

Protecting Women or Endangering the Emigration Process

Emigrant Women Domestic Workers, Gender and State Policy

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The paper discusses the case of emigrant women domestic workers from Kerala, a state which has had a long history of migration of workers in this segment. It draws attention to the critical failure of the social science scholarship to address the question of poor women migrants. It also provides an overview of state policy on migration and underlines its complicity in generating regulatory gaps. The paper engages with the gendering of citizenship and sovereignty through a comparison of the state policy on migrant women workers and the experience of three segments of this workforce – emigrant nurses, domestic workers and outmigrant fish processing workers. It then considers the question of agency in the context of women workers who are thrust into the position of breadwinners for their families and, finally, the question of responsible state intervention.

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The Indian state restricts the emigration of women domestic workers through a prohibition on women below 30 years and through complicated and opaque procedures, but looks on favourably at the movement of nurses. This divergent approach finds strong resonance, interestingly, in two recent Malayalam films – *Gadhama* (from the Arabic *Gadima* for servant) and *22 Female Kottayam*. The convergence between state policy and the film representation provides a useful entry point into the nature of victimisation of women that is used to justify the need for “protection” through restriction.

In *Gadhama*, Aswathy, a young widow from Kerala, goes to Saudi Arabia as a domestic worker. Abused by her employer and cut off from the outside world, she manages to run away but barely escapes rape and death before landing in prison wherefrom she is rescued and sent home through the intervention of a Malayalee “social worker”. The film depicts Aswathy as “innocent” and unlike, for instance, her Indonesian co-worker who has an affair with the Malayalee driver working for the same sponsor. Aswathy is a stereotypical victim whose journey simply fails to make sense. Indeed, the film provokes you to ask, should people like Aswathy be permitted to go overseas at all?

Quite by contrast, *22 Female Kottayam* does not arouse “protective” sentiments. Tessa, a nurse working in a hospital in Bangalore, is deceived and exploited by her recruiting agent-boyfriend, who makes money out of trapping prospective nurse-migrants like her and allowing them to be raped. Yet, Tessa is no stereotypical victim. She is at ease with “liberal” sexual mores, engaging in a temporary relationship with the recruiting agent as if it were normal.¹ Her determination to go abroad is at first stronger than her will to pursue her assaulter, but she hits back eventually with extralegal tactics sourced through a nurse-friend’s lover who she pays in kind, with sex. Tessa’s story is set entirely in the “pre-departure phase” of migration and so we know nothing about her experience as an immigrant; but we are left in no doubt about her ability to protect herself. Significantly, these two films show the Indian state as either a disinterested bystander or complicit in corruption, in either case as having abdicated its responsibility for its citizens, but they do not make any move to demand accountability from it.

Government Approach

We characterise the Government of India’s (GoI) approach to women’s emigration in categories such as domestic work as protectionist as it relies on restrictions that are justified as measures

intended to protect women from exploitation. State-imposed restrictions enjoy fairly strong public support in Kerala that disregards not only the compelling reasons that women may have to seek work overseas, but also their right to pursue a livelihood through such means (Kodoth and Varghese 2011: 5, 28; Pattadath and Moors 2012; Kodoth and Mishra 2011: 39). An important aspect of the support for restrictions is that it is based on a gendered conception of sovereignty in the view that the exploitation of women workers at the hands of the Arabs dishonours the nation.

Gadhama strikes a sympathetic chord with this view as Aswathy's experience of abuse is entirely at the hands of the Arabs, whereas she is rescued through the interventions of a few well-meaning Malayalee men, thus, evading the complicity of Indian nationals in the predicament of emigrant domestic workers. The notion of sovereignty underlying the claim to "protect" women workers through restrictions is not troubled by the question of women's security in the home country. However, one of the reasons why women choose emigrant domestic work is the abuse they face from their husbands. Moreover, low status work done by women in India is marred by insecure working conditions, including the threat of sexual abuse.²

Do arguments in favour of restrictions confuse a problem of exploitation with a problem over movement? A protectionist approach derives from social norms, which inhibit women's mobility and constitutes marriage as the appropriate means of protecting women. The gender norm as an expression of power relations is elaborated through marital control over women's sexuality, which is weakened by mobility. This would explain why the support for restrictions gets more vocal when the vulnerability of women to sexual abuse and to trafficking is highlighted (Kodoth and Varghese 2011: 5, 28; Pattadath and Moors 2012).

Restrictions Counterproductive

The problem of exploitation of emigrant domestic workers requires urgent policy attention. In this paper, we seek to question the usefulness of restrictions as a tool to address the problem. Restrictions deflect attention from the kinds of state intervention that are needed to protect the rights of emigrant women workers. They are also counterproductive. Prohibition and difficult procedures direct prospective migrants to the use of informal and illegal channels of emigration. Unauthorised agents act in connivance with the agents of the state and supply fake documents, get clearance despite the lack of necessary documents and "push" women through emigration (at airports) without the required clearance.

The interplay of legal and illegal processes gives the emigration process a distinct "regulatory" character. In a formal sense, this may constitute a regulatory impasse. We designate it as "controlled informality" as the informal and illegal processes that animate the emigration process have the coherence of an institutional space. Controlled informality sustains a porous polity either deliberately or as a fallout of legal restrictions, but produces perverse incentives for prospective migrants to flout the law. Protectionism not only reflects the state's investment

in the gender norm but also provides a foil for controlled informality as it prompts prospective migrants to court illegal emigration channels.

Emigrant women domestic workers also confront the dilemma of pursuing a livelihood in defiance of protectionism, i.e., one that presumes mobility and compromises extant gender norms. In this context, their agency acquires an ambivalent character, arising from the social costs associated with women's migration – the consequent neglect of family responsibilities and the stigma associated with low-skilled emigrant occupations – and from the hopes and aspirations of women and their families to move out of debt and achieve social and economic upward mobility.

The paper refers to the case of emigrant women domestic workers from Kerala, which has a long history of migration of workers in this segment. It is structured in five sections: Section 1 draws attention to the critical failure of the social science scholarship to address the question of poor women migrants. Section 2 provides an overview of state policy on migration and underlines its complicity in generating regulatory gaps. In Section 3, we engage with the gendering of citizenship and sovereignty through a comparison of the state policy on and the experience of three segments of migrant women workers – emigrant nurses, domestic workers and outmigrant fish processing workers. Section 4 considers the question of the agency in the context of women workers who are thrust into the position of breadwinners for their families. We consider the question of responsible state intervention in the conclusions (Section 5).

1 Gendering the Scholarship on Emigration from Kerala

There is a considerable volume of literature on migration from Kerala to the Gulf countries, which until the 1990s centred on economic motivations.³ This literature presents international migration as a success story leading to individual prosperity and providing a lifeline to Kerala's otherwise sagging economy. More recently, it has been argued that migration has contributed significantly to the "turnaround" in growth witnessed by Kerala's economy in the 1990s (GOK 2006).

