**Young Migrant Women from South Asia in the UAE: Negotiating Identities under the Kafala System**

A Research Paper presented by:

***Shipra Saxena***

(India)

in partial fulfillment of the requirements for obtaining the degree of

MASTERS OF ARTS IN DEVELOPMENT STUDIES

Specialization:

**Children and Youth Studies**

(CYS)

Members of the Examining Committee:

Dr. Thanh-Dam Truong (Supervisor)

Dr. Roy Huijsmans (Reader)

The Hague, The Netherlands
November 2012



**Dedications**

To my grandfather, I lost you in this journey but you are watching over me, from wherever you are!

&

Abhinav, you are my rock solid support.

**Acknowledgements**

As I look back at the journey behind the completion of this research paper, I am filled with gratitude towards all those who helped me in this endeavor.

To my supervisor, Thanh-Dam Truong, thank you for your faith in me and for your patient support and guidance. Your warm hugs filled me with motivation and the confidence needed to undertake the writing of this paper. To my second reader, Roy Huijsmans, my deepest gratitude goes out for your critical and invaluable observations on my work. I also am grateful to all respondents who agreed to share their personal experiences and life’s story with me this paper would not have been possible without your contribution.

A special thanks to my course convener, Kristen Cheney for your unflinching support throughout my time at the ISS. To all the other faculty members at the ISS, the discussions and debates both in and outside of the classes paved way for new learning all the way.

To my friends and classmates at the ISS with whom I shared many wonderful moments, thank you for being there always making ISS a home away from home.

Abhinav, you have been the biggest pillar of strength through out. Without your faith and confidence in me, ISS would not have happened. Thank you for the sacrifices you made for me.

And lastly, to my family and friends back in India, your constant support, well wishes and calls kept me going and fuelled me with a fresh dose of energy every time we spoke. I would not have made it this far without you all.

**Contents**

[List of Tables vii](#_Toc340667492)

[List of Figures vii](#_Toc340667493)

[Appendix vii](#_Toc340667494)

[List of Boxes vii](#_Toc340667495)

[List of Acronyms viii](#_Toc340667496)

[Abstract ix](#_Toc340667497)

[Chapter 1 Introduction 1](#_Toc340667498)

[1.1 The Research Problem 1](#_Toc340667499)

[1.2 Justification and Relevance to Development Studies 2](#_Toc340667500)

[1.3 Research Objectives and Research Questions 3](#_Toc340667501)

[Research Objective 3](#_Toc340667502)

[Research Questions 3](#_Toc340667503)

[1.4 Research Methodology 3](#_Toc340667504)

[1.4.1 Research Site 3](#_Toc340667505)

[1.4.2 Research Techniques 3](#_Toc340667506)

[1.4.3 The Sample 5](#_Toc340667507)

[1.4.4 Positionality as a Researcher 5](#_Toc340667508)

[1.5 Risks and Ethical Challenges 6](#_Toc340667509)

[1.6 Organisation of the Paper 6](#_Toc340667510)

[Chapter 2 Contextualizing Labour Market in the United Arab Emirates 8](#_Toc340667511)

[2.1 Growing Migrant Labour Dependence in the United Arab Emirates: A Focus on South Asian Labour Migration 8](#_Toc340667512)

[2.2 Extreme Segmentation of Labour Market 10](#_Toc340667513)

[2.3 The Regulatory Regimes and the role of the Kafala System: Facilitating and Restricting Female Migration and Missing Discourse on Youth 12](#_Toc340667514)

[2.3.1 Policies by Sending Countries 12](#_Toc340667515)

[2.3.2 The Kafala System – The Migration Management System 13](#_Toc340667516)

[2.3.3 The Missing Discourse on Youth 14](#_Toc340667517)

[2.4 Role of Recruitment Agencies 16](#_Toc340667518)

[2.5 The Kafala System re-enforced by Emiratisation Policy 16](#_Toc340667519)

[Chapter 3 Explaining the Agency of Young Women Migrants 19](#_Toc340667520)

[3.1 Gender and Agency in Migration 19](#_Toc340667521)

[3.3 Social Age as a New Lens 20](#_Toc340667522)

[3.4 Intersectionality 21](#_Toc340667523)

[3.5 Choices with autonomy or Choices bound by Structures? 22](#_Toc340667524)

[Chapter 4 Understanding Negotiations: Acquiescence or Breaking Barriers? 24](#_Toc340667525)

[4.1 Young South Asian Women – Situating and Selection of the Sample 24](#_Toc340667526)

[4.2 Analysing Processes in Choice Making in Migration 25](#_Toc340667527)

[4.3 Institutional Regulations – Structural Dependency 26](#_Toc340667528)

[4.4 Circumscribing Freedom of Movement 28](#_Toc340667529)

[4.5 Gender Identity and Gender in Negotiations 29](#_Toc340667530)

[4.6 Youth – To be or not to be! 31](#_Toc340667531)

[4.7 Negotiating Agency – Choices and Compliance 32](#_Toc340667532)

[4.8 Support Networks under Structural Dependence 32](#_Toc340667533)

[4.9 Conclusion 33](#_Toc340667534)

[Chapter 5 ‘In & Visible’ Yet Invisible: Reflections and Conclusion 35](#_Toc340667535)

[References 37](#_Toc340667536)

[Appendix 40](#_Toc340667537)

List of Tables

[Table 1 Labour force participation rates (15+) in the GCC, c. 2008, by gender and citizenship category (%) 9](#_Toc340667538)

[Table 2 Occupations of the Workforce by Nationality in Dubai 10](#_Toc340667539)

[Table 3 Profile of Respondents 24](#_Toc340667540)

List of Figures

[Figure 1 Native and foreign components of GCC labour forces, 1975–2008 (000s) 8](file:///C%3A%5CUsers%5Cchandni%5CDesktop%5CShipra%20Saxena%20SB%201481%20RP%20Final.docx#_Toc340667576)

[Figure 2 Occupational Breakdown of the UAE Population in 2006 9](#_Toc340667577)

[Figure 3 Situating Young South Asian Migrant Women (YSAMW) a set of concentric circles of power in the UAE 25](#_Toc340667578)

Appendix

[Appendix 1 Changes in Labour Migration Legislation and Policy in South Asian Countries since 2005 40](#_Toc340667638)

List of Boxes

Box 1 Regulations on the Working of Private Recruiting Agencies in the Unites Arab Emirates from January 2011………………………16

List of Acronyms

GCC Gulf Cooperation Council

ILO International Labour Organisation

IOM International Organisation of Migration

PRA Private Recruiting Agencies

UAE United Arab Emirates

UN United Nations

UNDP United Nations Development Programme

YSAMW Young South Asian Migrant Women

Abstract

Labour migration into the Gulf countries has increased in the last three to four decades, though scholarly analyses have focussed primarily on men. In recent years, the inflow of young women from South Asian countries is increasing due to opportunities in the labour market. This paper explores the migration experiences of young women from South Asia in the United Arab Emirates (UAE), working in the service sector (beauty parlours, grocery stores and cleaning – as own-account worker through a placement agency). The main objective is to provide a qualitative analysis of the implications of the Kafala as a system of migration management on the domain of work and social life situations of these young women. Using the concept of intersectionality, the paper shows how the interplay between gender, ethnicity and generation has shaped the social positioning of these women and the implications this has for negotiating and making sense of their identities (as migrants, women, and member of an ethnic community). Situated in the broader systemic structures that govern the labour market and their social lives, their agency (ability to make choices) is found to be facilitated and/or constrained by social networks that play an important role helping them to cope with Kafala as a migrant labour management system that affects multi-layered power relations between the individual migrant and 1) the state of the host country; 2) the employers; 3) the placement agency; 4) actors in neighbourhoods where they live.

**Keywords**

Agency, Identity, Gender, Kafala, Migration, United Arab Emirates, Young women

#

# Chapter 1 Introduction

## 1.1 The Research Problem

Traditionally, the literature on migration has focused on the migration of men as breadwinners as it tends to assume that women are staying behind in the home country or accompanying husbands as dependent spouses. However, with the opening up of the labour markets, international migration of women has increased and many women are moving in search of economic opportunities (Pedraza 1991: 310). The UNDP Human Development Report (2009: v) shows that the volume of South-South migration is more significant than South-North, and within this category, rapid increase in the migration flows of women. Carling (2005: 2) notes that the increase in migration of women has led to the emergence of female forms of migration that includes commercialized migration of domestic workers, sometimes labelled as ‘the maid trade’ and the migration and trafficking of women in the sex industry.

The UNDP Human Development Report (2009) also shows that the migration of young women from South Asian[[1]](#footnote-2) countries to Western Asia[[2]](#footnote-3) has been on the increase, due to the rising demand of women labour in the Gulf Cooperation Council (GCC) (Rahman 2011: 398; Mahler and Pessar 2006), particularly in the service industries[[3]](#footnote-4). Like the other GCC countries, the UAE is governed by a unique migration management structure – the Kafala system. This system provides grounds for legitimising movement of foreign workers into the country and works more like a control mechanism to keep a check on migrants[[4]](#footnote-5). All low skilled migrant workers, treated as guest workers are covered under the immigration law and not labour law. They work on a two-year, renewable contract, which is further categorised on the basis of their region, nationality, ethnicity and skills. The low skilled workers are covered under immigration laws and not labour laws. The system creates structural dependency as the citizen sponsor and employer (usually the same person) assumes all their legal and economic responsibilities during the contract period, leaving little scope for mobility (Gardner 2010, 2011). Longva (2005) calls this system as ‘ethnocratic politics’, where minority of indigenous people enjoy more rights, even over the migrants, who constitute the majority of population and workforce. Despite an increase in migration of young people, more so young women into this part of the world, migration scholarship has yet to move beyond the focus on domestic workers and young women engaged in the sex trade. Migrant women working in other service sector professions are becoming more visible and undoubtedly play a role in both, the formal and informal economy. They contribute through labour in the host country and through remittances and other resources to the sending country, but have not been given much prominence in the migration research. There is very little knowledge about them, how their work and social lives are organized and what the experience of migration may mean to them.

 This research situates labour migration by young women from South Asia to the UAE within youth studies as an emerging field that tries to bridge three main constructs: age (chronological and social), generation and gender. It explores how these young migrant women negotiate their identities in the host country, and the implications of migration in their lives and future prospects. The analysis will be centred on the Kafala system, which regulates their presence, and its implications for their inclusion in the service sector under wage employment relations[[5]](#footnote-6). Additionally, with the help of intersectionality as a research tool, I also examine their process of negotiating identities, interacting with the Kafala system and forming support networks to help them improve their position in the society.

