,314 problem cases involving Filipino migrants, of which 25% were related to contract and payment problems and 31% related to abuse, rape, sexual harassment and other maltreatment. 28% of complaints lodged by Sri Lankan women migrant in 2002 were related to non-payment of wages. A government report in Sri Lanka suggests that there were seven female to every male migrant diagnosed as HIV-positive in 2002: researchers suggest that sexual abuse of domestic workers by employers may be one reason for this. According to Sri Lanka Bureau of Employment, over 1600 women reported harassment in the workplace in 2001. In Japan, the main problems experienced by male migrants were contract violation and non-payment of wages. Female migrants reported contract violations and non-payment of wages, but also verbal and physical assault, forced prostitution, rape and forced use of drugs, illegal confinement and confiscation of documents (Ball and Piper, 2002).

The highest amounts of complaints relate to migration to the Middle East. The UN (1995:16) notes that the higher incidence of non-completion of contracts and premature return among women migrating to the Middle East than to other destinations is indicative of the ‘stressful’ conditions experienced there. The Middle East Watch report estimated that for the 12 months beginning May 1991, 1400 Filipino domestic servants and hundreds of Indian, Bangladeshi and Sri Lankan maids had sought refuge in their home embassies. Others were picked up by the police after running away and were either arrested or returned to their employers (p. 92). Shah et al draw attention to the differences in the volumes of complaints received by embassies in Kuwait: the Sri Lankan embassy received between 25-30 a day; Philippines about 40 a day; the Indian embassy reported just 2-3 complaints a week while the Bangladesh embassy received only 1-2 complaints a month. Since it is unlikely that this huge difference in rates of complaint reflects differences in treatment received, it is likely to reflect differences in how well embassies perform a protective function for their nationals.
Differences in the levels of pay and working conditions prevailing in the different destination countries are reflected in the fees paid to recruiting agencies. Fees were around US$7000 for positions in US and Canada and around US$3-5000 for some destinations in Europe. The combination of higher fees and better wages and working conditions prevailing in these destination countries mean that they also attract more educated women with higher occupational status prior to migration. Thus Parrenas’ study of Filipina domestics in Rome and Los Angeles (2001) found high levels of educational attainment: most had post-secondary education, many had college education.

Those educated women who cannot afford these fees opt for Asian destinations in preference to the Middle East. Filipinas pay $US 250-400 dollars to work in Middle East and $US1100-1300 to work in Hong Kong. Sri Lankans pay US$250-300 for the Middle East and US$ 800-925 in cash or $US1100-1900 in salary deductions for work in HK. Not only are wages and working conditions better in Hong Kong but employers more likely to give preference to educated workers. It is mainly poorer women who migrate to the Middle East where there are more unskilled job opportunities but notoriously bad working conditions (no holidays, long work hours and high risk of harassment) and low wages’ (Oishi, p. 111).

The other aspect which influences the migration experience in destination countries relates to the perceptions of the wider society and their treatment of migrant workers. Within the region, as elsewhere, public perceptions towards unskilled and irregular migrants are largely negative, but extends to legal migrants as well. As Caoette et al note, migrants are scape-goated in Thailand for all kinds of social problems including drug trafficking, de-forestation, spreading disease and perpetrating crime. Although they work in jobs that no longer attractive to general population, migrants commonly blamed for ‘stealing’ jobs of Thai workers and driving up the unemployment rate.

Chin notes the treatment of Filipina and Indonesian domestic servants in the media in Malaysia where they were portrayed largely as thieves and prostitutes. Yeoh et al. (1999) report on negative public perceptions about foreign workers in Singapore and
the blame attached to them for adverse consequences on the social values and moral fibre of the society. They note how negative representations of minority social groups, tied to unease about ‘the other’, are often expressed through public attitudes towards ‘the foreign workers’ weekend enclaves’, places where migrant workers of particular nationalities congregate on Sundays. Their survey found that while half of their respondents were tolerant towards these enclaves, a third regarded them as a social nuisance (a feeling of being surrounded by ‘them’) while the remainder expressed ambivalence. Dannecker’s work on Bangladeshi migrant workers in Malaysia also confirms a tendency towards the generalized scape-goating of migrant workers in both the media as well as academic discourses, attributing high levels of criminality among them, including violent crimes such as murder, attempted murder, armed gang robbery and rape.

As Chin points out, while newspapers have picked up on some of the more horrific forms of sexual and physical assault by employers on domestic servants, entertainers and so on, there is little mention of the less horrific, and more everyday forms of abuse which in the case of domestic servants includes ‘having to sleep on kitchen floors, along corridors or in storage rooms with no ventilation; working eighteen hour days with few rest periods or even rest days; and not having adequate meals’ (Chin1997, p. 354). Yet it is these abuses, rather than the more horrific exceptions, which are more frequent and in which a much larger section of the citizens of destinations countries are likely to be complicit.