A more recent strand of the literature draws upon an ethnographic research to suggest that migration and remittances have reconfigured ethnicities and the social fabric and paved the way for the emergence of a new class-cum-caste category of cash-wielding people (Osella and Osella 2000; Kurien 2004). The state has been an active partner in the production of a narrative of success. Government attention was drawn to emigration when its economic importance became evident with the Gulf oil boom in the 1970s and since then it has been involved increasingly, at the central and state levels, in promoting the process and developing networks to support it.⁴ In Kerala, feeder organisations of the government such as the Bureau of Economics and Statistics have conducted studies on migration and the utilisation of remittances (GOK 1987, 1994).

Cutting across disciplinary orientations and perspectives, narratives on international migration from Kerala tend to prefix the category of migrant as essentially affluent, prosperous

and male, overlooking questions of subalternity. Our effort here is to address the question of subalternity with respect to women domestic workers but also situates them in the larger context of migration from Kerala and of the migration of women. The only exception to the male-oriented focus of the migration literature has been a specialised scholarship on nurses. Otherwise, there has been a strong tendency to naturalise gender norms. Women appear in this work foremost as wives of migrants who are transformed through a process of painful separation into industrious managers of family fortunes (Gulati 1993; Zachariah et al 2003).⁵

In dealing with women as emigrant workers, the tone of the literature is set by the quantum of their participation. Kerala is the largest sending state within India and the most recent survey shows that 14.6% of emigrants from Kerala are women (significantly up from 9.3% in 1998, but down from 17% in 2003), but only about half of them move as workers (Zachariah and Rajan 2009). The near total absence of women in studies of return emigrants (Nair 1998, 1999; Zachariah et al 2006) has at best elicited sanguine comment. For instance, Nair (1991: 24) notes that the total absence of women in his sample of return migrants appears to be because “women from Kerala in employment in the Arab countries – mostly as nurses and other paramedical personnel – are quite few in number and have yet to be repatriated”. Yet, in a later study, the same author found that one out of six return emigrants were women and that most of them were engaged in menial tasks (Nair 1999). It bears mention that his sample in the first study was chosen from the high intensity migration areas of the state, which may fail to capture the migration of women domestic workers who hail largely from the poverty-prone areas of the state. The latter include the coastal and highland areas, regions that also contribute to outmigration to other states for fish processing work.⁶

2 Protection by Exception: State Policy and Its Fallout

The government has realised that the institutional framework sustained by the Emigration Act of 1983 is ineffective and lacks the coherent legal, administrative and policy structures necessary to implement it.⁷ However, there is scant acknowledgement that the existing framework discriminates against “low-skilled” emigrants in general and “low-skilled” women in particular. The Protector General of Emigrants (PGE) administers the Act of 1983 through nine field offices across the country, i.e., Protector of Emigrants (POE), which regulates overseas recruitment practices and grants emigration clearance. The Act does not exempt any citizen from getting emigration clearance⁸ but is administered by the logic of “protection by exception”, that bifurcates the status of citizenship into Emigration Check Required (ECR) and Emigration Check Not Required (ECNR). Despite the promise of protection to the ECR category, the emigration clearance system offers nothing substantial to it; it merely entails a document verification exercise, which in the absence of mechanisms to test the validity of documents, relies on the “common sense and experience” of the POE (Rajan et al 2009).⁹

The emigration regime devised for indentured migration in the colonial era was at the service of the empire but it had an uncanny resemblance to the current regime. The colonial office of the POE was in charge of determining the eligibility of coolies to emigrate, based on production of documents, especially the “contracts on free will” or the “coolie agreement”.¹⁰ It was also expected to exercise a degree of control over recruitment practices but effectively had little control (Lal 2006).¹¹ Subsequently, in response to the growing demand from the nationalist elite in India for nationalisation of labour and for the protection of unskilled emigrant coolies, the government attempted to stop the outward labour flows (Singha 2006). Calls to prevent the movement of Indians with “hard hands, healthy bodies, ample chests and muscular limbs” animated the context that shaped the Emigration Act of 1922, the Passport Rules of 1917 and the Passport Act of 1920 (Singha 2006; Metcalf 2007).¹²

Indentured labour migration from India not only involved significant numbers of women. The colonial government, though reluctant initially, encouraged indentured women’s emigration through measures like a quota rule and rewards to recruiting agents for female emigrants (Mohapatra 1995; Shameem 1998). Measures promoting female migration, mainly at the behest of planters and the governments in the receiving locations, coincided with a colonial discourse that portrayed women emigrants as “low” in caste and in character (Mohapatra 1995). Colonial administrators, planters and missionaries shared the position that “respectable” women and single women of the “honest and decent class” would be reluctant to emigrate (Shameem 1998). This brought to the fore family migration as a moral strategy for the colonies endangered “by the scarcity of honest women and want of family life” (Sen 2004). The nationalist discourse too shared this perspective on individual women migrants suggesting that the indenture system enslaved men, made women prostitutes, destroyed the family and brought shame to Indians as a nation (Mohapatra 1995).

Emigration Act of 1922

Since 1947, emigration to the west and the early streams of migrations to west Asia occurred with little regulatory attention from the newly formed Indian state, but broadly within the framework of the Emigration Act of 1922. The current regulatory framework defined by the Emigration Act, 1983 was brought in at the behest of the Supreme Court of India to fill the gap created when the union government suspended the operative part of the earlier legislation to remove barriers against emigration of unskilled workers (Nair 1998: 273; Weiner 2007: 171).

Weiner (2007: 143) with the economic stakes running high, the Indian government is “willing to tolerate conditions for Indians in the Gulf that it would not tolerate for its citizens elsewhere and its interventions on their behalf are likely to be in a subdued and less public fashion”.¹³ However, the GOI prohibited the movement of single uneducated women to Kuwait in the 1980s following reports that domestic workers

were being mistreated there. There were protests against this apparently from Goan and Malayalee families and “Indian officials *quietly* permitted resumption of the migration” (Weiner 2007; emphasis added).