##  1.2 Justification and Relevance to Development Studies

The experiences of young people, specifically young women, are under researched in the migration studies, though increasingly they are an important component of transnational labour market. In the context of the UAE, there is also a gap in knowledge about experiences of young South Asian women engaged in service sector. Though they form a big part of the wage based labour market, their voices are invisible in the policies and migration discussions.

Through the qualitative analysis of voices and rich narratives of young migrant women, this research adds to the pool of knowledge and academic work in migration, gender and youth studies. The analysis aims to contribute to non-government organisations working with women and youth to support these groups in the negotiation process. The analysis aspires to help in the development of migration forums working to support the young migrant women from South Asia in the UAE.

## 1.3 Research Objectives and Research Questions

### Research Objective

Under the Kafala system as the main institution governing in-migration of labourers in the UAE and socio-spatially formed communities, the objectives of the research are:

* To explore the migration trajectories of young South Asian migrant women in the UAE and their changing positions in the migration process.
* To analyse their negotiation process in identity building, taking into account the interplay between factors of gender, generation and ethnicity within the domain of work and support networks.

### Research Questions

* Under the Kafala system in the UAE, how are young South Asian women in the service sector positioned, what are the opportunities and constraints on their life courses as young women and as migrant workers?

***Sub Questions***

* How do they negotiate their identities for work opportunities and changes in their social lives in the destination country and beyond?
* How do ethnicity, gender and generation interact in social networks that provide them with support mechanisms?

## 1.4 Research Methodology

### 1.4.1 Research Site

The UAE was selected as the country for research due to a large influx of migrant population from South Asia. The research was conducted in the two Emirates, Dubai and Sharjah out of the seven Emirates that constitute the United Arab Emirates due to access to correspondents, time constrain and my limited resources to travel and access them. The interviews were conducted at work place, residences of young women and office building toilets – sometimes with the permission of the employers and sometimes in a clandestine manner without seeking employers’ permission.

### 1.4.2 Research Techniques

This research includes both primary and secondary methods. I used review of literature, policy analysis, in depth interviews and ethnographic research methods to collect, interpret and analyse the findings from the field. This methodological framework has been chosen based on the context of the research project whereby combination of these methods provided detailed information and experiences of the respondents that support the purpose of the research. In order to gain access to the respondents, informal methods were adopted along with formal ways.

The research began with literature review to understand the existing academic work done on gender, youth and migration scholarship that emerged in the last decades, revealing the complex interplay of power that shape the experiences of men and women as migrants (Curran et al. 2006; Dhar 2007; Jarallah 2009) focusing specifically on young women and GCC countries. The literature on migration in the GCC countries helped in getting a perspective on the Kafala system and regulation policies of both the sending and receiving countries. Review of literature helped me identify the gaps in knowledge about youth and migration and helped in setting up my research problem. The literature included theoretical work by scholars; advocacy materials on migrant’s rights and labour policies related to labour and migration regulations. However, reviewing the literature brought out that data pertaining to migrants in the gulf, including female migrants is not easily accessible (Timothy and Sasikumar 2012: 3). Therefore, effort has been made to provide data as per availability.

Analysis of the UAE labour policy helped to explore the context of Kafala system as a governing institution for the migrant population and the missing youth discourse in the labour and migration discussions, specifically in the UAE. Analysis of policy regulations by the sending countries highlighted the facilitating and restricting factors for young women’s movements from the country of origin to different regions, and more specifically to the UAE.

In depth interviews are people oriented and sensitive, whereby respondents share their experiences and accounts of their lives in their own words. (Valentine 1997,as cited in Ayala 2012) The in depth interviews with the young women looked at migration trajectories, personal accounts, experiences and turning points in the migration lifeline of the respondents. A semi structured interview schedule was prepared to direct the conversations with all the respondents, but the focus was more on their narratives. The questions were left open ended after the initial beginning for them to share their person experiences. The interviews were conducted with purposive sampling and snowball sampling as both these sampling techniques were relevant for the research. I first selected the respondents based on access and appropriateness and then identified the other respondents through their community networks.

Purposive sampling is the one where the researcher takes the decisions to include the individuals in the samples based on the criteria such as knowledge of the individual on the issue, capacity and acceptance to participate in the process to be able to contribute appropriately. (Oliver 2006) Thus, purposive sampling was used to find different entry points into the community. There after, snowball method was used with the help of the initial respondents. In the snowball sampling method, the researcher finds the respondents based on identification by the existing respondents (ibid.). Snowball sampling may result in bias towards respondents sharing certain characteristics and/or are more visible, thereby affecting representivity (Robson 1993; Bernard 1995; Jacobsen and Landau 2003, as cited in Clark-Kazak 2009). Therefore, special attention was paid to connect with diverse entry points and their connections. I reached out to various networks simultaneously and did not follow a chain initiated by one respondent and only relevant people were finalised for interviews.

While in-depth interviews being the primary source of information, I also reflected through my observations. Following the ethnographic approach, I observed and analysed the silences, environment and reactions that had meanings to them. Hobbs and Wright (2006) shares that ethnography research methodology involves personal engagement with the subject to understand a particular culture or social setting, where participant’s observation is critical. This is a particularly valuable resource for researchers working towards analysing cultures or social settings that are often difficult to locate or are hidden. This method helped me analyse their behaviour patterns and relationship with others, thus, helping in deeper exploration of contexts and life situations, beyond only what was being spoken.

### 1.4.3 The Sample

This research highlights narratives of young women from Bangladesh, India, Nepal and Pakistan about their work and migration life course. I interviewed ten migrant women - three from Bangladesh, two from Pakistan, two from India and three from Nepal. All of these women were from the age group of 21 – 27 years. Additionally, I also interviewed two beauty parlour owners - both from Pakistan; two company managers - one from Nepal and one from India, three women who employed the cleaners in their houses on a part time basis and two clients - one from the beauty parlour and the other from the grocery store.  I also met up with husbands of two of these women, one from India and one from Bangladesh. I also interviewed two male co-workers, one from Nepal (from a company) and one from Pakistan (grocery store). This helped me support my research in obtaining the views and perception of these people on the situation of the young women. More details on the choice of selection and positioning of the samples is highlighted in Chapter 4.

### 1.4.4 Positionality as a Researcher

My own positionality in the research process was both an asset and a hindrance. Being a South Asian married woman resident of Dubai, it was easy for me to locate and approach the respondents through various networks. However, at the same time, my positionality created their expectations from me to provide some support or potential employment. This was also possible as the class difference was very visible between my respondents and me. Additionally, being a migrant expat despite having a free zone[[6]](#footnote-7) visa making my husband and me eligible to move from one free zone company to another, I too come under the Kafala system of having a sponsor for work and residence. This restricted my engagement with the Government on a sensitive issue like migration.

## 1.5 Risks and Ethical Challenges

This research deals with sensitive issues of migration in a country like the UAE where labour laws are not very labour supportive. It was very difficult for me to reach out to people as many of them were not willing to discuss this issue out in open. The employers and co-workers, on the pretext of them and other employees being busy, turned me back four times. They could be unsure of my identity and maybe looked at it as a potential threat. There were three interviews where the correspondents were willing to speak and spoke to me in a clandestine manner when the others were not available. During the conversations, there were many instances when the respondents expected my help in finding better job opportunities despite clarifying my position as a researcher.

 Though respondents had given the permission to use their real name but looking at their positioning in the overall migration structure, revealing their identity may bring them into conflict with their employers, peers and the law. Therefore, I decided to give respondents ‘pseudonyms’ to protect their confidentiality.

Another challenge while conducting the interviews was to gain confidence of the respondents for sharing their experiences with me, without getting into a conflicting situation with their employers and the laws of the country. Due to a strict sponsorship structure, the accuracy of the information shared may not be fully correct and certain views may have been withheld.

Language played a role of a facilitating tool as well as a challenge. Most of the interviews were conducted in Hindi language, as it was a common language between the participants and me. Due to different dialects and accents, I faced some difficulties in understanding and taking the conversation ahead. Gardner (2010) shares that language is central to human sentiments, emotions, expressions and thoughts and it also coincides with the boundaries of culture. Though trying to capture the exact meaning, there is a possibility of missing out the flavour and essence of words while translating and transcribing.

The research is rich in experiences and brings out the unheard voices of the young migrant workers from South Asia, contributing to scholarship work. However, the small sample size is not representative of a large population and generalisations should not be formed on this basis.

## 1.6 Organisation of the Paper

This paper is organised into five chapters. This first chapter presents the research problem and research methodology. Chapter 2 contextualises South Asian labour market in the UAE, highlighting the position of women in the highly segmented labour structure. It provides an overview of the institutional regulations and brings out the missing youth discourse in migration dialogues. Chapter 3 highlights conceptual lens to highlight the position of young women in migration system in the UAE and the choices that make in the process of negotiating identities. Chapter 4 describes the process making choices by the women to make position for themselves. It disaggregates the findings of the field and highlights choices made in the negotiation process for building and changing identities under various socio-economic and political structures. It also highlights the development of various social networks and coping mechanisms in their migration trajectory. Chapter 5, the concluding chapter, synthesises the analysis and links it up with the broader discussions pertaining to youth, gender and migration, with a specific context of the UAE labour market.

# Chapter 2 Contextualizing Labour Market in the United Arab Emirates

**Introduction**

This chapter provides an overview of the labour market in the UAE highlighting the participation of South Asian workers, more so women in the labour market. The regulatory regimes play a role in promoting, preventing and facilitating migration. The chapter brings out the various regulations and policies undertaken by both the sending and the receiving countries that positions YSAMW in the broader migration system. It further highlights the restrictions on movement for the young South Asian women to the UAE, and that gets reflected in the lack of youth discourse in the policies of UAE for young women.

## 2.1 Growing Migrant Labour Dependence in the United Arab Emirates: A Focus on South Asian Labour Migration

Within the South–South migration, availability of oil resources and demographic composition of the region accelerated migration of South Asian to the GCC countries since the 1970s. The growth in migrant population then accelerated further due to demand for construction labour. Amongst the GCC countries, the UAE comprising of Abu Dhabi, Ajman, Dubai, Fujairah, Ras al–Khaimah, Sharjah and Umm al-Quwain has a very high percentage of migrants. Recently, the rapid expansion of service economy has led to constant and further increasing demand and dependence on migrant workers for low-end services. The figure 1 below shows the growth in labour force amongst the nationals and the foreigners. Amongst the gulf countries, UAE leads in migration inflows after Saudi Arabia. Figure 1 below shows the break up of national and foreign labour force in the GCC labour market.