7.4. Return, reintegration and impact

The ability to earn, to save and to send money back to their families at home is an important variable in shaping the experience of return for migrants and of their reintegration into their families and communities. However gender is likely to vary both the ability and its influence. While there is as yet little information on the extent to which methods utilized to send remittances home differs by gender, the greater reliance of women on informal networks suggests that they are more likely to utilize informal
channels. Traditional banks charge hefty fees and in any case, the formal banking system is out of reach for most undocumented migrants. Informal channels vary. In some cases, migrants rely on the telephone system to transfer money via a middleman who authorizes a contact in the country of origin to pay remittances to the migrants’ families for substantial fee (30% in Cambodia). Burmese domestic workers in Thailand prefer to use underground brokers to sent remittances home for a fee of around 20% because they have limited access to telecommunications. Others rely on relatives or carry the money home themselves.

The available evidence also suggests gender-differentiated patterns of remittances, although not always in the same direction. The ‘propensity to remit’, and amount sent, varies by age, number of dependents, marital status of migrant and duration of residence in host country. Women generally (but not always) send larger proportion of their lesser resources than men (Piper, 2005). Temporary migrants send more than permanent; unskilled/semi-skilled more than skilled (mainly because so few of latter). Remittances decline with duration of migration as ties with community of origin weakens over time.

A study cited in Caoette et al (2006) found that 76% of domestic workers from Myanmar in Thailand, mostly single females with restricted social interaction, send remittances home to families each year. A second study of 276 Lao migrants in five provinces in Thailand found that slightly more than half of respondents, with an average stay of 6.5 years and multiple re-emigration experiences, remitted part of their earnings to their families in Laos. Remittances were sent irregularly, on average 2-3 times a year. The majority sent around 250 dollars per year with female migrants who worked as domestics remitting more than men, most of whom were employed in agriculture. Women sent an average of 301 dollars home annually while men sent about 257 dollars. This could reflect more stable incomes in domestic work compared to agriculture, differences in life style, which allowed migrant women to save more or greater societal expectations that women would use their incomes for their families.
Certainly the latter possibility is supported de Jong et al (1996) on basis of work done on short term internal migration in Thailand: ‘Gratitude and obedience are stressed as virtues in a daughter and the deeply rooted cultural expectation is that daughters capable of earning a living provide some parental support’. Many Thai parents encourage their daughters to migrate in response to the pull exerted by increased urbanization and the generation of wage employment in the expectation that daughters will be more likely to remit money after migration (Guest et al., 1993). Another study found that it was the higher levels of remittances from women that overcame parents’ initial resistance to the idea of young women migrating to Bangkok. Among the immigrants of Bangkok in 1988, 38% of men and 56% of women reported sending remittances, with employed women more likely to both send remittances, and sending them more frequently, than employed men (National Statistical Office, 1988 cited in de Jong et al.).

Semyonov and Gorodsiesky (2004) also cite similar evidence of close ties between daughters and their natal families in the Philippines, even after marriage, so that ‘families encourage the migration of women, with the expectation, based on strong cultural values that the results of such migration will be continued maintenance of the family unit through support received from migrant’. This appeared to be confirmed by a study by Tacoli (1999) of overseas Filipino workers in Rome found that women, both single and married, sent a higher proportion of their salaries to their families than men. However the more recent analysis of households with at least one man or woman overseas by Semyonov and Gorodsiesky reported that the vast majority of male and female migrants (around 97%) remitted money home, that men’s overseas earnings were 1.5 times that of women, a reflection of differences in their overseas earning possibilities, that earnings increased by age, education and duration of stay regardless of gender, although net of socio-demographic characteristics, men earned 10% more and finally that men remitted 60% of their earnings while women remitted 45%. As a result, households with male overseas workers had higher incomes than those with female, with female remittances making up 66% of household earnings while male remittances made up 78%. One reason for difference in results between the two
studies is that that the latter focuses on mature married overseas contract workers with children rather than young labour migrants. While commitments of daughters may be higher than sons, that of fathers is no lower than that of mothers.

The money that migrants send back home can raise families and entire communities out of poverty. Sidiqqui (2001) found that 56% of families had experienced positive economic results due to female migration, 27% reported negative results while 16% said the results were mixed. Blanchet’s study of returned female migrants from the Middle East and India found that 83% of those who had migrated to the Middle East returned with savings, an average of over 500,000 takas per woman, and a substantial amount of money. Around 44% of this income was kept by women although among married women, husbands received 70% of the wives income. Savings were used to purchase/mortgage in land, sometimes in the woman’s own name, invested in business and trade, used to pay back migration costs, to construct or renovate housing or saved as cash by the woman. More experienced migrants had opened their own bank accounts, a method that is both safe and secret. “A 2000 study shows that Bangladeshi women working the Middle East send home 72% of their earnings on average. The same study showed that 56% of female remittances were used for daily needs, health care or education – a pattern that reflects the spending priorities of migrant women elsewhere” P. 29. Men were more likely to spend on consumer items such as cars and television sets and investment in property and livestock.