Current restrictions on women domestic workers derive from two sources – (a) the Emigration Act, 1983, which enables the government to subject them to special protection/scrutiny, and (b) administrative measures taken by the state from time to time through government orders, which give a specific form to protection/restrictions. Aspirants are classified as ECNR on the basis of possessing technical qualifications, special skills or a minimum specified level of education.¹⁴ Currently, persons with education of less than Class 10 come under the ECR category. At present, the GOI prohibits women below 30 years of age from seeking employment in the ECR category. The Ministry of Overseas Indian Affairs (MOIA) maintains that the restriction on women is based on the recommendation of the National Women’s Commission and is to “prevent exploitation of Indian nationals”.¹⁵ However, it had set the 30-year minimum age limit for housemaids in the Gulf countries in July 2002,¹⁶ the intervention of the National Commission for Women in 2003 extended it to all foreign countries.¹⁷

Restrictions position women emigrating for domestic work as outliers both among the low-skilled emigrants and among women emigrants. The ECR rule applies to men and women alike, but the age restriction is only for women workers in the ECR category. In 1999, the government banned the deployment of Indian workers as housemaids or male domestics in Kuwait citing the post-war turmoil and the resultant harassment of foreign workers, especially those working in the domestic sector.¹⁸ The Indian ambassador in Kuwait was reported to have announced the enforcement of the ban in March 2000 (Jureidini 2003: 11), but in May, the Ministry of Labour lifted the ban on male domestics.¹⁹ The ministry even reiterated its decision through a subsequent order citing violations that had come to its notice.²⁰ The age restriction of 30 years was put into place following this.

Role of MOIA

The MOIA has been overseeing the process of emigration governance since its formation in 2004. In one of its first orders concerning women workers, it lifted the prescribed minimum age criterion for all household service workers in the case of ECNR countries and permitted relaxation of the rule with the approval of joint secretary in deserving cases.²¹ However, the order was short-lived. Seventeen days later, the ministry directed all the POEs that “women below the age of 30 years may not be granted emigration clearance, who seek any kind of employment including employment as housemaids, domestic workers, hair dressers, beauticians, dancers, stage artists, labourers, general workers, etc, in any foreign country”.²²

Its next move reiterated that, in the interests of women and for their protection, the age restriction of 30 years was mandatory in respect of all women emigrating on ECR passports, irrespective of the nature/category of employment.²³ The

order also required prospective women emigrants to produce a direct employment contract between the worker and the employer, which provided not only a minimum monthly wage of \$400 but also a pre-paid mobile facility to the worker. Further, every foreign employer recruiting an Indian woman emigrant is required to deposit a security of \$2,500 in the form of bank guarantee, with the Indian mission concerned and the POE may seek a copy of the bank guarantee duly attested by the Indian mission before granting emigration clearance. Faced with stiff opposition from all stakeholders soon after, the ministry withdrew its order on the minimum wage and the security deposit.²⁴

Government intervention has produced a regulatory impasse that promotes the use of “informal”, largely unauthorised agents and procedures and indirect routes of acquiring clearance. “Controlled informality”, a liminal condition that neutralises a stricter formal-informal dualism, gives space for fluid practices within a seemingly definite structure. The dilemma/ease of simultaneity it represents is either something conceded by institutional gaps or something negotiated by concerned stakeholders to serve their interests. Controlled informality sustains a shadow institutional space supported by a powerful parallel economy with an extensive network across India and west Asia and serves to replicate some of the functions of the polity – equipping citizens with passports, for instance. Unauthorised agents not only supply documents for emigration clearance where the applicant may not have the required qualifications, but also organise “pushing”, i.e., sending women workers through without the requisite clearance.²⁵ Their success in generating a porous polity depends crucially on the connivance of state agents at crucial nodes in the emigration process.²⁶ Signalling its embeddedness, the parallel machinery for producing documents goes by the appellation “Kasargod embassy”. Unlike the formal emigration channel, unauthorised agents are proactive in their efforts to mobilise clients. Women domestic workers in the UAE who have lost their passports are not only referred to it for replacements, but agents strive to make contact with them and even dissuade them from approaching the formal channel (Pattadath 2008: 27-28).

Passport Racket

The production of fake passports entails information sharing by travel agents regarding authentic passport holders – agents acquire passports through theft or at a price from desperate people, paying anywhere between Rs 65,000 and Rs 70,000 (Radhakrishnan 2010).²⁷ Shofa, a return-emigrant domestic worker from Puthiyathura, a coastal village in Thiruvananthapuram district, told us that a man approached her at Chennai airport on her way back from Malaysia with her sponsor’s family, with an offer to buy her passport. She had refused to sell but said that she had been desperate at that time as her sponsor, a Malaysian Tamil woman, had insisted on retaining her services in Tamil Nadu for the rest of her sponsorship period. She was able to flee using the excuse of visiting the rest room but only because the sponsor’s husband was sympathetic to her.

When a passport is acquired, the photograph on it may be replaced with a new one (referred to as *thala vettal* or chopping off the head) or it is sold to a person who bears a strong resemblance to its original owner (ibid). In women's narratives, there are strains of the interface between the Indian embassies and its shadow zone. Mariyam, a runaway domestic worker profiled by Pattadath (2008: 9, 27), found that someone had already departed on her passport when she approached the Indian embassy to reclaim it.²⁸ In a more recent study, a return emigrant insisted that she was given a new passport – one in which the original photograph was replaced with hers – at the embassy in the destination.²⁹

Controlled informality provides incentives to flout the law; it promises poor women access to migration where the legal/formal means would prove difficult. Hence, emigrant women domestic workers from Kerala evince greater faith in unauthorised agents, seeing them as being more approachable, friendly and supportive than the government mechanism. However, the nature of regulation in the Gulf countries too contributes to the effectiveness of controlled informality. The *Kafala* (sponsorship) system in the Gulf countries ties every immigrant worker to a sponsor who is expected to bear the costs of sponsoring workers, including their onward and return travel; however, these costs are often recouped by the sponsors from the migrants. This places domestic workers in particular at the mercy of the employer. Frequently, the employers take possession of their legal documents and prevent them from going out of the house (Godfrey et al 2004; Sabban 2004; Jureidini 2003; HRW 2008; Manseau 2007). Domestic workers may pay the fees to the recruitment agents believing it to be the cost of getting a visa or if the employers pay the fees, they may deduct it from the workers' salaries. They are under pressure to tolerate poor conditions of work and even abuse because of the financial investment they make to get overseas employment.

The sponsorship system has also spawned an "informal" market. As the demand for visas to the Gulf exceeded supply, a system of visa trading has emerged that enables migrants to find employment with someone other than the sponsor (Shah 2009: 7).³⁰ Recruiting agents sell visas to the highest bidders among aspiring migrants (Sasikumar and Hussain 2008: 15). Recruitment agents in India and Bangladesh charge between \$2,000 and \$2,500 (Rs 1 lakh and more) for a domestic worker (Manseau 2007: 30).³¹ Even as recruitment agents may supply workers brought on these visas to employers, workers who run away from their sponsors also feed into the "informal" market. It has been noted that runaway workers are able to earn higher incomes, which may prove to be an incentive to run away though they are also under greater risk (HRW 2008: 60; Pattadath and Moors 2012: 161).