Source: Winckler, as cited in Baldwin-Edwards (2011: 10)

Figure 1
Native and foreign components of GCC labour forces, 1975–2008 (000s)

There has been a large influx of South Asian migrants in the UAE, since 1970’s, which has now further accelerated in the past two decated. The population of the UAE comprises of 70 percent migrants from all over the world (United Nations 2009), with a significant movement of South Asians to the UAE. Out of the total resident population of 8.9 million in the country, more than one-third are South Asian (about 3 million), and a significant number are from Europe and North Africa. (U.S. Department of State 2011) The scale of South Asian migrants is very high, majority of which is unskilled workforce. (Gardner 2011; Kathiravelu 2012) Over the years, the UAE has emerged to be a popular destination to work for the South Asians, due to high levels of poverty, unemployment and underemployment in these countries, specifically in Bangladesh, Nepal, Sri Lanka and partially Pakistan (Timothy and Sasikumar 2012). Table 1 below shows the labour force participation in the GCC and figure 2 shows a pie chart representation of composition of UAE population.

Table 1
Labour force participation rates (15+) in the GCC, c. 2008, by gender and citizenship category (%)

| **Country** | **Male+Female** | **Male** | **Female** |
| --- | --- | --- | --- |
| Saudi Arabia (2008) | 36.3 | 61.0 | 11.5 |
|  | 79.9 | 94.2 | 40.8 |
|  | 50.2 | 74.4 | 17.4 |
| Kuwait (2009) | 51.1 | 58.2 | 44.8 |
|  | 84.7 | 93.8 | 63.8 |
|  | 76.3 | 87.2 | 56.9 |
| Qatar (2008) | 49.3 | 63.0 | 35.6 |
|  | 92.1 | 98.3 | 54.1 |
|  | 87.7 | 96.1 | 48.8 |
| UAE (2008) | 45.6 | 63.0 | 28.2 |
|  | 79.2 | 94.1 | 47.1 |
|  | 72.6 | 89.4 | 41.8 |

Source: Edwards (2011: 13)

Figure 2
Occupational Breakdown of the UAE Population in 2006



Source : RetailME, July/August, 2007

With the increase in migration of women, the discussions on feminisation of migration have emerged in scholarship. The term feminization of migration denotes changing patterns of women migration flow and not only the increase in their numbers (Timothy and Sasikumar 2012). West Asia has the largest inflow of international women migrants – from the total of 27.35 million female migrants in Asia; 11.32 million are in West Asia. (Timothy and Sasikumar 2012: 21) Moreover, the South Asian region is the largest provider of migrant workers, particularly female migrants to the Gulf, the UAE being one of the largest receiving countries after Saudi Arabia. Just like all the South Asians, these women also take on low skilled jobs in the market (ibid.Though majority of women travel for care work and entertainment industry, the demand in other service sectors is increasing as well. Despite the high number of South Asians contributing to the labour market in the UAE, the segmentation of the labour force plays a role in creating certain positions for them, thus affecting their migration experiences in the country.

## 2.2 Extreme Segmentation of Labour Market

Like in all the Gulf States, the UAE labour market structure is classified on the basis of ethnicity, nationality, skills and region. White westerners, other Arab expatriates, Persians and a small proportion of South Asian in the UAE take more lucrative jobs. On the contrary, lower rung of the migratory labour force are from South Asia along with Sub Saharan African, Egyptians and South East Asians in small numbers. (Gardner 2011; Kathiravelu 2012: 106) Despite occupying unskilled and semi-skilled jobs in the labour market, migrants from South Asia come to the UAE as a space for opportunities with higher tax-free salaries (Kathiravelu 2012: 103). The low level jobs, often labelled as low skilled work in the labour economy, lead to further marginalization of the migrant workers – but irrespective of that, the high rate of migration shows that the UAE is still a preferred destination to work for the South Asian migrants for a hope of upward social mobility and many young people from these countries choose to move there. Table 2 below reflects on the division of workforce in Dubai as per occupations – varying from skilled to unskilled workers – both in main Dubai and in free zones.

Table 2
Occupations of the Workforce by Nationality in Dubai

|  | **Origin of Workers** | **Works in the Public Sector** | **Occupations (%)** |
| --- | --- | --- | --- |
| **(%)** | **(%)** | **Unskilled** | **Low Skills** | **Semi and Technical Skills** | **High Skills and****Managerial** |
|  | (1) | (2) | (3) | (4) | (5) | (6) |
|  |  |  |  |  |  |  |
| **Migrant Workforce Main Dubai** | 100.0 | 19.4 | 11.3 | 56.9 | 15.0 | 16.8 |
| BIPP | 88.6 | 12.2 | 12.1 | 62.4 | 12.5 | 13.1 |
| MENA (excluding UAE) | 5.1 | 70.9 | 4.9 | 24.0 | 20.4 | 50.7 |
| Western-type countries | 2.1 | 23.4 | 2.1 | 11.6 | 21.5 | 64.9 |
| Others | 4.2 | 9.9 | 9.9 | 20.5 | 49.0 | 20.6 |
|  |  |  |  |  |  |  |
| **Free Zones** | 100.0 | 0.0 | 7.7 | 50.4 | 16.4 | 25.5 |
| BIPP | 83.3 | 0.0 | 8.0 | 53.9 | 18.7 | 19.4 |
| MENA (excluding UAE) | 2.8 | 0.0 | 4.2 | 18.2 | 10.3 | 67.4 |
| Western-type countries | 7.7 | 0.0 | 6.3 | 12.5 | 2.1 | 79.2 |
| Others | 6.2 | 0.0 | 6.9 | 66.0 | 5.8 | 21.2 |
|  |  |  |  |  |  |  |
| **Emirati Workforce UAE** | 100.0 | 92.9 | 1.4 | 4.1 | 18.2 | 76.3 |

Note: BIPP include Bangladesh, India, Iran, Nepal, Philippines and Pakistan. MENA include all Middle East and North African economies. Western economies include the European Union, Australia, New Zealand, the Americas, South East Asian Tiger economies, South Africa and Japan. GCC includes Saudi Arabia, UAE, Oman, Kuwait, Bahrain and Qatar.

Source: Soto and Alvarez (2011: 9)

The growth in the South Asian migration is exponential – a large majority of which is composed of unskilled or low skilled labour (Gardner 2011). This situation is similar in the other GCC nations as well, where South Asians form the core of the blue collared workforce, while the migrants from the West, as well as other Arab and Persians expatriates, get more lucrative jobs. Only a small proportion of South Asians are able to get such opportunities at important white collared jobs. The tables turn completely in the blue collared segment, where South Asians form the dominant majority, while the members of other ethnicities, such as those from Sub Saharan Africa, Egypt and South East Asia, make up the small minority (ibid.).  This points to a deep rooted socio-cultural system, where the place of origin of the migrants, along with their cultural conceptions and ethnicity, play a critical role in determining the opportunities and the position they can attain in the civil society. With the passage of time, this system of classification has only solidified and impacts any new migrant coming to the UAE. The unskilled and semi-skilled migrants are recruited by agents (middle men), both in the sending and the receiving countries, and the migrants incur significant debts to pay their fees by mortgaging their productive land, taking high-interest loans and depleting their savings and these liabilities remain in the sending country (ibid.). To pay off these debts, the workers continue to work under exploitative conditions.

##

## 2.3 The Regulatory Regimes and the role of the Kafala System: Facilitating and Restricting Female Migration and Missing Discourse on Youth

The end-to-end process of migration is affected by the regulations placed by the sending and receiving countries. These regulations and policies are created to prevent, promote and facilitate migration. The bilateral policies can provide a safety net for them against exploitation. Therefore, the discourse of the government policies highly affects the migration cycles of these workers.

### 2.3.1 Policies by Sending Countries

The regulatory regimes play a crucial role in shaping individual choices, processes and outcomes in migration cycles. The institutional relationship between the sending and receiving countries plays an important role in facilitation and restriction of movement of the migrant workers. Though the South Asian developing countries benefit a lot from foreign remittances, but at the same time their policies for sending foreign labour, specifically women workers, have been paternalistic, apart from Sri Lanka that outnumbers female migrants to male migrants (Timothy and Sasikumar 2012). The policies, both in the sending and receiving countries, do not treat men and women uniformly and are gender stereotypical (ibid. 26). This is visible in the restrictions imposed on destinations and occupations chosen by the women workers (Kabeer 2007). In the earlier years, the demand and supply of the migrant workers were managed by the government of both, the sending and receiving countries through specifically established offices (Shah 2007), however, they are not as effective due to direct contracts being made with the workers (Addleton, as cited in Timothy and Sasikumar 2012: 31). Currently, age is an important variable determining International migration of women, specifically domestic workers. Table 3 shows age-based restriction on female domestic workers. The excerpts of various migration related laws and ordinances from the countries under discussion are given in Appendix 1.

Table 3
Age Restrictions Imposed on International Migration of Female Domestic Workers

|  |  |
| --- | --- |
| **Country** | **Condition** |
| Bangladesh | Women must be at least 25 years old. |
| India | Women must be at least 30 years old or should have completed matriculation. |
| Nepal | Women must be at least 18 years old. |
| Pakistan | Women must be at least 35 years old. |
| Sri Lanka | Women must be at least 21 years old. |

Source: Timothy and Sasikumar (2012: 27)

The age-based variable for migration restrictions poses a big question in my research, as my research sample is women from 21-27 years of age. This regulation is applicable for women engaged in low skilled jobs, especially in domestic work. This brings out a question of existence of young migrant women from South Asian countries in the UAE. Most of the young women interviewed were outside of these categories and some of them who were within this bracket (like from Bangladesh and Nepal), entered the country when they were outside these age brackets. This poses a challenge either on conceptual default of formulation of policies while being blinded to practical reality or the loopholes in the practice of the laws, as all the migrant workers entering the UAE for labour, come through legal paper work, which is strictly regulated. This increases the possibility that though put on paper; these regulations are not put in practice. The other risk could be that these women come in through forged paper work with the help of private agencies or on tourist visas or with family members and then stay on. This increases their vulnerabilities not only by being exploited by the placement agencies, but also because of the fact that though they exist and contribute in the labour market, they are non-existing if one looks at the bilateral regulations between the countries. Therefore they remain invisible when it comes to institutional support in the UAE.