Part of the contradictory experience of migration relates to the simultaneous upward and downward mobility that it can entail: discrimination, loss of status and erosion of skills in destination countries (‘occupational skidding’ Hugo, 2005) may be combined with upward mobility at home as remittances are invested in small businesses, housing and children’s education (Piper, 2005; Parrenas, 2001). However, there are also emotional aspects to the absence from home. We noted the rise of ‘trans-national families’ as a result of the separation of international migrants from their families for the period of migration. Contemporary forms of communication, such as texting and telephones, and cheaper travel costs allows frequent interaction and return visits to
maintain the ties of trans-national family life in the absence of the possibility for family re-unification overseas (Jolly, 2005; Assis, 2004).

However, married women, and women with children who have migrated on their own are likely to experience their period of absence very differently from men since they are more likely to be seen to have transgressed socially ascribed roles as wives and mothers which require them to stay with their families. In general, reports on how men cope in the absence of their wives are largely negative. Hania Zlotnik points out (1995: 265) cites a study by de Bruiju (1992) which found that while male migration appeared to have little effect on men’s marriages, ‘migration and marital dissolution are closely linked’ in the case of female migration although the direction of causality was not always clear. Women who migrated had higher rates of divorce and separation than the rest of the population: higher at departure (8% compared to 1% in general population) and even higher upon their return (17%) or among those who were still abroad (19%). In other words, in some cases, it may have been separation, divorce or the uncertain state of the marriage that led women to migrate. In others, however, it may have been the decision to migrate or the period apart that led to the breakdown of marriages. Of 222 female Bangladeshi migrants followed up after their return, Blanchet et al. found that while 14% had been already divorced or separated when they first migrated, 24% were divorced/separated after their return. About 15% of the remittances sent home were spent by husbands on gambling, drinking and womanizing, as much as husbands spent on housing construction. In general, women found that they were less likely to be cheated by natal families than by husbands.

Oishi found frequent examples of husbands engaging in ‘monkey business’, affairs with other women, and other forms of irresponsible behaviour. Among the married women in her sample of migrants, 16% of the money earned was wasted by husbands on gambling, drinking, womanising and general ‘merry-making’. She notes that one reason why women have to engage in repeat migration was the failure of husbands

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5 One extreme case reported by Blanchet was that of a young woman taken on as a second wife and then sent by her husband to work in the sex industry in the Middle east. She sent remittances amounting to 600,000 takas to her husband during her five years abroad only to be divorced on her return.
and other family members to manage their remittances properly. She cites the case of a Sri Lankan migrant who had sent monthly remittances back to her husband for the four years she worked in Lebanon only to find, on her return, that her husband had wasted it on alcohol. When she later emigrated to Saudi Arabia, she sent back only 50% of her savings, putting the rest in a bank account in her name.

A study of households in the Philippines with and without migrants found that migration and remittances reduced the probability of labour force participation of those left behind, with the effects far stronger for men than women: thus in households with migrants reported declines of 28% for men left behind and 13% for women (Rodriguez and Tiongson, 2001). If this added leisure is indeed one of the less well-documented benefits of migration, as the authors suggest, then it suggests that benefits men more than women. Based on a study in Sri Lanka, Gamburd (1995) has observed that wife’s overseas employment appeared to pose a serious threat to husband’s masculinity and leads to compensatory behaviour in the form of drinking, gambling and womanising. Divorce, separation and widowhood were found to be high among returned female contract workers in Java but as with studies elsewhere, it not clear if marital breakdown was a result or a cause of migration (Hugo, 1995: 295). A study of Lao migrant workers found that adaptation to altered roles often-strained marital relationships (Caoette et al., 2006). Husbands reported being ashamed to do housework and feeling inadequate for not having been able to sustain their families without their wives going abroad.

There are, of course, exceptions to this negative picture. One study of migrant Indonesian women cited in UNFPA (2006) found that many reported that their husbands were more respectful and took greater responsibility for childcare. Blanchett reports on cases where Bangladeshi women migrants and their husbands at home managed remittances on a partnership basis while Oishi notes examples of Filipina migrants who started up joint businesses with their husbands on their return. Assis cites studies from the Philippines, which suggest changing conceptions of masculinity (Pingol, 2002) and rearrangements of gender roles, which did not threaten men’s
position in the family. Men who have juggled paid work and domestic labour or been full time fathers express greater appreciation for the work women do within the home.

