

Gendered Migration Bans on Women Migrant Domestic Workers: A Comparative Analysis of Labour-Sending States in Asia

Abstract

Richa Shivakoti, Sophie Henderson and Matt Withers

Numerous labour-sending states have made periodic attempts to restrict the migration of female migrant worker identified as being particularly vulnerable to abuse and mistreatment. This article examines the history of migration bans in four prominent labour-sending Asian states – Indonesia, Nepal, the Philippines and Sri Lanka – to assess the causes, outcomes and extent of regional convergence of these policies.

For all the academic attention directed toward the comparative analysis of policy regimes governing international migration, there has been a disproportionate emphasis on the immigration policies of OECD countries with net migration inflows. However, migration regimes are mutually constituted by immigration and emigration policies, and among countries of origin whose economies have long been inextricably linked to the vicissitudes of temporary labour migration there are diverse examples of policies intended to promote or curtail foreign employment. Of these, migration bans or restrictions for women domestic workers are perhaps the most commonplace and controversial, yet have remained under-researched at a regional level. Identifying a lacunae in the dearth of cross-national comparisons of partial or total bans on domestic worker migration, we do a comparative study of the migration bans in four labour-sending Asian states.

The article begins by drawing out two major crosscutting themes – the feminisation of employment and the politicisation of gender norms – to provide contextual background to the emergence of migration bans. We then develop a ‘migration ban model’ that provides a theoretical framework for understanding the circumstances under which migration bans arise and play out. In the following section, we demonstrate variations in our model through historical overviews of feminised migration, gender norms and migration restrictions in each of the four country studies. The final section provides a comparative analysis based on the cases and differentiates between the two narratives of patriarchal states as ‘protector’ and those that use the bans as a form of diplomatic negotiations.