### 2.3.2 The Kafala System – The Migration Management System

The labour market in the UAE has a structural dependency on migrant work force, which is governed by a unique political structure and a sponsorship system - the Kafala system. Under this system, the employer is also the sponsor of the worker and takes on the legal and economic responsibility of the worker during the renewable contract, which is usually of two years. Along with employment, the residency of the worker is also dependent on the sponsor. Any person residing in the country has to have a sponsor, or else will have to leave the country or stay on as an illegal[[7]](#footnote-8) migrant. This enforces dependency of the worker to work under the employer, even if there is any labour conflict. Though coming through the legal procedures, in case migrants break the contract or overstay after the termination of the contract, they become illegal migrants and lose the opportunity to work. Though still contributing to the economy, they tend to become invisible in the formal labour market. Thus this relationship defines identities, rights and obligations between the migrant and the state and between employer and the worker, where the sponsor has power over the migrant workers and often exploits their structural dependency and vulnerability (Longva 1999: 21). While the Kafala system has positive implications for the sponsoring employers who enjoy benefits from cheap labour and the local[[8]](#footnote-9) population who are not subjected to these labour rules, the system has adverse effects on migrant workers.

Under the Kafala System, four types of visas are made available to migrants – House Visas, Company Visas, Sponsorship by state institutions, and Sponsorship for business partnership under which all migrants enter the country (Blanchet 2002, cited in IOM 2005; Jarallah 2009). Though, a small proportion of companies fall in the allocated free zones in the various cities of the country. Moreover, the UAE government does not view majority of the residents of the UAE as immigrants in the normal sense of the word where they could wish to move to a country, settle there and obtain citizenship of that country, but rather as guest workers (migrants) with a UAE residence visa that allows them to live in the UAE for a period of time, usually 3 years between renewals, sometimes 1 year(http://www.dubaifaqs.com/immigration-uae.php). Therefore, not many rights are provided to the migrant population in the country. The Kafala system leads to the exploitation of the migrant workers by the sponsors. The cases of poor housing conditions, confiscation of passports of the workers, forced labour, sexual harassment, outstanding wages and illegal deduction from wages are a common practice with workers engaged in semi-skilled and unskilled jobs. Under the condition of exploitation, if the workers run away and also extend their stay after the expiry of the contract, the tag of being illegal is put on them. In most cases, women migrating for work receive their visa under the House Visa or Company Visa. According to Siddiqui (2008: 3), many of the Asian women workers are not even recorded as they become absconding and are not easy to track and record.

Moreover, the practice of visa trading, leads to not only the abuse of the Kafala system but also increases illegal migrants. The nationals of the country possessing business licences and permissions to recruit foreign migrants sell the visa to other employers in need of them. This ‘floating’ visa system imposes illegality on workers as they work for employers who are not their legal sponsors (Timothy and Sasikumar 2012: 32). This is a common practice for low skilled workers, especially women who work in small enterprises run by foreign expatriates on a bought over recruiting visa.

Even though the international visibility of female migration has increased in the labour market, there is still gender-based discrimination and exploitation of migrant women further aggravating their vulnerability and marginalization in the UAE as they are paid much lesser than the prescribed wages and work for longer hours than maximum hours prescribed in the labour laws of the country (IOM 2005). The power structures of the state make the life situation difficult for the low skilled migrant workers from South Asia; the implications of the same are all the more aggravated for the young women where they are subjected to much more exploitation.

### 2.3.3 The Missing Discourse on Youth

The UAE labour is comprised of an overwhelming proportion of expatriates (91 percent), while only a mere 9 percent of the jobs are held by local Emiratis. This situation is unique, in that, the private sector accounts for only 1 percent of this already small base, while the remaining 8 percent are associated with the public sector. This labour force also comprises mostly of older / non-youth Emiratis who were easily able to join cushy public sector jobs despite having only moderate levels of education. (Al-Ali 2008) However, the current Emirati youth is different.

Growing up in a rapidly expanding economy, the UAE government feels that the youth needs exposure to challenges to be able to lead the country in the coming decades. Towards this, the public sector has taken a back seat as the primary Emirati employer and the youth is turning towards the private sector to seek employment opportunities. Further, since the early 1990s, the UAE government has instituted Emiratisation – a set of policies aimed at promoting the participation of local Emiratis in the labour market – both public and private sector. These are industry-based quotas and wage restrictions imposed by the UAE government on organizations towards employing a certain percent of local Emirati within the workforce. (ibid.) The Emiratisation of the labour market is aimed primarily to promote local youth employment. The preference for work is given to the Nationals and in their absence, Arab nationals are preferred and then any other nationals come in the employment rung.

This conflicting and disjointed view of the UAE government towards youth – Emirati youth and migrant youth – is brought out in its various policies. For example, on the one hand is the process of Emiratisation, which is championing the cause of bringing more and more locals to the workforce. Local youth are essential to the UAE, as present and future leaders to shape the country. Thus, the government is actively promoting conditions for them to join both public and private sector jobs through wage incentives and other benefits.

However, on the other hand, the importance of youth is lost on the government in the matter of those migrant workers who are already employed. This is clearly demonstrated from the UAE’s Labour Laws where no special mention / focus is accorded to the ‘youth’ segment – in fact the word does not even feature in the policy even once. The needs and challenges of youth are quite different from the rest of the workforce and it is conspicuously absent from the labour policy entirely. The policy is also driven more in favour of the employers than those who are employed.

The only age reference in the policy is when the ‘juveniles’ are mentioned with respect to their working hours allocation and there is also restriction on employment of minors (The UAE Labour Policy 2001). With migrant youth completely missing from any governmental focus – the special cases of migrant young women is completely lost by the policy makers. The reason for this could be due to the restrictions posed by South Asian sending countries, many of these young women are not existing in the country based on the age category placed by them. Therefore, this could be the reason for missing policy regulations for safeguarding their rights. The same reason could also be applied to the gap in scholarship work on youth and migration in the specific context of South Asian and GCC countries. This however brings into highlight the need to research this section of young women, whose experiences and voices who exist in the society but their experiences and voices are lost in the politics of regulations.

Due to the missing discourse on young females in the political and migration structure in the UAE, the situation of young migrant women becomes even worse. However, the lack of specific categorisation of youth in the migration process has also impacted the academic literature and as there is absence of much literature on the young migrant women’s situation in the UAE. Most of the literature treats women as one homogenous category whereas the intersectionality of gender and generation creates a larger impact on their work situation.

## 2.4 Role of Recruitment Agencies

The strict regulations on migration policies, both in the sending and receiving countries, have reduced the possibilities of regular and legal migration, thus paving way for adopting risky ways (Timothy and Sasikumar 2012: 27) This has facilitated the growth of private recruitment agencies (PRAs) as the recruiting agents. The placements are highly dependent on the network of brokers, agent and sub agents who facilitate the process of legal migration or find loopholes to circumvent the laws. The demand and supply of labour, both in the receiving and sending countries is managed by a network of these firms, some of which are registered while the others, unregistered. The low skilled and unskilled migrants pay substantial fees to these PRAs by incurring heavy debts in their home countries. However, the debts taken by these people are unmatched to the salaries they manage to earn for them and (Gardner 2011: 9), therefore remain stuck in the nexus of debts throughout their migration cycle. This commercialisation of migration has added to the irregularities in the processes, making migrant women more vulnerable, more so the young women, as they potentially come with forged age proofs in order to abide by the regulations put forth by the sending countries. Nevertheless, the UAE government has undertaken some strict regulations pertaining to the working of PRAs as shown in the box 1.

Box 1
Regulations on the Working of Private Recruiting Agencies in the Unites Arab Emirates from January 2011

|  |
| --- |
| * Licence fee for brokers has been raised to a minimum of US $82,000 and that for a licence to provide labour service to a third party has been raised to US $2,70,000.
* Agencies should operate from a registered business address and employ qualiﬁed personnel. The chief executive and any of the individual(s) authorised to represent the licensed agency must be Emirate citizens and legally accountable on behalf of the agency.
* Non-compliance with the terms of the regulation shall be a ground for the annulment or temporary suspension of the agency licence.
* Licence will be suspended or terminated if the agency is suspected or convicted of violating laws banning forced labour or trafficking in persons.
* Agencies are speciﬁcally banned from employing minors.
* Agencies are banned from collecting any fees or sums of money under any designation from the recruited worker, directly or indirectly.
* Labour service agencies are equally liable for meeting the wage obligations towards workers as well as other obligations.
 |

Source : Global Forum on Migration and Development(GFMD) (2011)

## 2.5 The Kafala System re-enforced by Emiratisation Policy

While the UAE is characterized with an abundance of foreign nationals, or expats, within the workforce, there is only a small niche occupied by the local Emiratis. The size imbalance in the labour market is controlled by two labour policies - the Emiratization process and the Kafala system. On one hand, the Emiratization process sets out rules and regulations for promoting local participation and securing employment position of the nationals in the labour market. On the other hand, the Kafala system controls movement of expatriates by constricting the foreign worker into contract labour with a particular sponsor while working in the UAE. The control of the Kafala system precludes free mobility of 80 percent of the workforce. (Dubai Economic Council 2010) The Kafala system has strong consequences on the labour - employer relations.

The Kafala system is re-enforced by Emiratization and work towards creating an imbalance in the distribution of power and wages amongst the work force – with a small minority of local Emiratis having disproportionately more rights and higher earnings than their expat counterparts, along with restriction on labour movement poor work conditions. Due to the demographic structure, the dependence on foreign labour continues. The gulf between the two work groups only worsens as one moves from white to blue collared jobs – with wage earners being the most affected by these policies. The nationals prefer to take on jobs in the public sector where they enjoy high remunerations and benefits while the low skilled jobs are still filled in by migrant labour force (Timothy and Sasikumar 2012). There has been a bit of tension between the expats and the local Emiratis which has been simmering just beneath the surface for some time now – but the fresh vigour with which the UAE government is pushing for Emiratization, while not relaxing any of the Kafala polices, is working towards worsening the relations between the two groups.

With the political structures like Kafala and Emiratization, the UAE is a highly vertically stratified space that is divided along gender, race, nationality and class hierarchies that create a sense of exclusion amongst the migrants. (Kathiravelu 2012: 104) Moreover, this has led to social and spatial division of the society. This structural location places young South Asian low class women labour migrants in the lowest strata – both at work and in the society where they tend to constantly negotiate to find a place for themselves, create and recreate identities using various informal care networks through social relations.