The children of migrants have begun to receive more attention in academic studies. While it is clear that children benefit economically from parents’ migration, often enjoying better education and standards of living, there are also costs associated with migration, particularly when it is the mother that migrates. Save the Children, Sri Lanka recently surveyed 1200 households in which mothers had been overseas for at least 6 months leaving behind children, 50% of whom had been less than 6 years when the mother had left. Control groups of households with working and non-working mothers were also included. The study found that husbands of migrant women made up just 26% of primary caregivers of children. Female relatives made up the rest, with grandmothers dominating. However, the husbands of migrant women reported much higher levels of involvement in various caring activities than other husbands, and reported higher levels comfort with these new roles. The study also found evidence of poorer educational performance among children of migrant mothers, despite the fact that migrant mothers had higher levels of education than other. There was also evidence of emotional and behaviour changes among children, including loss of appetite, temper tantrums and feelings of loneliness, although they overwhelmingly had positive sentiments about their caregivers.

Studies from the Philippines showed that children of migrants had the same probability of going to school but were more likely to go to private school than children of non-migrants, received higher marks or similar within each school and that they were healthier than children of non-migrants (cited in Bryant, 2005). However, 1996 study carried out on grade school children by Batistella and Conaco (1996 and 1998) was less positive about non-material impacts: it found that children of migrants experienced loneliness and abandonment even though they understood the reasons for their parents’ absence. They lagged behind in terms of school performance compared to children with both parents present and they were also less well socially adjusted. In most cases, children fared worse in their mothers’ absence.
A recent nationally based survey of children of migrant parents carried out in 2003 by the Scalabrini Migration Centre in the Philippines offered a more positive picture in terms of both children’s academic performance, health and socio-psychological indicators were concerned. However as with the previous study, it found that the gender of the migrating parent matters. Children reported greater sadness and worry when mothers rather than fathers were absent. They also did less well on various measures thought the difference was not always marked. In addition, findings suggest that children rationalize the departure of fathers very differently from the departure of mothers. Fathers are seen to migrate as an extension of their breadwinning roles, mothers out of need. And while many children express the preference that fathers migrate rather than mothers, they also are aware of their mothers’ efforts on their behalf. As in Sri Lanka, the extended family played an important role in compensating for the absence of parents.

A common challenge facing all migrants is reintegration. As Caoette et al. point out, most migrants are not psychologically prepared for their return and they have little public support to help them on their return. In economic terms, women are unlikely to have acquired new skills for the labour market locally since many will have taken jobs below their qualifications. If there is a stigma attached to the kinds of work they have done make return harder. Thus Oishi found that both cultural norms as well as state efforts served to make the return home a far smoother experience for Filipino women than for returning female migrants to Sri Lanka and Bangladesh. Along with a long tradition of female internal migration in the Philippines, the state had played an important role in casting migrants as ‘heroes’ in the struggle for development and declaring December 18th as International Migrants’ Day as tribute to hard work of migrants overseas. In Sri Lanka, greater familiarity with international migration and improvements in status of migrant families has led to a diminution of earlier negative attitudes.

In Bangladesh, however, the experience of returnees is influenced by social disapproval of women’s mobility in the public domain, of which solo migration abroad is an extreme example as well as by the state’s refusal to acknowledge the extent of
female migration, particularly undocumented migration. A number of women who had returned from India in 2001 had been subjected to village trials but this appears to have been isolated incidents. Of women who had gone, or ended up, in sex work, one strategy was to return to the role of dependent wife after return, some having taken advantage of their proximity to Mecca to undertake haj. More generally, however, the experience of return was significantly shaped by the success of the venture. Migrants are under pressure to recoup the costs of migration and many women engaged in repeat migration in order to show some surplus. In addition, many are not able to make the adjustment, frustrated at the lack of economic opportunities and the prospect of returning to dependence status within the family. They too returned to migration.

*However,* despite the many obstacles and disadvantages that bedevil the migration experience, and that have been a major focus of this paper, it is important to note the many positive dimensions to the experience that are also reported in the literature. Dwelling on the widely documented relationship between female migration and marital dissolution, Zlotnik points to the multiple and contradictory experiences that lie behind this relationship: ‘Often the dissolution of marriage implies not only that women must support themselves and their kin, but also that they gain freedom of action. Similarly, separation or divorce is more likely upon a woman’s return not only because of the strains associated with migration but also because through migration, women gain the self assurance needed to leave their husbands. Thus, Filipino women whose marriages are failing tend to opt for migration to assert their independence and minimize the stigma attached to separated women, especially since divorce is not possible in the Philippines’ (265).