Controlled informality enables workers to cross borders despite restrictions but multiplies the financial costs incurred by workers and endangers their security. Not all workers are fortunate to reap the benefits of illegality. Controlled informality has also attached pejorative perceptions to the recruitment of domestic workers. Recruiting agents with some reputation at

stake tend to steer clear of recruiting domestic workers; they consider it as an "indecent" segment that could be touched only "at the cost of our reputation".³²

3 Shaming the Nation

In Kerala, the notion of economic mobility is deeply interwoven into a notion of spatial mobility such that the latter is a precondition for achieving the former; but strikingly groups like the low-skilled women emigrants are not present in such a subnational common sense. Normative constructions of womanhood are bound by restrictions on uninhibited movement. It is instructive that movement is said to be arrested when a woman fails to get married – *ninnu poy* or *erunu poyi* are local usages that mean "to come to a standstill" or "to be stopped in one's tracks". Metaphors of stunting and immobility used to describe unmarried women reflect also what women "gain" through marriage – the ability to move ahead in life in a substantive sense. In terms of this common sense, marriage transforms a woman more substantially into a bearer of civil rights, enabling her to access a livelihood and mobility in socially appropriate ways. The prohibition on women below 30 years from going overseas in the ECR category is in accordance with this framework that activates rights.

In the Indian context, by the time women reach 30, they are likely to be married. As the concern for protection does not extend to women over 30 years, and as there have been instances of single uneducated women being barred from emigration for work, the underlying tension seems to emerge from the social priority accorded to the sexuality of young unmarried women. Even in the case of older women, their emigration is least contentious when it is with their husband. Domestic workers who are too poor to be able to travel with their spouses bear the brunt of social norms. In this section, we seek to examine the divergent policy perspectives on three segments of migrant women workers – emigrant domestic workers, emigrant nurses and outmigrant fish-processing workers. Nurses are privileged in terms of their social location when compared to domestic workers. They not only have a better social profile but also wield an economic clout. Emigrant domestic workers and outmigrant fish-processing workers encounter harsh working conditions, exploitation and abuse but the government restricts the emigration of domestic workers even as it underlines the importance of outmigrant livelihood options for fish-processing workers.

A majority of emigrant nurses from India are Christians from Kerala, mostly belonging to the less affluent sections of the socially privileged Syrian Christian community (Percot 2006b: 44; George 2000).³³ Emigrant job opportunities for nurses are premised on their access to a specialised higher education, which entails the ability to mobilise information and financial resources.³⁴ Families of nursing students are known to borrow money from relatives or from banks and they may expect to recoup this money when their wards find employment (Percot 2006b: 50). Social networks involving relatives and friends are crucial for them to gain access to overseas employment (Thomas 2006). Emigrant domestic

workers are drawn from socially marginal communities and from poor families. The coastal fishing community, an outlier in terms of social development in Kerala, furnishes a large number of emigrant domestic workers.³⁵ The workers' individual profiles are also marked by social disadvantage in the breakdown of the male breadwinner norm (Pattadath and Moors 2012: 166). Outmigrant fish-processing workers too are drawn predominantly from the coastal fishing communities and more recently also from the eastern highlands areas, from families dependent on casual labour (Warrier 2001: 3556). However, unlike emigrant domestic workers, they were mostly unmarried and some were under the permissible age for paid work.³⁶ Fish-processing units are said to be reluctant to employ married women (Gopal et al 2009: 6).

Nursing Profession

Nursing suffers from stigma because of the nature of work it involves, especially the proximity and physical contact it entails with men (Abraham 2004: 14).³⁷ "Twenty years ago, there was no respect for nurses. They used to say we were no more than servants. People were gossiping because we have to touch men in our job and they used to give us a bad reputation" (nurse cited in Percot 2006a: 153). It is instructive that nurses now shun many of the tasks of cleaning associated with care work (Nair and Healey 2008: 18). The overseas employment prospects of nurses produce ambivalence – overseas jobs are highly aspired to but the status of nursing in Kerala and the mobility and freedom that migration enables brings a cloud of suspicion. Young emigrant nurses "who live alone abroad" are castigated as "easy women" (Percot 2006a). Nevertheless, the social position of emigrant nurses had been leveraged by their worth on the marriage market. Matrimonial advertisements in newspapers and internet sites indicate their preference for nurses, "nurse wanted" or "nurse working in the Gulf will be preferred", appearing frequently (Percot 2006a: 166, 2006b: 49).

Increasingly, young nurses are defining their goals in individual terms involving not only economic security but also the pleasures of travel and living abroad (ibid: 48). However, these factors have not overhauled completely the perception of the profession. In the immigrant community in the United States, Christian families with higher social status discriminate against nurses' children and even against families with nurses when looking for matrimonial matches (George 2000: 154). Moreover, nursing aspirants from better-off backgrounds in Kerala have to struggle to convince their families about the desirability of taking up what is considered an inferior option (Percot 2006a: 166).

The factors that stigmatise nursing are heightened in the context of domestic work. Domestic work is carried out in a household context. Its "invisibility" only strengthens the possibility of sexual abuse or the danger of sexual transgression; economic returns from it are uncertain; and, ironically, successful emigrant domestic workers are the subjects of local rumours – success is read as the result of dubious ways of making money overseas (Varghese and Rajan 2011). Domestic work

is sought out by desperate women in search of a means to extricate their families from debt, to pay for medical treatment for their children, to get their daughters married, or to be able to afford a slightly better life.

Fish Processing Industry

Fish processing workers cite sheer everyday survival needs of their family as the reason for taking up work in this sector (Warrier 2001: 3558). Large numbers of women are recruited from the coastal areas of Kerala by agent-contractors for fish-processing work in other states and remain in their control in the destination (Saradmoni 1995: 194; Warrier 2001: 3558).³⁸ Work in fish processing units in other states, domestic work overseas, and daily wage labour provided livelihoods for women from impoverished families in Puthiyathura. Outmigrant women workers live above the peeling sheds or near them and form a captive workforce that is subject to severe exploitation. There have been reports of sexual abuse of workers, sometimes even leading to their death, and of trafficking of workers. These workers and their families are the subject of local gossip, the general perception being that parents are selling their girls into sexual servitude (Saradmoni 1995: 184; see also Warrier 2001: 3557).

The condition of fish-processing workers was the subject of policy discussion in 1984 in the wake of publicity over the death of a young worker from Kerala, and alternative measures were suggested to (a) provide work to migrant workers in fishing or allied occupations in Kerala, or (b) to improve living and working conditions of migrant workers in Gujarat.³⁹ The first was ruled out quickly citing the inability of the state to create employment for these women (Saradmoni 1995: 192). It was also acknowledged that migration was an important livelihood option that should not be interfered with – "the possibilities of migrant work are *regarded with relief* and as matters *best left to be decided by individuals*" (ibid: 194, emphasis added).