Thus, in an unequal political structure, with tensions in the labour market and Kafala being the regulating factor for residence and employment, the conditions of the migrant workers are not as good. In the broad umbrella of migration policies of the UAE, young women working in the service sector have not found a platform to voice their experiences, both in the policy domain and academic work. There is not much focus on the implications of these structural factors on young women and the social factors that help them negotiate and build their identities to find a place for themselves. Young women struggle and try to combat with the constraints and locate opportunities to make a place for themselves, but their voices and experiences are missing in the scholarship work on both migration and gender studies.

**Conclusion**

The overview of South Asian migration statistics in the UAE and the review of various policies in this chapter highlight the increasing dependence on South Asian migrants in country and moreover the increasing demand for women in the service sector work. However, there is multi-dimensional segmentation in the labour market based on nationality, ethnicity and gender. The regulations of the sending and receiving countries along with functioning of PRA’s create conditions that add on to the vulnerabilities faced young women in the process of migrating as well as finding their position in the society. Moreover, there is silence on gender dimensions apart from the ones engaged in domestic work and on trafficking of women thus making other young women engaged in service sector almost invisible. With this context, it becomes important to investigate the processes through which these young women find their positions at work and in the society once they migrate to the UAE. Next chapter elaborates on the choices made by the young women through the understanding of concepts that explain their positioning in the society.

# Chapter 3 Explaining the Agency of Young Women Migrants

**Introduction**

Based on the context provided in the previous chapter, the position of young South Asian women is a segmented one. They are invisible in the policies and regulations but yet are present in the society. These women, with the segmented background negotiate their identities in work and social arena. Through the help of conceptual lens, this chapter further analyses how gender and generation intersect with each other and with these dynamics how do these women make choices to negotiate their identity.

##  3.1 Gender and Agency in Migration

Gender is a social construction, which put simply can be viewed as a ‘social category’ imposed on ‘sex determination’ of an individual.  Thus, feminists refer to ‘gender’ to imply the process of socialization of the relationship that exists between the sexes (Scott 1999: 28). Scott thus has developed two separate explanations for gender. The first of the two is centred on the four interdependent elements. These four elements are the (a) cultural symbols (b) notions that help define these symbols (c) entities that have a role to play towards the determining of gender – these entities include political and social institutions as well as organizations and (d) subjective identities that are "substantively constructed, and relate their findings to a range of activities, social organization, and historically specific and cultural representations" (ibid.: 44). Scott has another definition for gender. This second explanation refers to gender as a means of displaying power relations (ibid.).

Gender as a concept is so deep-rooted that gender biases are inherent in the way various social institutions are governed (Kabeer 2001: 226), in that, social institutions are mostly patriarchal and women are discriminated against. Even for intra household labour, such gender biases are played out. When power exists, it is accompanied by some resistance, and thus, this creates various opportunities for a change in the relationship between the migrant workers, their family members and their employers. Here, it is important to put gender in the perspective of migration.

Scott (1999) also highlights that the notions of power and gender are deeply interconnected however, a host of other factors also influence the outcome. To begin with, the differences between various workers itself is an important departure point in these relations. These differences play an important role in the lives of individual workers and thus these need to be studied in detail, to understand the overall interplay of various factors governing power and gender. Gender intersects with other relations of differentiation, creating differential positioning of women in society. However, not much researched interaction of gender with relation of generation is analysed in this research.

Moreover, the socio-cultural norms of the South Asian countries view masculinity and femininity primarily on the basis of man as breadwinner and woman as carer and homemaker.Flow of migration is also influenced by gender. It creates specific market niche for certain types of labour and at the same time, it also impacts the supply side of migration where men and women migrate for different reasons, apart from economic ones. Just like social norms, gender norms are also culture specific and these evolve with time and influence the essence of interaction between men and women. In the context of gender and making choice in the process of migration, Carling (2005: 6) shares that is plays an important role in realising the desire to motivate and having an aspiration to migrate as a livelihood option. This paper views how social norms based on gender relations affect the institutions and structures of the employment, community, family, social networks and above all – the Kafala system. It also looks at how construction of gender facilitates or constrains the choice of migration. This concept is supported in finding and analysing the gendered experiences of the young women, both at work and in their personal lives.

## 3.3 Social Age as a New Lens

The term ‘youth’ is very contextual having different meanings. It is a product of social construction that makes it a very different life stage varying from one society to another. There is no one definition of youth and the meaning of youth is much discussed and debated in the development and children and youth studies domain. On one hand, chronological age is used to define youth and on the other, sociological definition of youth is taken as a basis of series of transition from one stage to another.

In the institutional definitions, age is the main determinant to describe youth as a social category through their fixed definition of a ‘young person’. The United Nations (UN) defines ‘youth’ as people between the age bracket of 15 and 24, based on the definition provided by the General Assembly for International Youth Year in 1985 (United Nations, as cited in Clark-Kazak 2009: 1308). Additionally, different countries have varied age brackets to define youth years for functional purposes.

According to Sercombe (1996: 124) it is not adequate to define youth based on age-range as it creates boundary problems. In this socially constructed category, the cultures of different societies give different roles to young people. The chronological age based definition tends to overlook the social constructions of childhood and youth where physical development as a biological factor has different contextual socio-political implications (James et al., as cited in Clark-Kazak 2009: 1309). Similarly, White and Wyn (1998) share that youth is represented and reproduced by social divisions and inequalities such as gender, ethnicity and class and is not only an age related status. Thus, different opportunities and challenges are faced by the population belonging to the same category. Additionally, youth is a gendered term that is more commonly identified with males than females. I posit that there is invisibility of female youth in institutional and policy arena and their experiences are missing in the migration studies and therefore not much attention is paid to their voices and the choices made by them.

In theorising youth, it is important to establish the concept of generation to place youth category. Generation refers to social relations whereby children, youth and adults come to hold specific and well defined social positions in relation to one another. They in return constitute certain specific social or generational structures (Alanen 2001: 12). This helps to differentiate between people of different age and analyse their interrelationships (ibid.: 14). This helps us to look at young people born in a certain age cohort and analyse the pattern of their behaviours and relationships inter and intra generationally. However, young people have varied experiences in relation to individual characteristics in addition to social, political and economic conditions (Clark-Kazak 2009: 1308) both within and outside of the generational framework. Therefore it is more relevant to analyse youth through the lens of social age, as it encompasses both inter and intra generational relationships and comprises of social meanings and social roles assigned at various stages of life cycle (ibid.: 1311).

Based on the diverse debates on defining youth, in my research I have used chronological age to select the sample with a supplementary perspective of social age to understand the position of female youth in a particular context within migration experiences. Generational perspectives of youth too have been taken into consideration. The term generation is used to define socially constructed youth category. Keeping in mind the social construction of youth and analysing the phase based on social age, the female youth may not be considered young in many institutional definitions on one hand and can be considered youth looking at the sociological definition of the term. Therefore, the term young ‘migrant women’ is used in the research to bring out perspectives of the female youth.

## 3.4 Intersectionality

Intersectionality is a fairly recent concept, defined as “the interaction of multiple identities and experiences of exclusion and subordination” (Davis 2008: 68). Intersectionality can be viewed as a ‘Social Location’ (Mahler and Pessar 2006) where individuals and groups are situated in multiple, intersecting, and mutually constituting hierarchies of gender, class, race, sexuality, ethnicity, nationality, and other categories of differences. It gets reflected in the social practices, individual life experiences, cultural norms and ideologies and institutional arrangements and outcomes of these interactions are in terms of power (Davis 2008: 69). Dance (2009: 180) shares that these categories places certain individuals and groups into more disadvantaged situations than the others. As suggested by Winker and Degele (2011: 54) a ‘multi-level approach’ needs to be adapted to analyze these categories by evaluating them through ‘identity constructions, symbolic representations and social structures’. For this research, I will analyze the intersectionality of gender, generation, ethnicity and skills through identity negotiation and their interaction with the Kafala system.

Moreover, the intersectionality approach analysis has lately shifted from quantitative methodology (surveys) to more qualitative methodology, including ethnography that produces richer and in-depth data for gender analysis (Lumby 2011:3). Therefore intersectionlity is used as a tool in my qualitative research based on in depth interviews and ethnographic observations.

## 3.5 Choices with autonomy or Choices bound by Structures?

Agency is a much discussed and debated issue and the definition of agency has been contested by many social scientists. Some scholars view agency as the freedom to make autonomous decisions, while the others look at it functioning within the broad structures. Therefore, agency can be referred to as choices that individuals make at different moments in time. These choices are neither static nor constant. Some scholars emphasise that agency is an autonomous ability outside the purview of structures and others focus that agency is derived from structures. These structures affect the process of migration. The ‘structuralist’ perspective of agency believes that structures and institutions influence the behaviour of the members of a society, while the ‘agentic’ view states that human agency maintains and alters the social structures (Giddens 1997). Thus, one perspective of agency can be viewed as the process of empowerment where one exercises the ‘ability to define one’s goals and act upon them’. (Kabeer 1999: 438) She views negotiation as a form of agency that one exercises to contest power, on their way to empowerment.

In addressing the issue of agency, the concept of structure cannot be ignored. Scholars view structures and its relationship with agency through different perspectives. While for Crespi and Bauman (1992), structure is an enduring and mostly predictable impression of the human behaviour. On the other hand, Connell has a slightly different view of structure. As per Connell (1987: 92), structure is not just a behavioural pattern, but also indeed a type of restraint where power and social institutions come together in an elaborate interplay which results, in fact, in limiting the freedom that an individual actually has. Further, Berner (1998) goes a step ahead in expanding this notion of structure by highlighting the regulations that ratify behaviour and entities that exert power over such individuals.

Adding to these are some quite and concealed situations that, according to Crespi and Bauman (1992), help mould and lead an individual’s path. These collectively constitute the ground rules that help to interpret how the interplay of socio-cultural models and methods are constructed to control individual young women’s behaviour and to underline what these socio-cultural circumstances are.

Giddens (1979) views such impressions as developed and underscored by individual doings over a period of space and time. However, as per Berner (1998), these impressions are not echoed back in an exactly similar manner. Further, Luhmann (1982) perceives some opportunities that can allow individual to behave in a manner where they can make their own choices from the infinite choices available so that they can aim to diminish some the complexities inherent in the environments. In summary, he postulates that individuals can deliberately behave in a way with their ‘agency’, which is often referred to by Kabeer(2003) as ‘power to’.