Similarly, the other side of the decline in status that many female migrants report, taking on jobs far below their qualifications in the receiving country, is the increase in prosperity they experience at home. It is this hope, one that is more often realized than not, that sustains them through their period away from home. Others appreciate the opportunity to free themselves from the constraining features of their societies at home. A study of female migration in Nepal pointed out that while Nepali migrants were looked down in India, they were also able to free themselves of the rigid social
hierarchies of the home society and to be simply regarded as ‘Nepali’: ‘the national need to identify which caste or ethnic group they belong to disappears in the wider context. The opportunity for comparing two life worlds that Bangladeshi female migrants in Malaysia were able to obtain allowed them a vantage point from which to question male behaviour and the lack of opportunities for women in Bangladesh. While male Bangladeshi migrants reported problems with different ethnic groups in Malaysia, Bangladeshi women provided positive accounts of their factory work and social ties outside their own community. In addition, Blanchet suggests that migration abroad entails an ‘irreversible process of individuation’ for women: ‘out of desh and out of family purview, without guardians and without support, but also with a new freedom they experience themselves as individuals. They had made difficult decisions, coped with hardships, bore secrets that they would not reveal when they went home.

8. Social protection and citizenship

We have dealt in this paper with the causes, experiences and consequences of transnational migration in the Asia region, dwelling in particular on the growing feminization of this phenomenon. We have noted how the ‘inequalities, differences and complementarities’ (Hugo, 2006), which have given rise to global flows of money, information and traded goods have also motivated movements in labour. The feminization of these migration flows represents the growing demand for certain kinds of services, generally classified as unskilled, which are associated with female labour, a growth, which represents the demographic, and consumption patterns of the affluent societies. In their decision to move in search of better prospects, migrants are, of course, displaying the factor mobility that economic theory suggests is necessary to achieve the efficient allocation of resources. As Semyonov and Gorodzeisky (2005) note, the largest flows of migrations occur from countries of capital scarcity and labour abundance to countries of capital abundance and labour scarcity.

We also took note of the Polanyian idea of a double movement: the commodification of labour as a result of the unregulated spread of market forces and the counter-movement on the part of society to de-commodify labour and protect it from the
vagaries of the market in meeting its basic needs. It will be clear from our analysis that current efforts to ‘de-commodify’ labour, while falling short of what it required for many forms of labour, face a particular challenge in developing forms of social protection capable of addressing the risks and insecurities generated by the cross border migration of those with few skills or few socially recognized skills. What is distinctive about international migration as a form of response to market opportunities is that it entails the crossing of geo-political borders with the associated change of status from ‘citizen’ to ‘alien’6 and the weakening of the jurisdiction of the country of origin. AS Ball and Piper suggest, it may be that the wrong doings of different actors involved in the process of migration at both ends should be seen secondary to the root cause of migrant vulnerability which is the ambiguity or lack of citizenship status and the rights that it guarantees. Even where consulates abroad have been willing to offer a degree of extra-territorial protection, they are generally unable to counter worker abuse given the marginal legal position that workers occupy in importing nations.

In any case, while principles of sovereignty make it difficult for sending countries to challenge violations of the rights of their citizens in receiving countries, their willingness to do so is undermined by the generally weaker positions they occupy vis-à-vis the receiving states. Competition between sending countries often leads governments to sacrifice the interests of their citizens abroad. When occasionally, these violations spill out into the public domain and they are forced by their own citizens at home to take a stand, it becomes quickly clear that they do not have the political clout to enforce the changes they are seeking to promote. Philippines, for instance, banned migration for domestic service to Saudi Arabia in 1982 because of widespread reports of abuse but was forced to lift it when the Saudi government threatened to freeze all labour recruitment, including male labour, from the Philippines. It imposed a ban in 1987 on the migration of domestic workers to Singapore for the same reason but the Singapore authorities issued tourist visas to migrants from the Philippines, which were later, extended to allow the issue of work permits (Oishi). In any case, bans on women’s

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6 Although in the case of countries that operate restrictions on its populations’ internal movements, issues of legality of status do arise.
overseas migration in countries like Bangladesh have merely served to direct their migration into undocumented channels. And as long as there are marked disparities between countries, and labour shortages in some coexist alongside a surplus of labour seeking work in others, bans and prohibitions are likely to have this effect.

Women and girls tend to be among the more vulnerable groups within migration flows and we have noted some of the reasons why. They have fewer recognized skills, they face discrimination within their own societies, often the factor which leads them to leave in the first place and they face discrimination in the societies to which they migrate. They tend to be concentrated in the worst paid and least desirable jobs in the host countries, jobs that local citizens, male and female, no longer wish to do. They are accepted for fewer categories of work than migrant men and the work they do tends to reproduce the caring, cleaning and sexual services associated with ascribed female roles in the domestic domain. In addition, they are disproportionately represented in forms of work that are outside the reach of local protective legislation: domestic service and various forms of jobs in the ‘entertainment’ industry, including sex work. Not surprisingly, they predominate in the three categories of migrant workers identified by the ILO as the most vulnerable: domestic workers, irregular workers and temporary workers.