The government's position on fish processing workers underlines the futility of restrictions. However, the concern underlying the Emigration Act, 1983 that the "self-respect and dignity of workers and prestige and honour of the country should in no way be compromised" (Sasikumar and Hussain 2008: 13) is used to restrict only unskilled women workers. The arguments in favour of restrictions on domestic workers constitute women as symbols of national honour such that their exploitation in another country becomes intolerable but exploitation at home is brushed under the carpet.⁴⁰ Nursing is perceived widely as an avenue for sustained upward economic and social mobility largely because of the emigrant opportunities associated with it (Percot 2006; Nair and Healey 2008; George 2000).

Risks of Migration

However, nurses are not free of the risks of migration that are so emphasised in the case of domestic workers. Media reports have highlighted fraudulent recruitment agencies that fleece nurses and send them to exploitative sponsors who treat them like "slaves", withholding salaries, not allowing them to go

home and forcing them to overstay their contract.⁴¹ However, the government has been sympathetic and willing to intervene. In 2011, the minister of health in the Kerala government, on a visit to the UAE to promote the employment of nurses, promised measures to protect nurses from fraudulent recruitment agencies by promoting “hassle-free staffing of nurses to the UAE” through a public sector agency.⁴² In 2008, when 160 Indian nurses were among the hundreds of nurses dismissed by the management of a hospital in the UAE, the Indian ambassador is reported to have registered a protest with the UAE government “in the strongest possible terms”.⁴³

The demand to “protect” domestic workers merges with a pejorative attitude towards them among the more affluent expatriate Indians. A domestic worker cited by Pattadath and Moors (2012) draws attention to the general perception that domestic workers are sexually permissive when she pointed out that many poor women like her suffer because “even if they make money in a decent way they are still considered as bad”. She sought to legitimise her need for overseas work by distancing herself from those “who want to make money and live a life without any values”. Government officials are quick to point out informally that domestic workers in the destination countries “misuse” their position, a euphemism for engaging in sex work, implying thus that it would be foolhardy to facilitate their movement. High-ranking government officials have been dismissive publicly of the claims of overseas domestic workers. The Indian ambassador in the UAE, speaking during the general amnesty in 2007, ruled out the need for a higher minimum wage for maids “as it may open the flood-gates for illegal immigration” and suggested that domestic workers had only themselves to blame for their woes.⁴⁴

The twin discourses of protection and immorality of emigrant domestic workers resonate so widely at home and abroad because of the reach of the civil societal organisations of expatriate Indians that voice the views of the more affluent expatriates. The latter have the ear of government officials and visiting delegations who seek to garner information and to gain access to workers (Kodoth and Varghese 2011). Domestic workers not only feel excluded from these associations of expatriate Indians, but also feel that they are not sympathetic to their concerns (Pattadath 2008: 12, 25). These factors serve to sediment the view that emigrant domestic workers tarnish the reputation of Indians – bring shame to the nation.

4 Gender and Emigrant Women Workers

Migration thrusts women workers into the position of being acknowledged as the breadwinners of their families. Why do families choose to send women overseas, especially when the dominant trend in Kerala is that of male migration? Does the experience allow women to rework conventional gender relations? The reasons for taking up emigrant jobs as domestic workers are usually negative – because of the breakdown of the male breadwinner family norm. In many cases, the emigrant women workers who pay for their children’s education, health expenses or marriage expenses are single – divorced,

abandoned or widowed – or in abusive marriages marked typically by the absence of a provisioning male. However, women do go even when there is a provisioning male in the household. Families in straightened circumstances, which have to borrow money or mortgage property to afford passage for a worker, may prefer to send women as an interim measure as the agents who supply visas charge relatively less for domestic workers than for male workers (Pattadath 2008: 6). There are also rare cases of women who take the initiative to go even though their family may disapprove, at least initially.

The conditions that prompt the emigration of women domestic workers do not suggest a break with a patriarchal framework. In many cases, emigrant domestic work is a transitory phase of employment for women. Unlike male migrants, several returnee emigrant women from Puthiyathura were no longer employed. This is not to suggest that women go passively in the face of economic distress and family compulsions. Most importantly, women consider overseas work opportunities as very valuable because of the relatively higher return they expect from it.⁴⁵ Women emigrants are known to violate legal restrictions and other rules for getting clearance from the state. There are women who spend many years abroad and build entirely new lives for themselves, some forge new relationships in the destination countries that breach sexual norms.

It has been noted that once overseas, housemaids may use their mobility and freedom to socialise in ways that are restricted in Kerala. “The ayahs are a particularly conspicuous part of the local scene in several Gulf nations. In Kuwait, for example, a thousand or more Indian ayahs can be seen on a Sunday evening in front of the city’s Catholic church talking and strolling with one another and with young Indian boys” (Weiner 2007: 138). In Dubai, large numbers of domestic workers gather at a public park on holidays with fellow workers and with their boyfriends (Pattadath 2008: 14). Thus, despite being at risk, emigrant domestic workers do not emerge as stereotypical victims. Indeed, their manipulations of the law, jettisoning of sexual norms and struggles against difficult circumstances strike a chord with the story of Tessa more than Aswathy.

However, it is much less clear that they contest social norms. On the contrary, emigration becomes a means to a return to normative domesticity under the protection and patronage of the husband. The cases presented by Pattadath show that the trajectories might differ. Women may take up emigrant domestic work as a stopgap measure; once they fund the passage of their husbands, they may return home to take care of the family or set up home abroad with their husbands. Thus, when there are men in the family, the emigration of women for domestic work is more tolerated than viewed as desirable. However, women in abusive marriages with husbands who fritter away their hard-earned remittances or whose husbands have abandoned them had formed new relationships, sometimes leading to remarriage and renewed domesticity. This could be a costly move likely to earn social disapproval even from close kin. The pain of ostracism resonates in the narrative of a domestic worker who made it good through

the generosity of an Arab employer and settled down with her boyfriend.

I cannot blame them (her children). They did not see their mother with them. They grew up with my sister. But they never knew the hardships I faced for them both in Kerala as well as here. My sister got my two daughters married. They did not even inform me. They were angry with me for my relationship... Now I have wealth, car, big house everything except my daughters' love. Sometimes I wonder: why should I live like this? (cited in Pattadath 2008: 26).