Similarly, Michel Foucault (as cited in Taha, 2011: 17) perceives power structures to be a productive entity as opposed to the popular notion of them being a negative influence. Power is essentially wielded by one group (or individual) over the other group (or individual). So, it denotes a certain type of domination of one over the other. In such a setting, Michel Foucault (ibid.) views ‘Power’ as having an ‘omnipresent’ experience that helps forge new types of relations and discourses by exerting a mutually supporting strategic relations of force when individuals and / or groups interacts. With this point of view, the individuals / groups on whom power has been exerted exists as a subject of this power exertion and thus lose their antinomy to have individuality outside of the power exertion. Michel Foucault (as cited in Taha, 2011: 17) has labeled this process – where an entity is created / modified by being subjected to power – as ‘subjectivation’ (Foucault, as cited in Mahmood 2004: 17). This point of view is applicable to several socio-cultural situations. For example, women revolting against an oppressive society (a cause championed by Kabeer) can in fact be viewed as being moulded by the ‘power of oppression’ itself.

While the choices made by the young migrant workers can be seen as choices made as an act of empowerment, but it in not always that they ‘pursue their goals… in the face of opposition to others’ (Kabeer 1999: 437). Moreover, they may use their choice for not doing so. It is important to look at these choices as complex, fluid, variable and therefore not easily classifiable. In the research, I emphasise that agentic action must be situated in the flow of time. Therefore, despite viewing agency as an act of repelling power structures, Kabeer (ibid.) also recognises that structures are influential in congregating the resources required in the process of empowerment and making choices by the subjects.

 Therefore, it is the coming together of structures as well the individuals involved at all tires of the socio-cultural hierarchy that really defines the reality of society. Here, the life of the YSAMW is hugely impacted by the going-ons in their respective socio-cultural environments and the broader structures they operate in. However, these women do not just passively give in to their socio-cultural environments – they in fact, also possess the capabilities of deserving support from their socio-cultural environment. It is this specific analysis, which is the central theme used to analyse the socio-cultural environment, that governs the negotiation process for identity formation. Further, this paper draws on an argument that agency can be viewed as a capacity to bring about a positive change – but to achieve better ends, people can utilise instances and relations as means. The young migrant women are tangled into power relations based on migrant status, gender, generation, ethnicity and nationality. They are embedded in the broader structures and the choices made by them are also dependent on those. Engaging critically with the dichotomy of both the concepts of structure and agency – and interconnectedness between them – sheds light on my analytical framework.

**Conclusion**

In this research, I have looked at agency – as a choice, gender and youth through the lens of intersectionality to explore the different positions held by young South Asian migrant workers as a result of differences among their nationality, skills, ethnicity, language, and how these impact their choices in work and in the social lives. This research is inspired by these concepts and looks at the young women as being part of a larger system, and views their autonomy and choices - as neither absolute nor static. The research, through the contextual knowledge and the field data, analyses the interplay of these factors in women’s interaction with the Kafala system and the process of identity building through negotiating with these crosscutting factors.

# Chapter 4 Understanding Negotiations: Acquiescence or Breaking Barriers?

## 4.1 Young South Asian Women – Situating and Selection of the Sample

This chapter presents findings and analysis of the primary data collected during fieldwork. The sample structure was carefully chosen based on their work and life situation in the UAE in order to raise different issues of women working in the service sector and to draw various comparisons between experiences and choices of the ones working with placement agencies and the ones finding individual work. Out of the ten young women respondents, three were working in offices as part time cleaners and take up any other odd job and were living on their own. Of the others, three women were beauticians, three were working as cleaners with different companies and one was working in a grocery store. Five of these women interviewed were unmarried and the others were married at the early age of 14-15 and also had children. All their children were living in the countries of origin. Three of them had their husbands living in the UAE but were living separately due to sponsorship constrains. The husbands of the other two were living in their home countries.

Samples of married and unmarried women were selected to analyse their conceptualisation and identification of themselves as youth. Moreover, a mix of women working with sponsors and the ones who ran away from sponsors were selected to highlight meaning of the concept of agency and the implications of the *Kafala* system on both the groups. The mix of different sample categories was really useful for and in-depth analysis of power relations and support networks that get created in the migration cycle. Despite the constraints of time and logistics, the research includes research subjects of different ethnicity, sex, age, living in different life circumstances. However, in the case of beauty parlour, grocery store and part time workers – their work places were located in the areas in the city where population and clientele was South Asian primarily.

This sample is situated in the lower rung of the structural hierarchy, based on skills, ethnicity, gender and generation in the country and provides interesting combinations to analyse intersectionality of various factors that undermine their position in the society and leave them to cope with challenges and find opportunities. Table below gives an overview of the young women respondents.

Table 3
Profile of Respondents

| **S. No.** | **Name** | **Age (Years)** | **Marital Status** | **Nationality** | **Number of Years in UAE** | **Occupation** | **Legal Status** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1 | Neha | 23  | Unmarried | Pakistan | 2.5  | Beautician | Legal |
| 2 | Chanda | 25 | Unmarried | Nepal | 5 | Cleaner in Agency | Legal |
| 3 | Mussarat | 25 | Married  | Bangladesh | 5 | Part time office cleaner, had come as a housemaid | Illegal |
| 4 | Munni | 25 | Married | Nepal | 3 | Cleaner in Agency | Legal |
| 5 | Anita | 24 | Married | Nepal | 3 | Cleaner in Agency | Legal |
| 6 | Manisha | 22 | Unmarried | India | 6 months | Beautician | Legal |
| 7 | Saroj | 27 | Married | India | 5 | Grocery Store | Legal |
| 8 | Asma | 24 | Unmarried | Pakistan | 1  | Beautician | Legal |
| 9 | Meetu | 27 | Married | Bangladesh | 8 | Part time office cleaner, had come as a housemaid | Illegal |
| 10 | Saba | 26 | Unmarried / Separated | Bangladesh | 4 | Part time office cleaner, had come as a housemaid | Illegal |

Source : Data collected through field work in July 2012

## 4.2 Analysing Processes in Choice Making in Migration

There is a multi layered vertical and horizontal hierarchy that positions the young South Asian women engaged in blue collared wage work in the lowest position. To understand the interconnectedness between the structures, community, relationships and individual, I use the concentric circles below to analyse the process of choice making through in figure 3.

Figure 3
Situating Young South Asian Migrant Women (YSAMW) a set of concentric circles of power in the UAE



Source: Adapted from the ecological model, Dahlber & Krug, as cited WHO (2010: 18) and in Kail, as cited in Huijsmans (2004: 20)

The figure above provides a process to understand complex interplay of various factors functioning at the three tiered system – Macro, the structures; Meso, community and relationships and Micro, the individuals that affect choice making process by the migrant workers in the UAE. What sets the situation of the UAE and other GCC countries apart from the other migration systems is the fact that the boundaries of these systems are very rigid unlike the other places and on that basis, the labour market is strictly stratified and highly segmented. These affect the positioning of YSAMW in the UAE labour market and influence the experiences and the choices that they make in building their identities. It visualises multiple domains of power, influences and impact of various multi dimensions on these young women through cross cutting continuous interaction within and across these levels.

The macro structure in this context is the overarching political and economic structure of the Kafala that governs the movement of all migrants coming into the country and the labour market the reason for movement of YSAMW into the country for work. These two structures provide a legitimacy for all migrants to work and stay in the country. The structures are in a constant interaction with the underlying systems creating and re creating relations of power. The meso system is layered into two levels – communities, based on social class, ethnicity and religion and then further another layer of relationships with family, neighbours and the choice of location to stay. This stratification of the second layer places all the migrants in different positions in the society, providing distinctive opportunities and constraints. Here, constant intra level dynamics apart from inter level interactions also create differential experiences for the migrants, including young migrant women. Their different experiences place them in different positions in comparison with each other and also get reflected in the choices they make in different situations depending on their positions and a result of their interaction with others. The micro system is where the individuals are placed themselves. In the overall power relations, the YSAMWs are constantly finding positions for themselves in the migration system. This migrant group is aged and gendered. These factors place them in different situations when they interact with the other systems. Gender and generation are fluid and influence young migrant women’s lives at each level.

This process of analysis helped to understand the stratification of the society into multiple layers that interact with each other at different levels simultaneously, thus affecting the lives of the YSAMW. The intersectionality approach has been used to analyse their interaction with these variables cutting across each other and how these various factors operating at different levels – macro, meso and micro, work simultaneously in creating power relations, building identities, combating constraints and finding opportunities through various choices that these women make to position themselves at work and in society.

## Institutional Regulations – Structural Dependency

In the cycle of migration, the migrants interact with different institutions both in the sending and receiving countries, as well as the private players such as PRAs that affect their migration cycles. These regulations created for supporting migration, also create constraints not only in the process of moving but more so when they come into the country. Most of the low skilled migrants facilitate the process through PRAs. The settlement for the contract to employ most qualified yet cheapest labour takes place at the time of the recruitment in the home country (Longva 1999: 21). The documentation processed by the PRAs in most the cases and the documentation is in English or Arabic but not in the local language. In some cases, the amounts signed while in the home country were different from what they received when they came. However, the fear of losing job and also inability to change the job while in contract made them succumb to this situation.

“I was told that, I would get 800 AED[[9]](#footnote-10) per month but after coming here, we got only 600 AED and this has been there since 2.5 years. That white girl (referring to her colleague from Russia), has come only for a year and she gets 850 AED because she can talk better English than me.” (Neha, from Pakistan, works in beauty parlour)

Sitting in a beauty parlour, run by a Pakistani woman herself, I observed that there was a difference in her attitude towards the three employees. One of them was Russian. There were difference in her tone and language between her and the other two. Viewing the situation while visiting as a client myself, I could clearly see the disadvantageous position of the South Asian women. Qualifications and national stereotypes are the basis of determining the wages for migrant women and knowledge of English and local laws are an asset to earn more wages (Oishi 2005). This was quite evident based on my observations and interaction in the parlour as a client and it reflected the ethnicity based segmentation of the labour market.

Chanda from Nepal, working with a maintenance company in Dubai said, “ I am working for this company for the past 5 years, I want to change now and find some better work but can not as my passport is with the employers and I will not be able to shift. I want to earn more and do more than just cleaning but what to do? I have to pay off the the money (to moneylender) and it is not enough. I have no choice, what can I do?”