To some extent, migrant women workers face the same insecurities and discriminations faced by all disadvantaged women workers in the informal economy, whether local or migrant so that efforts to promote social protection for female migrant labour should be part and parcel of efforts to extend social protection to all vulnerable sections of the informal workforce. Hours of work, days of leave, access to health care, safety at work, freedom from discrimination and harassment represent the most basic rights for all workers everywhere and are embodied in international conventions, which both sending and receiving states have ratified.

However, as migrant workers, they are additionally vulnerable because they are caught between two legal and policy regimes, two systems of citizenship and two sets of cultures, a vulnerability that is exacerbated by uncertainty of legal status in the case
of undocumented workers. They represent an unprotected underclass of workers in
destination countries whose states and citizens are willing to utilize their labour but are
not prepared to provide them with legal or social protection (Caoette et al. 2006). They
are hampered from accessing the legal system by language and cultural differences,
limited knowledge of national laws, the transactions costs of seeking redress and the
absence of mechanisms to inform them of their rights. They are not allowed to join
unions or associations in the destination countries and most are unable to vote – either
in the country of destination or, in the absence of postal voting, in their countries of
origin.

And because many of the destination countries in Asia are characterized by highly
repressive governments who curtail civil society action by their own citizens, the scope
for migrants to exercise these civil liberties in these contexts is even more restricted.
In Singapore, for instance, Lyons (2006) notes how ‘out-of-bounds’ markers, which
serve to define the limits of acceptable civic engagement, serve also to exclude the
situation of migrants from discussion in the public domain. She cites the case of a 19
year-old Indonesian maid who died in 2001 after months of brutal assault by her
employer. His neighbour was quoted in the press as saying: ‘Even if I knew I would not
have called the police, it’s not my business. He can do what he wants, it’s his problem’.
Migrant workers can thus be said to fall into the category of mobile populations that are
denied the ‘the right to have rights,’ associated by Hannah Arendt with the condition of
statelessness, although it is undocumented migrants that provide the closest modern
day equivalent.

Some aspects of the vulnerability of migrant workers could be mitigated by actions of
the part of the state at both sending and receiving ends. Some of the more obvious
practical measures that could be taken to bridge the gulf between sending and
receiving countries include pre- departure and post-arrival training which provides
migrants with information about their entitlements and obligations as well as about the
local culture, greater regulation of the ‘immigration industry’ to phase out its criminal
operators, simplifying and reducing the transactions costs of legal migration,
standardising contracts and ensuring their authentication as a means of screening
employers, promoting a diversity of channels through which remittances can be safely routed, using the levies charged on employers for the welfare of employees. While some of these measures are in place in a number of contexts, the extent to which they are implemented remains a problem.

However, there is more to the denial of ‘the right to have rights’ than the practicalities of the migration process. As migrants frequently represent a minority in terms of their religion, ethnicity, race, language and so on, they are subject to all the practices associated with the ‘othering’ of devalued groups: criminalized, ridiculed, feared, demeaned, stereotyped, mis-recognized, disrespected and sexualized. Such devaluation permits and justifies both the every day abuses that go unremarked in the lives of most migrant workers as well as some of the more gross violations of their rights as workers and as human beings, examples of which erupt in the public domain from time to time. As Chin points out, the search for effective solutions to the absence of labour rights and social protection in the case of migrant workers must also address the causes and the potency of the discourses, which permit the representations of foreign migrant workers in these terms. The public, particularly in receiving countries, should be better informed. The myths and half-truths abounding about migrant workers and their effects need to be exposed along with more research and communication about the positive contributions that migrant workers make to the host society. Social protection for migrant workers must therefore go beyond conventional concerns with security of income and employment to also encompass questions of respect and recognition accorded to any citizen.

However, the combination of ambiguous legal status, economic vulnerability and social stigmatization which underpins the denial of basic rights to migrants presents a challenge to conventional definitions of citizenship which remain tied to national boundaries, even as globalization renders so many aspects of these boundaries irrelevant. The political sensitivities surrounding the rights of migrant workers, and the lack of solidarity among sending countries that might otherwise have contributed to their ability to bargain with receiving countries on behalf of their citizens abroad explain
why it has been largely civil society actors that have taken up the challenge entailed in the project of ‘de-commodifying’ trans-national labour.

Trade unions have not been foremost among civil society actors who have organized around the rights of migrant workers: within the sending countries they have tended to focus their limited time and resources on local workers rather than migrants who are regarded as better off while in receiving countries, they have often spearheaded resistance to migration on the grounds of the threat to local jobs. However this is not the case for all unions and some have joined with a wide range of other civil society actors, particularly NGOs, to take on the challenge of advocacy around the ‘de-commodification’ and enfranchisement of migrant workers. Migrants have also formed their own associations in their countries of origin to act as pressure groups on their governments to take greater responsibility for their workers abroad (Sidiqqui., 2003;).