Meeting Patriarchal Obligations

Women may also use the proceeds to ensure that their daughters are married in socially appropriate ways. This is done by meeting patriarchal obligations such as dowry. Indeed, workers may exhaust their savings of many years on a single daughter's dowry. Daisy had a harrowing experience in Lebanon and had gone on a hunger strike before she was sent back by her employer. Subsequently, she went to Abu Dhabi, where she worked full time for an affluent family taking care of the child of a divorced couple who lived with his father. Along with her husband who too worked in Abu Dhabi, she saved enough to build a double-storey house in Puthiyathura and to educate their children. In 2008, however, she was looking to sell the house as she needed money to pay for the dowry and wedding expenses of her daughter.⁴⁶

Nurses experience greater economic mobility than the other segments of women workers. Hence, their experience could provide crucial insights into the nature of agency that emigrant women exercise. Since the 1950s, as the numbers of women entering into nursing education grew steadily, it was recognised that they would contribute economically to their families.⁴⁷ However, even in the 1990s and 2000s nurses legitimise their mobility in terms of dominant social norms, i.e., "higher" social aspirations embodied in earning for their families. They invest in the gender norm by contributing to dowries for their sisters, daughters or other relatives (Gallo 2005; Percot 2006b: 49). "There does not seem to be any kind of attempt to change the situation (on dowry); the nurses save every paisa that they earn by even sacrificing the quality of their diet" (Nair 2007: 150). Nurses who returned after a stint of migration were observed to withdraw from work when there was no economic compulsion unless they could move into higher status work (Percot 2006a: 162). In immigrant contexts, especially in the west where nurses work long hours and earn more than their husbands earn, George (2000) points out that husbands who take responsibility for housework are held in scorn.

5 Conclusions: Seeking Responsible State Intervention

State and social regulations have had serious consequences for the prospects of immigrant Indian women domestic workers in the Gulf countries. Up to the 1970s, immigrant domestic workers in the UAE were mostly from India, drawing on a long history of cultural and economic relations, but the Philippines and Indonesia have grown as source countries since the late 1970s and 1990s, respectively (Sabban 2004: 89). According to Sabban, the position of foreign domestic workers in the labour market in the UAE is linked to the status of women in the

sending countries. "A college educated foreign female domestic worker from the Philippines (in the UAE) is paid the same wage as a high school graduate or a middle school-educated Filipina, but would earn much more than a foreign female domestic worker from India, *regardless of the latter's skills*" (emphasis ours) (ibid: 95). More recently, the number of Filipina and Indian domestic workers was "not growing at the same pace as before", beginning a trend of Indonesians replacing Filipinas in the middle and upper income households and Ethiopians replacing Indians in the lower income households. However, this has happened for entirely different reasons: the Philippines government has been intervening actively to upgrade skills of workers and to move them out of domestic work into higher-skilled categories of work (ibid: 102), whereas the Indian government's response has been to institute and enforce restrictions.

The security of immigrants and the protection of their rights depend strongly on appropriate and enforceable legal frameworks in the receiving countries. Though the Gulf countries have voted to adopt the International Convention on Domestic Work, their existing legal frameworks are inadequate to enforce it (HRW 2012). The Kafala system ties migrant workers' residency permits to their "sponsoring" employers and makes it difficult, if not impossible, to change jobs.⁴⁸ "The specificity of the employment relationship of domestic workers is not addressed in national legislation" (Chammartin 2004: 22). Even recent reforms have excluded domestic workers from the purview of labour laws⁴⁹ (HRW 2012).

The Indian government could do much to improve the conditions of emigrant domestic workers. It could initiate enabling measures to upgrade the skills of domestic workers and to orient them towards the higher-end market in destination countries.⁵⁰ Such measures could help change the social and public profile of domestic workers. Lack of investment in the skills of domestic workers and restrictions on their movement have strengthened a vicious circle of poverty involving low social status and low skill and generated perverse incentives to resort to illegal means of migration. In contrast, the Philippines government accords high priority to its domestic workers. Though it goes to absurd lengths to promote their migration by celebrating them as national heroes (Moors 2003), it provides basic training for domestic workers and supports them in the destinations countries. Sometimes even this is not enough to prevent denial of wages, harassment and abuse.⁵¹ It is telling of government policy that emigrant nurses from India benefit hugely from government efforts to promote training and to improve the quality of nursing "by trying to meet the exact international standards in training institutions. Nursing schools are being transformed into colleges, and this sector is being opened to foreign investment" (Percot 2006a: 155-56). Nurses find specific mention as a group not required to take emigration clearance if they have qualifications recognised under the Nursing Council Act, 1947.

Need for Effective Safeguards

The Indian state needs to provide effective safeguards against exploitation alongside incentivising legal emigration through social protection cover. Over 2008 and 2009, there was a spate

of advertisements on television channels in Kerala warning the public of the dangers of flouting the age prohibition on domestic workers but there was nothing by way of support structures available to women workers in distress situations. The attitude of the Indian embassies towards domestic workers is described as “negative”, “passive” or “reluctant”. al-Najjar (2004: 38) suggests that their attitude stems from among other factors, the Indian government’s lack of a clear policy on domestic workers and the embassy’s reluctance to confront local families in Bahrain where a majority of Indians work for influential families.

In the UAE, due to the large number of regularised male workers and the decreasing number of foreign female domestic workers, the Indian embassy “does not give the issue of female domestic workers priority” (Sabban 2004: 101). Other sending nations, particularly the Philippines, Indonesia and Sri Lanka, are more supportive of migrants. In Saudi Arabia, sections of the Philippines embassy remain open on Thursday and Friday for assistance to domestic workers who may escape on the weekend (HRW 2008: 115). The Philippines embassy mediates in disputes, refers cases to the courts and bears the expenses of litigation and where possible attempts in association with recruiting agencies to find new employers (Esim and Smith 2004; HRW 2008: 117).

The question of policy-level clarity on domestic workers is clearly important. The measures announced by the government in recent years suggest a move towards a more repressive regime. As the social profile of emigrants from Kerala shows that women migrants are on an average more educated than their male counterparts, it is sometimes argued that the unskilled segment of women migrants may no longer be important for policy. This view is substantiated by an apparent decline in numbers of women emigrating in the ECR category from Kerala. However, such arguments endanger the security of the small proportions of unskilled women workers who are more prone to risk than other segments of workers.

A survey of domestic workers in Kuwait in 2001 showed that 14 out of 43 Indian women workers had education of up to high school or above (Godfrey et al 2004) indicating that they may migrate in the ECNR category as well. Thus, the ECR category is likely to under-enumerate unskilled women migrants because they may use illegal channels. The Indian state and public discourse in Kerala are completely at odds with the aspirations of emigrant domestic workers. State policy continues to be driven by the perception of emigrant domestic workers as victims, a view that is sharply delineated in recent film depiction. This perception discounts the struggles waged and costs paid by domestic workers to survive and work in harsh conditions overseas.