The Kafala system restricts the free labour market in the UAE and creates structural dependency in the socio – cultural and even employment realms for transnational migrants. Once young migrants come to the UAE, despite the hardships faced by them, they prefer to endure them than break away from their contracts, as the cost of returning home is very high and would mean more debts for them. (Gardner 2011; Longva 1999: 21) Therefore, it is very difficult for these young migrants to move from one job to another or even choose where they would like to stay as both their work and residence is dependent on the sponsor.

“ We paid a lot of money to the agents to hire good reliable girls from India and Pakistan as these are good with work and these young girls are more affordable as they are inexperienced. The clients are also happy with them. Contract for three years is good as they cannot just run away from work or with somebody or cheat on people. It is very expensive to pay and get people again and again.” (Rukhsar, Pakistani beauty parlour owner while discussing the two girls, one from India and one from Pakistan)

The structural dependency of the Kafala system works in the favour of employers where they have command over the workers work lives as well as personal lives. As mentioned above, the labour market is stratified on the basis of ethnicity. Moreover, generation on one hand facilitates in getting them a job but also makes them more vulnerable as easy to exploit and labelled as inexperienced. Youth has some ascribed characteristics attached to it. In this context the age of these women adds on to their vulnerability. However, despite these difficulties, the hopes to do well and earn money in the UAE than their own countries of origins provide them motivation to succumb to these structural power equations.

Moreover, few observations from the composition of the data revealed a few interesting points that highlight segmentation of the labour market, not only between the western population and Asians but also within South Asian population. In this small sample size, I noticed that respondents from a particular country were engaged in a certain kind of jobs such as young women from Nepal were engaged with cleaning agencies; Bangladeshi women had primarily come for domestic work and then became illegal after running away. This shows labeling of certain nationalities for some particular kinds of jobs positioning them in the over all structure.

## Circumscribing Freedom of Movement

Under the Kafala system and the other regulatory matters, there is an almost absolute obstruction to movement of the migrants. The young migrants, get constrained as their passports are often confiscated almost by all the employers. Whether in- living migrants or out living migrants, all go through this condition, confining them to the orders placed by their employers. There is no law by the government for employers to keep the passports but it is often done as a crime prevention measure and stopping them to escape from any prosecution if they do not abide by the rules. This is also a mechanism to prevent the employees to leave unexpectedly. (Longva 1999: 21) The employers often exploit their employees and prevent them from moving on to other jobs often misuse this. This exploitation leaves the option of either deportation of the migrants if they do not obey or to run away from the employers leaving behind their passports. This act of running away makes them illegal in the country. Furthermore, this reduces their chances of finding employment and residence as the law forbids employment of run away migrants. However, the informal networks of work exist in the country that provides low skilled opportunities to engage them with work. Also, this leads to further marginalisation of the women migrants, even more the younger ones.

“We come at 5 from Jabel Ali (camp where they live) in the morning for work and do our work till 6 in the evening, even more sometimes if I manage to get an overtime. But for that you have to be in good relations with the supervisors. We are only leave late at night. I do not like the place where I live, many girls in my room get into drinking and I do not like that. One room has 8 ladies, it is too much. I get tension, there is so much fighting. Cleaning company is like that only…Dubai is like that only, 95 people in 100 are not good.” (Munni, Nepali worker in a cleaning agency)

“I used to work as an in living house maid for four years, in the house of a ‘local’. The condition was more than that of a slave because my employers had paid the agent to get a maid for them and so they thought that they owned me. I used to work for 18-20 hours without any rest and there were restrictions on my movement. I was not even allowed to speak with anybody outside and not even make phone calls to my home. They took my passport from the first day. I still start crying when I think of those days but now I feel I am free, I can decide what I want to do, eat, wear, do... I get to find my own work and also decide on how I live though I have not gone back home for years and can go only one time.. but maybe not now, I have much more to do.” (Mussarat, Bangladeshi undocumented part time office cleaner and also house cleaner)

During my interaction with the women I observed that women who were now no longer governed by the Kafala system and had almost become invisible amidst high rise buildings were more vocal and open to share their views and thoughts. There was no fear left of losing a job or being threatened by the employers. Though illegal, they were free to find their own work through various networks, eat and live with more freedom than they had before even though their choices of location to stay and work were limited. I noticed that they had found work in the small offices as cleaners. This reflected in practice the possibility of visa trading, where these small offices may have themselves borrowed visas from locals to run their businesses and therefore were employing undocumented workers to save costs and also as a preventive measure to be caught in the legality of sponsorship system. At one point, this may lead to their vulnerability but at the same time provided them a choice to stay on in the country. This paradox highlights that freedom has a cost to it, if these young women are legal, their labour and existence in the society is visible but they lose out on freedom. On the other hand, the illegal young migrants do have more freedom to move in the labour market but the choices available to them get more restricted and they become invisible in the cities. This invisibility adds on to their vulnerabilities.

## 4.5 Gender Identity and Gender in Negotiations

The general discourse on women’s movement is that decision of their movement is either a family strategy or the one taken to escape harsh conditions in the home country (Timothy and Sasikumar 2012: 40). Though there are young women who migrate to work to have independent lives, they still face the label of in need of being protected.

 *“It is good that these women atleast find a job with companies, they do not have to look around again and again. The passport is kept so that they do not run away, its companies responsibility that they come here. Company provides them with a place to stay and food to eat. Their safety is also there in it; otherwise it is difficult for young women in a city like Dubai. And they get to earn money, which is not bad. It is good for them. (Rajkumar, Indian Supervisor)*

The supervisor, himself a migrant worker, found these (had a connotation of low skilled) women safe under the Kafala system. Despite being economically independent, living away from their homes and probably supporting them, the perception of women in the labour market got reflected like a second level citizen. People view them as in constant need for protection and support.

Furthermore, the work that is offered to them is gendered too. The respondents whom I interviewed in the three enterprises - beauty parlours, cleaning agencies and grocery store; were engaged in the work known as women’s work and it positions them in a particular category, whether they want it or not.

*Munni, Nepali cleaning worker shared that “I did not know what I was coming for, they said cleaning job but it is toilet cleaning… I don’t feel good. My brother’s wife is 12th passed but she is also cleaning toilets. All the ladies are put for cleaning toilets… Supervisor promised to make me office girl but did not. I don’t know any education.. I feel very sad. I will make sure my children go to school.”*

I had interviewed her in the office-building toilet and observed that she is confined to the toilets of the building, through out the day, every day. This reflected that her choice to work was confined within the boundaries created by the nature of work. Despite not liking her work, she shared that she will stay on in the company. The other part of the coin was the interview with her co worker from India who shared that it was easy being a woman here, you are given lighter work and all they do is just sit in the toilet and do nothing. These opposite opinions revealed the dichotomy of different gender identities for different people.

However, despite the constraints, the experience of living abroad and interacting with people from different cultures and social classes, does create an impact in their lives in the destination country and becomes a part of their being, even beyond once the go back. The fast lifestyle of the country provides them some opportunities.

 *“I have learnt a lot here, I like the way we dress up, the new things we see, we use. My life has become very good, I feel happy here meeting people like you(referring to the class difference). When I go back, I will miss all this, I will never have a possibility to decide for myself. (Asma, beautician from Pakistan)*

This reflected that these young women, do have aspirations to be independent and the process of their migration trajectory in the UAE, have some positive impact on empowering and providing them an identity of their own. She had contested social norms by moving to a new country, on her own without being married. Act of agency was reflected in her movement. She showed me her short hair, looking at mine, and shared,

*‘I can only do this in Dubai. At home, I am not even allowed to go out on my own.’*

In her narratives I observed that living her life as per her wishes, breaking away the norms and rules of the society at home, was a choice at one level but confining to a small beauty parlour when she wanted to move to a big one was an act of conformity that she chose to abide by. Therefore, the choices made are situated in context (Okwany forthcoming: 6-7).

Most of the respondents were living as singles, only a few had their husbands living in the country but they did not have the freedom to stay with them. Saroj, another office maintenance worker shared that she has been living away from her husband ever since she came here. She came following her husband to stay around him and support him in work. But living in the same country was not at all helpful for them as they met rarely and there are restrictions for her husband to come and visit her. She goes out to meet her husband whenever she manages a chance to. She said that tensions between them increased as they are neither staying together nor are they with their children, who are living with grandparents, back home.

*“I work here and he works in a factory in Fujairah (another Emirate). We do not live together as husband wife. I face a lot of problems but I also decide for me and my children now. I got married very early, at home I could not say anything to my husband but here I have to take decisions as he is busy. This has taught me a lot.*

The couples stay separately as their respective sponsors end up governing their professional as well as personal lives. Thus, the system takes away family life experience from the low skilled workers. This system thus promotes single workers and can be said that it turns adults into youth as marriage and managing family is a marker of adulthood (Clark-Kazak 2009). Additionally, being single and independent influences in the formation of their new identities and has significance for households and community formation in the destination economy as well as affects the household relations back home. At meso and micro level, the interaction also works towards bringing about gender balance both at the household and the societal level, creating a sense of empowerment amongst them.

## 4.6 Youth – To be or not to be!

Youth, a social construction has socially ascribed characteristics that places younger people in certain categories and puts certain expected norms and behaviours. Though the existing structures shape youth, many times the young women also use their youth privilege (Utrata 2011) to gain access to employment in some specific sectors such as beauty parlours, retail outlets where being a young woman works in their favour. In this context, being young and a woman works in their advantage. At many places generational negotiations for support comes into play where young unmarried women may find better opportunities to be engaged in work employment. Some women shared that they also played with the age to put them in the youth or adult category whenever it was required. Them being in the age group of twenties helped them to interplay with being youth or adult as per the situation.

“We are young, and still have time to earn and support our families. Once we get old, we will have to go back as this place is only for youth who can work hard and be active. This is not the place where you can live once you get old. It is a temporary arrangement, so while we are young we should make the most of it.” (Migrant women during focused group discussion)

This brings a point to analyse that, is it a choice of being young that they exercise to be able to get work or is it their work requirement, that keeps them self-identifying as While interacting with them, I analysed that being young has different meaning at different times. These young women self-identified them as youth at one end when it comes to negotiate for jobs and on the other hand say that they are adults when it is a matter of taking on family responsibilities. Staying away from the family, reduced them from the burden of reproductive work of taking care of the family and children. During the conversation, they referred to them as young and sometimes also contradicted saying that they got married early and did not live their childhood and youth well and thus want to provide happy life to their children till they become young. Few women even did not disclose that they are married and have children as that may make them lose their jobs on one hand on the other hand being married and having children helped them get jobs, especially as part time housemaids. I analysed that youth is not an age category, rather youth should be viewed through social age that creates different meanings of being young and it keeps changing. These young women, through their social age constantly negotiate their positions that supports them.