These organizations have sought to combine advocacy at the global level around international conventions and declarations with action at the local level to pressure states to take a more pro-active stance. The International Convention on the Rights of Migrant Workers, which was adopted after several years delay, does not hold out a great deal of promise as it has been signed by very few countries in the world, and none of the destination countries in Asia. However, there are a variety of other UN and ILO conventions which may not appear relevant if the focus is purely with migrant status but do touch on various other dimensions of the migrant identity, such as gender, race, occupation and so on (Piper, 2005). CEDAW is a case in point. It does not contain any specific Article on migration, possibly because female migration had not attracted international attention at the time of its drawing up. However it offers considerable support for action on behalf of women migrant workers, not so much in the specific ‘letter’ of the convention’s articles, but in its philosophical and methodological framework which is grounded in principles of substantive equality, non-discrimination and state obligation, in the range of CEDAW articles and measures which bear on migrant women’s concerns at different stages of the migration process, in the jurisprudence built up by the CEDAW committee and in the Convention’s
Optional Protocol. These give CEDAW a wide applicability in countering discrimination against migrant women workers.

Many activist groups have utilized different versions of rights-based advocacy in their efforts. The Asian Forum for Human Rights and Development invokes the concept of the right to have rights (Oberoi, 2006), the Indian human rights organization AMAN have questioned the granting of dual nationalities to wealthy non-resident Indians but its denial to poorer migrant workers within national boundaries while a number of other NGOs have mobilized around the right to mobility for the working poor in an era when mobility has become the hallmark of the privileged.

9. Conclusion

Cross border migration is not a temporary phenomenon but one aspect of the quickening pace of globalization and social transformation across the world. It provides people with the opportunity to escape poverty, unemployment and social inequality, but it is not granted equally to all (Battostella, 2005). Those that need it most often find it hardest to obtain and many resort to unauthorized routes. The exponential growth in irregular migration thus reflects the asymmetry of the current globalization process: ‘the fact that goods, capital, services, information and ideas are allowed to flow increasingly freely across international borders, while people are still confronted with a wide range of official controls’ (UNFPA, 2006: p.9). Irregular migration lays bare the contradiction at the heart of liberal views of citizenship: the extension of full rights to those who belong to a territorially defined community of citizens and their denial to those outside.

However, it is unlikely that exclusionary immigration policies are sustainable in the long run. The increasing porosity of borders to flows of capital, commodities and ideas makes it much harder for governments to control the flow of people while the increasing integration of economies, particularly at the regional level, creates a structural dependence between countries which allows both sending and receiving countries to benefit from the exchange. According to Mancur Olson: ‘The gains from migration from poor to rich countries are so colossal that this migration cannot be
prevented by any measures that are acceptable to the sensibilities of modern democracies’ (1998: 371). If he is right, then the trend towards greater democracy in the Asia region is likely to support the economic logic for migration and create a more favourable environment for the management of migration and the promotion of migrant rights. Certainly it is evident that civil society activism around migrant workers’ rights is far greater and more radical in its demands in the more democratic societies of Asia (Lyons, 2006; Battistella, 2005).
10. Tables

10.1. Table 1. Continuum of labour migration in Asia

<table>
<thead>
<tr>
<th>Individually controlled movement/group contract</th>
<th>Movement under the auspices of middlemen</th>
<th>Misleading Promises</th>
<th>Bonded labour</th>
<th>Kidnapping</th>
</tr>
</thead>
<tbody>
<tr>
<td>Documented</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Voluntary</td>
<td>Voluntary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coerced</td>
<td>Coerced</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Adapted from Hugo (2004)

10.2. Table 2. Migration status of Asian countries

| Labour sending                              | Bangladesh, China, Indonesia, Sri Lanka, Philippines, Nepal, Vietnam, Laos, Cambodia, Burma |
| Labour receiving                            | Middle east, South Korea, Brunei, Singapore, Taiwan, Hong Kong, Japan |
| Labour receiving and sending                | India, Malaysia, Pakistan, Thailand |

Source: Huge (2004); Wickramasekera (2002)
### 10.3. Table 3. Emigration restrictions on female migration in Asia circa 2000