NOTES

- 1 The representation of nurses as being at ease with “permissive” sexuality is somewhat discordant. The nurses are not shown as being rebellious but completely at ease as if it were the accepted social norm. Given the predominantly lower middle class background of nurses, the film is cut off from the dominant sexual morality in Kerala and how it may affect those who adopt different practices.
- 2 Domestic workers who migrate to Indian cities struggle against constant suspicion from their husbands and harassment from male employers (Kaur 2006: 209). Significantly, in India too there is lack of clarity regarding the status of the domestic worker as a worker and domestic work remains unregulated, not covered even under the Minimum Wages Act (Neetha 2008: 28).
- 3 For a sample see Mathew and Nair (1978); Prakash (1998); Zachariah et al (2003), Zachariah and Rajan (2009). A strand of the economic literature offers a counter-narrative on the voluminous flow of remittances and foregrounds its negative consequences to the good producing sectors of the state (Harilal and Joseph 2003).
- 4 The public sector overseas recruiting agency, Overseas Development and Employment Promotion Consultants (ODEPC), was set up by the Government of Kerala in 1977 (<http://www.odepc.org>). Non-resident Keralites affairs department was set up in 1996 to network, build a data bank and to guide aspiring migrants. “Roots” was set up in 2002 to interface between non-resident Keralites and the government (www.norkaroots.net).
- 5 The male-dominated migration from Kerala has tended to obscure the need for critical engagement with the issue of social costs of women’s migration. In Sri Lanka or the Philippines, the predominance of women in the emigration process has made visible a “domestic chaos emerging from the relative neglect, even abuse, of children and alcoholism among men. In the case of Philippines the recent emphases

- on the consequences of the absence of women as wives and mothers from their domestic responsibilities is in contrast with the earlier studies that emphasised how the absence of the husband gave women more decision-making power” (Ogaya 2006: 126-27).
- 6 In January 2008, office-bearers of the National Domestic Workers Movement referred us to Puthiyathura, a coastal village in Thiruvananthapuram. We spoke to several returnee domestic workers. These families also had considerable information about visa “traders” and were on the lookout for work opportunities overseas.
- 7 This recognition underpins the ongoing attempts on the part of Government of India to enact a new emigration law and formulate a national policy on international migration.
- 8 The Emigration Act of 1983, Section 22 (1).
- 9 Emigration clearance is provided on the basis of valid documents like work contract, employment visa, insurance policy, etc, and an affidavit that s/he emigrating at her/his own will and is aware of the details.
- 10 The POE was appointed by the colonial Indian government in response to increasing reports of ill-treatment of indentured workers in the destinations and outcries that indenture represents yet another form of slavery (Tinker 1974). The first POE was established at Calcutta in 1843; Bombay and Madras got the office subsequently (Rajesh Vetcha and T L S Bhaskar (2003), “Passage Back to India”, *The Hindu Magazine*, Sunday, 12 January, <http://www.hindu.com/mag/2003/01/12/stories/2003011200080100.htm>). The POE was “to safeguard the rights of the ignorant, defenceless natives against illegal recruitment, to grant certificates of embarkation, and to see that all rules and laws governing the embarkation of transports were observed” (Erickson 1934).
- 11 “[I]t was not unusual that a trustworthy emigration agent [appointed by the labour receiving country/colony to supervise the recruitment of natives as required by the colonial Indian

- government] to serve also as protector of emigrants”! (Erickson 1934).
- 12 The Passport Act of 1967 tightened the passport regime and the individual’s discretion to decide whether to migrate with or without a passport as allowed by the Passport Act of 1920 was taken off.
- 13 In one instance, when 60 illegal immigrants expelled from the UAE arrived in Kerala in 1980, an alarmed chief minister urged the centre to intervene fearing a deluge of returnees. Subsequently, an Indian delegation was sent to the Gulf and the number of Indian’s repatriated was small (Weiner 2007: 135, 171).
- 14 See 13 different categories of people/workers who do not require emigration check (MOIA 2007). Currently, the ECR procedure obtains only for persons migrating to 17 countries – UAE, KSA, Qatar, Oman, Kuwait, Bahrain, Malaysia, Libya, Jordan, Yemen, Sudan, Afghanistan, Indonesia, Syria, Lebanon, Thailand and Iraq. Persons migrating to countries other than these are exempted from emigration clearance (<http://moia.gov.in/services.aspx?ID1=111&id=m7&idp=104&mainid=73>).
- 15 See pre-departure training manuals for various countries prepared by CDS for the MOIA accessible on www.cds.edu
- 16 Office memorandum No Z-11025/57/2000-Emigration dated 9 July 2002, Emigration Division, Ministry of Labour.
- 17 This order also directed all the POEs to accept the date of birth mentioned in the passport as proof of age for the purpose; office memorandum dated 20 November 2003, Emigration Division, Ministry of Labour.
- 18 Letter of undersecretary, Ministry of Labour, to all POEs, dated 4 June 1999.
- 19 This was subject to attestation of documents by the Indian embassy at Kuwait. The “ban on housemaids remained in place”, Letter of undersecretary, Ministry of Labour, to all POEs, dated 29 May 2000.