<table>
<thead>
<tr>
<th>Country</th>
<th>Restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>Ban on recruitment of female, domestic workers. Ban on recruitment of entertainers but not on nurses, doctors and engineers.</td>
</tr>
<tr>
<td>India</td>
<td>Women must be at least thirty to work as domestic workers in western Asia or northern Africa, with exceptions made on a case-by-case basis. Ban on recruitment of female domestic workers to Kuwait.</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Women must be at least twenty-two. Restrictions regarding countries of destinations for domestic workers and male/female ratio recruited by authorized agents may be lifted under certain conditions. Temporary ban on domestic workers to the Middle East.</td>
</tr>
<tr>
<td>Nepal</td>
<td>Women must be at least eighteen. Selective ban on employment according to the country of destination.</td>
</tr>
<tr>
<td>Myanmar</td>
<td>Ban on recruitment of female workers, except in the case of professionals.</td>
</tr>
<tr>
<td>Pakistan</td>
<td>Women must be at least thirty-five to work abroad as domestic workers. Ban on recruitment of nurses.</td>
</tr>
<tr>
<td>Philippines</td>
<td>Domestic workers: Women must be at least twenty-one (for some countries the age requirement is higher; for others it is lower; the minimum working age is eighteen). Entertainers: Women must be at least eighteen; selective ban on employment according to the country of destination; must complete required academic and skill testing, possess Artist Record Book, and undergo pre departure showcase preview. Nurses: Women must be at least twenty-three; must possess B.Sc. in Nursing and have one year of work experience in the Philippines.</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>Women must be at least twenty to work as domestic workers. Ban on recruitment of entertainers.</td>
</tr>
<tr>
<td>Thailand</td>
<td>Ban on recruitment of women except in the case of selected countries of destination. Entertainers must hold a diploma from a school of arts and a license, and must not perform in nightclubs.</td>
</tr>
</tbody>
</table>
## 10. 4. Table 4. Irregularities in the migration process

<table>
<thead>
<tr>
<th>Recruitment</th>
<th>Against migrants</th>
<th>By migrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertisement without job or order</td>
<td>Forging documents</td>
<td>Utilising unlicensed recruiters</td>
</tr>
<tr>
<td>Providing wrong information</td>
<td>Contract substitution</td>
<td>Forging documents</td>
</tr>
<tr>
<td>Extracting illegal fees</td>
<td>Practicing without a license</td>
<td>Providing wrong information</td>
</tr>
<tr>
<td>Transport</td>
<td>Processing without proper documentation</td>
<td></td>
</tr>
<tr>
<td>Entry</td>
<td>Smuggling people across borders/avoiding checkpoints</td>
<td>Entering/Avoiding checkpoints</td>
</tr>
<tr>
<td>Residence</td>
<td>Discrimination in housing</td>
<td></td>
</tr>
<tr>
<td>Employment</td>
<td>Hiring workers without proper documentation</td>
<td>Working without permit</td>
</tr>
<tr>
<td></td>
<td>Placing workers in a different employer</td>
<td>Working for a different employer</td>
</tr>
<tr>
<td></td>
<td>Hiring for a different occupation</td>
<td>Working in a different occupation</td>
</tr>
<tr>
<td></td>
<td>Confiscating documents</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Contract substitution</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Abusive working conditions (working hours, safety etc.)</td>
<td></td>
</tr>
<tr>
<td>Return</td>
<td>Not providing return ticket</td>
<td>Staying after visa expiration</td>
</tr>
</tbody>
</table>

Source: Hugo 2004
10.5. Table 5. Gender differences in migration experiences: a comparison of male construction workers and female domestic workers in Singapore*

<table>
<thead>
<tr>
<th>Differences in access to legal protection</th>
<th>Differences in access to legal protection: FDWs suffer abuse in isolation and invisibility, except for well publicized cases of abuse or injustice; they are not covered by the Employment Act or the Workers’ Compensation Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>MCWs are covered by the Employment Act and as such have more access to legal protection They have access to other workers, the means to air their grievances in public, they can join unions, they can present their cases in the labour court, they are covered by Workers’ Compensation Act</td>
<td></td>
</tr>
<tr>
<td>State medical surveillance:</td>
<td>State medical surveillance:</td>
</tr>
<tr>
<td>Like all foreign workers, MCWs must undergo medical examination by a Singapore registered medical practitioner before being issued a work permit: standard tests include physical check up, chest X-ray and HIV testing</td>
<td>Like all foreign workers, FDWs must undergo medical examination by a Singapore registered medical practitioner before being issued a work permit: standard tests include physical check up, chest X-ray and HIV testing. In addition, they are subject to bi-annual pregnancy tests. Those who fail the examination are repatriated immediately</td>
</tr>
<tr>
<td>Valorization of skills and productivity</td>
<td>Valorization of skills and productivity</td>
</tr>
<tr>
<td>Levy for employing a skilled worker is S$30, for an unskilled worker, it is S$310. Government concerned with upgradation of skills of male construction workers and provide decent housing</td>
<td>The levy for all FDWs is S$345 as all FDWs regarded as unskilled. No concern with upgrading skills or improving housing.</td>
</tr>
<tr>
<td>Social controls in public space:</td>
<td>Social controls in public space:</td>
</tr>
<tr>
<td>State has provided social entertainment and facilities to MCWs in response to public complaints about their use of public space</td>
<td>No such facilities provided to FDWs.</td>
</tr>
</tbody>
</table>

*These occupations make up the largest share of male and female migrant workers respectively. Constructed by Assis based on Huang and Yeoh (2003).
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