- 20 Office memorandum with the subject "Clearance of Indian Citizen for Deployment as Housemaids in Kuwait", Ministry of Labour, dated 26 February 2002.
- 21 Office memorandum with the subject "Measures for protection of Indian emigrants", dated 4 May 2007, MOIA, Emigration Policy Division.
- 22 Letter by undersecretary to the Government of India, MOIA, to all POEs, dated 21 May 2007.
- 23 By that time, the qualification for getting an ECNR passport had been lowered to matriculation pass. Letter by the undersecretary to the Government of India, MOIA, Emigration Division, dated 1 August 2007.
- 24 Letter by the undersecretary to the Government of India, MOIA Emigration Section, to all POEs, dated 12 September 2007.
- 25 Circumvention of emigration clearance has been reported over the years ("No End to Illegal Recruitment of Women for the Gulf" in *The Hindu*, 28 May 2005; "41 Kuwait-Bound Women Arrested by Hyderabad Police" in *www.rediff.com*, 21 September 2000; "Kuwait-Bound Woman Arrested" in *The Times of India*, 15 May 2008).
- 26 There has been a spate of news reports on illegal recruiting agents and the nexus of corruption involving state officials. In a recent incident the PGE in Chennai killed several members of his family and committed suicide leaving a note saying, "I am innocent. My simplicity betrayed me." The incident followed the arrest of POE Chennai and a subsequent raid of PGE's office and residence by the CBI ("CBI Arrests Protector of Emigrants, Two Agents on Corruption Charges" in *The Hindu*, 21 July 2009; "CBI to Check Antecedent of Emigrants at Random" in *The Hindu*, 22 July 2009; "IAS Officer, Four Family Members Found Dead" in *The Hindu*, 1 August 2009; "Probe into Multiple Murder Case Begins" in *The Hindu*, 2 August 2009). There have been increasing complaints against POE offices and these are under the scanner of the Vigilance and Anti-Corruption Bureau ("Role of Emigration Officials under Scrutiny" in *The Hindu*, 1 August 2009).
- 27 With new technology that can detect tampering, there has been increasing seizure of passports. An official is quoted as saying that 42 cases were detected between May and June 2010 alone (Radhakrishnan 2010).
- 28 When a worker runs away, sponsors are required to file a case against them and deposit their documents with the immigration department.
- 29 Personal conversation with Nalini Nayak, April 2012.
- 30 It is estimated that in 2004, 6,00,000 workers – or 27% of the total workforce – in the UAE were sponsored by fictitious companies. In the same year, 11,600 bans were issued against violating sponsors and companies to curb illegal migration. In 2004, the Saudi minister of labour said that 70% of the visas issued by the government are sold on the black market (Shah 2009: 8).
- 31 The Emigration Act sets a ceiling of Rs 2,000 on the recruitment fees from unskilled migrants, which has remained unchanged for the past 25 years and even emigration officials are aware that the ceiling is flouted (Sasikumar and Hussain 2008: 15).
- 32 In a recent survey of Recruiting Agents in India, only 4.7% admitted that they recruited housemaids for overseas employment (Rajan et al 2009).
- 33 The sample of nurses studied by Percot in the Gulf (UAE and Oman) comprised 90% Christians (70% Syrian and 30% Latin Christian) and 10% Ezhava or from other parts of India. The Latin Christians are included in the category of Other Backward Classes.
- 34 The qualification for a staff nurse in government or private hospitals in the UAE is a bachelor's degree or a three-year diploma and two years' experience in a hospital (http://nas.moh.gov.ae/Staff_20Nurse.pdf). Advertisements indicate that the same is the requirement in other Gulf countries as well.
- 35 Kuttichira, a predominantly Mappila enclave in coastal Kozhikode, has a large number of domestic workers in the Gulf, and still more intending to go (Pattadath 2008: 7). In Puthiyathura, it was women of the Latin Christian community that went to west Asia, the Gulf countries and south-east Asian countries as domestic workers.
- 36 In a study of 309 workers in various sites across the coastal stretch of India, 59.5% of workers were in the age group 19-28, while approximately 17% were between 14 and 18 years. The author notes that there were reports of girls below 14 working in some units (Warrier 2001: 3556).
- 37 In 1963, Prakkulam Bhasi said in the Kerala Legislative Assembly that stage artistes and nurses were two groups of women who struggled against severe stigma (assembly proceedings cited in Abraham 2004: 19).
- 38 Contrary to the perception that migrant workers are more skilled but paid less, most workers learn the trade after joining the units. The predominance of migrant workers, largely from Kerala, seems to be linked to the fact that the contractors too are from this region and the latter are able to supply large numbers of contract workers (Warrier 2001: 3557).
- 39 This was at a round table discussion in Thiruvananthapuram in the wake of a study undertaken for the Ministry of Labour by the Institute of Social Sciences Trust, New Delhi, following publicity over the death of a young worker from Kerala.
- 40 A group of male local government representatives were strongly in favour of the 30-year age ban on women domestic workers (Kodoth and Mishra 2011: 39).
- 41 "Indian Doctors, Nurses Not Paid for Seven Months in Saudi", PTI, 25 February 2008; Bhaduri-Jha, "Indian Nurses Forced to Continue Working in Saudi", *Economic Times*, 18 January 2007; "Call to Curb Illegal Recruitment Agencies", *The Hindu*, Kerala, 8 February 2006; "Kerala Tackles Nurse Recruitment Racket", *Gulf News*, 7 September 2011; Basheer, "Illegal Agencies Fleece Nurses Recruited to US, UK", *The Hindu*, 4 June 2004.
- 42 The report mentions that the Kerala government has set up a public sector recruitment facility to put an end to the problems of nurses approaching private agencies and cites cases of some nurses who were hired and forced into prostitution (Sabari, "Kerala Tackles Nurse Recruitment Racket", *Gulf News*, 17 September 2011).
- 43 "Envoy Decries Sacking of 160 Indian Nurses in the UAE", PTI, 26 August 2008.
- 44 He was reported as saying that no complaints had come from maids who were legal immigrants whose job contract was attested by the Indian embassy and consulate in the UAE. Suggesting that complaints arose only from illegal domestic workers, mostly working for Indian families, he said, "most of them have come on a visit visa and a majority of them are illiterate" ("Zero Tolerance for Illegal Immigration to the Gulf", PTI, 20 January 2008).
- 45 Out-migrant fish processing workers too felt that migrant work was a valuable opportunity that allowed them to contribute to their families and to save for their own dowries. They also spoke of not wanting to go back and live under the restrictions they were subject to in Kerala (Joseph 1999).
- 46 Dowry is a recurrent theme in the narratives of domestic workers and is an important reason for their struggle with emigration (see Pattadath and Moors 2015).
- 47 Most of these students were from relatively poor Christian families from the central Travancore region. Though nursing suffered from severe stigma in the early period, the entry of Christian women was eased by missionary influence in the region and spurred by the demographic pressures on Christian families with large numbers of children. In contrast, caste norms were likely to be a deterrent to Hindu families (Abraham 2004: 8, 7-18).
- 48 In Saudi Arabia, for instance, the worker must obtain the sponsor's consent to change her employment or to leave the country (get an "exit visa") (HRW 2008). The UAE introduced a law in the 1980s requiring a worker to leave the country for at least six months if they want to take up a new job (Jureidini 2003). This was amended in 2005 to allow workers to change jobs with the employers' consent but domestic workers were excluded from the purview of the altered law.
- 49 A 2009 reform in Bahrain allows workers to change jobs more freely but does not apply to domestic workers who are also excluded from protection under the labour law. In the UAE, employment protections laid out in the labour law of 1980 do not extend to domestic migrant workers employed in private households. The standard contract introduced for domestic workers in 2007 requires "adequate breaks" but does not limit working hours or provide for a weekly rest day, overtime pay, or workers' compensation. In Kuwait, a new private sector labour law passed in February 2010 sets maximum working hours, requires a weekly rest day and annual leave, and sets end-of-service bonuses but excludes domestic workers. In Saudi Arabia, some 1.5 million migrant domestic workers remain excluded from the 2005 labour law, which provides limits to working hours and restrictions on salary deductions, rest days and mechanisms for resolving labour disputes (HRW 2012).
- 50 A flagship programme initiated under the Eleventh Five-Year Plan for finishing schools for women had a range of training programmes for unskilled and semi-skilled women to make them able to seek employment, but did not include training in domestic work (GoK 2009). The Kerala State Women's Development Corporation launched a finishing school to impart personality and communication skills for nursing graduates seeking jobs outside the state (*The Hindu*, 26 July 2009).
- 51 In August 2011, it was reported that, Saudi Arabia was ready to lift a ban on the recruitment of housemaids from the Philippines "following tough terms imposed by Manila", after the two sides reached a compromise that lifted most of the conditions set by the Philippines but raised the minimum wage to \$400 per month ("Saudi Arabia Set to Readmit Philippines Maids", *Emirates News*, 21 August 2011).

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