## Negotiating Agency – Choices and Compliance

The young women migrants who come to the UAE sometimes due to push factors from home or with great aspirations to be able to make life changes in the UAE often make choices at work and in life but those choices are also often not their own but the ones governed by different structures that exist. Manisha, working in beauty parlour from India said :

I learnt beautician work as that was the work available for me when I came on a tourist visa, though I do not enjoy it much but still I chose to take it on and learn the skills as some work is better than no work.

Conversely, some of the young migrant women after bearing the hardships at work, prefer to run away from their employers in the hope to find freedom and in the process become illegal or ‘absconding’ (as used in the legal terms). Though aware of their new status and its implications, the choice made by them is an exercise of their agency. Their choice was to have a voice rather than being silent. However, running way also leads to the risk of being excluded from the formal employment circle, imprisonment and deportation if being caught by the Ministry of Interior. This though gives them a voice, makes them more invisible in the destination country. They are unable to go back home so have to conform to the system. The agency of these YSAMW is not absolute, it changes with time and they use their choices in a manner that supports them to find a place for themselves. They thus, fall upon informal structures to work and also to serve as their support networks.

Hence, agency of the young migrant women is not a free choice, it is dependent upon the various socio structural factors that influence or force them to choose certain actions over the others. Moreover, in the same situation, choices made available to different young women of the same generation and class also lead to differential experiences.

## 4.8 Support Networks under Structural Dependence

In the new country with rigid rules for residence and sustenance, migration as a process plays a strong role in bringing cultures closer and in return it can play a role in providing a few opportunities within the constrained structures. For the low skilled labour, the process is often supported by chain migration whereby relatives and community members call their known ones to the destination city.

“My sister has been working here for many years and is doing very well, she told me to come here and make my life better” shared Manisha, Indian young woman working in a beauty parlour.

People carry their cultures with them and the segregated labour market provides a niche for these YSAMW to take on culture specific work. Sujata, working in a small time Indian run grocery store said that she found a job, as she was a young and active woman and that too India. It was easy for her to relate to indian grocery and communicate with people.

I like to work with Indian people, they understand… they behave good with you and also Indian place I can speak in hindi.

These informal contacts actively help the women migrants with jobs such as working in stores, super markets and in some cases even into illegal prostitution (Sabban 2004). Ethnic associations within the country play multiple roles in migratory, settlement and integrative process. Thus, support chain migration of these young women from their country, support them in seeking employment through networks. Culture, ethnicity, spatial location thus play a critical role in strengthening social ties and providing opportunities on one hand and on the other, creating new identities influencing the existing social structures. Along with cultural factors, generational factors also play a role in young women’s engagement with work and society. Despite these structural barriers in the political system of the Kafala, the young women find mechanisms to create work opportunities and support systems within the society. Meetu, a Bangladeshi migrant woman shared that after running away from her employer as a domestic worker, she found support through ethnic and religious fraternity.

“I found work in a muslim house, she trusted me. She helped me find a house and even sent me to other people. Baaji (sister) is more than my real elder sister!.... I prefer to live in Sharjah, as it is safe and no one finds out about us. There are more muslims like us(referring to South Asian muslims), nobody bothers and checks before giving work. It’s a matter of wasta (relationships)”

 Informal social networks exist across registers of nationality, class and language where they act as care networks and conduits of information, social and financial assistance (Kathiravelu 2012: 110). Even for undocumented migrants or visa over stayers, they help them moving up in the social mobility, providing care through advice and counselling. They even provide financial support to each other in times of problem and crises. Spatial location is also a factor that fragments society, especially in the UAE. Locations for different strata of people are specified. The low skilled migrant workers, especially the illegal ones find themselves camouflage amidst the middle class ethnically populated locations as they not only provide avenue for work but also function as support networks.

Despite structural marginalization, the young women from South Asia build their informal network in the society that not only supports them in handling work issues but also provide social and emotional cushioning. These care networks are like formation of a community in itself and these social networks help in reifying and overcoming the differentiations and hierarchies present in the UAE society (Kathiravelu 2012: 107). Thus, these informally constructed social networks support the young migrant women in negotiating and making their place under the governance of the Kafala system and manage to continue staying in the country with finding some employment opportunities.

## 4.9 Conclusion

Migration is a process to find a place in the society and does not end with physical movement only. The different multi layered systems operating in the UAE migration system create multi-dimensional segregation in the labour market. In the growing economy of the UAE and increasing inflow of YSAMW, there is a constant interaction happening between all the levels – systemic, community, relationships and even at the individual level. On one hand the political structure, the Kafala system creates barriers in the movement of these YSAMW and on the other hand their interaction with the other factors, helps them situate within these boundaries. There is a constant power play amidst which these YSAMW negotiate their identities. Based on the findings and analysis of the fieldwork given above and the literature reviewed, I analysed that gender and generation intersect with various factors, and with each other to provide the YSAMW a position in the society. This intersectionality of various dimensions, sometimes adds on to their vulnerabilities by further marginalising them and at other times provides them with opportunities that work for their better positioning in the society. In the process, they use their agency – by making choices to interact with various factors and find a position for them to survive and work in the society. Through the in depth narratives, I analysed that though there is a gap in regulatory policies regarding YSAMW, and the Kafala sytem only increases the difficulties of movement. These young women make choices in order to find place in the labour market as well as in the society. However, these choices are not independent of the overall structure and are socially embedded. Agency, the ability of making choices differs from situation to situation for a person and is different from person to person. The analysis also reveals that young migrant women should be viewed through the lens of intersectionality, whereby their interaction with each other and also ethnicity and religion provide provide them with support systems to sustain in the society and contribute to the labour market. However, many of these voices and experiences are missing and invisible in the scholarship work and policy regulations. This analysis helps in understanding the complexities of work and life situation of YSAMW in the UAE to work towards improving their work and life situations.

#  Chapter 5‘In & Visible’ Yet Invisible: Reflections and Conclusion

Migration is a very complex process that brings out power relations and hierarchies in terms of gender, generation, ethnicity, race, nationality, skills and many other socio-economic indicators. Increasingly, the role of women in this process is witnessing an upward spike – and thus, effectively, the number of women migrating is going up. This is more so the case with young women migrating from South Asian countries to the Gulf nations. With this rise in demand of migrant women in receiving countries– the overall effect has been that of an increase in the opportunities available to such young migrant women. This in turn is empowering them and freeing them from the erstwhile shackles of gender, generation and other power relations.

However, when viewed through in the context of the West Asian GCC countries, the process of migration, which is governed under the Kafala system, acquires a whole different dimension and experience. These nations are characterised by booming economies and thus offer ever-fresh opportunities for work for people of all walks of life and from all countries of the globe. Thus, these nations emerge as lucrative destinations attracting a large migrant population. However, despite all the favourable factors – the conditions of the workers at the lower rung is not very easy. Moreover, the labour market is highly segmented on the basis of nationality, skills, and ethnicity and South Asian workers belong to the lower position in the vertical hierarchy. The Kafala system gives power to the employers over the workers, not only for employment but also restricting their social lives. This creates structural dependence on them and even confines their movement. Moreover, the regulations posed by the sending countries are more restrictive than facilitative. There is a need to understand the social reality that young women are on the move and policies and regulations should be formed keeping this in mind rather than forming restrictive policies to limit their movement. This in practicality leads to weakening of legal system and infesting illegal migration of young women, adding more to their vulnerabilities.

Weaved in this fabric of the migration process, the situation of the young women is all the more aggravated. In the rigid concentric circles of power relations, these young women migrants are found situated in lower most rung in the labour market as well as in the society. With the interplay of various factors and their combinations, these women position themselves differently in different situations. Due to their demographic and socio-cultural profile, they may discover new opportunities during one phase of the migration process while may be subjected to abject discrimination during the other phase of this process. These juxtapositions emerge right from the beginning of the migration process within the sending countries right through to the end with the young women firmly settled within the receiving countries.

During various phases of the migration process, varying power equations exist and interact with these migrating young women that sometimes act to create new opportunities while at other times work towards creating constraints for these women. In the midst of these conflicting forces, the young women find themselves making choices to negotiate their identities and carving out a position for themselves in the overall structure of the migration process. However, these choices are not absolute, rather fluid that change with time and with references to different people. Through the intersection

The enduring notions that are associated with the migration young women – in terms of their gender stereotypes, stigma associated with their generational upbringing, discrimination based on ethnicity, and role / gender based segregation in the Gulf (including the UAE) labour markets – contribute to the play of power relations that come into play and aggravate vulnerability and susceptibility of these women.

The women, particularly young women, who migrate from their native countries, take on the responsibility of contributing to the economies of their receiving nations through their productivity. Further, despite having left their homes, these young women continue to contribute to the economies of their native countries as well (through remittances etc.). Thus, these women have a twin-economic impact. However, in spite of this, they are most conspicuously absent for the policy dialogues and related academic work governing this aspect.

The kind of work relationships these young women are governed under can be typically characterised by two differing paradigms – these are either personalised and dependent employment; or independent and isolated work environments. This is accentuated by the fact that there is an abject lack of representation and voice for these women in governmental and / or scholarly literature. These factors combine together to increase the levels of exclusion and discrimination that these young migrant women are subjected to. In fact, the absence of these women in information matrices and policies developed by the governmental departments is quite glaring.

Whatever little focus these young women get in the academic literature is dominated mostly by the nexus of remittances and related economic factors; domestic work and in reference to trafficking. Their constraints and opportunities are multi-dimensional. Thus, they should not be evaluated through a one-dimensional lens. Moreover, these women are not a homogenous category. There should be a holistic approach used to evaluate the migrant population, specially the silent invisible young women. Their relationship with work and life should be seen through their socio-cultural standing, political allegiances and other societal formations.

This study contributes to the emerging corpus of studies centred on youth, gender and migration. The primary focal point of this study is to evaluate and analyse the human aspects (and not economic aspects) of the migration process. This study gives voice to the yet so far silenced experiences of women, particularly young women, in the migration process. This leads to highlighting the impact of the migration by young women on the currently prevailing socio-cultural power equations that operate at the macro, meso and micro levels. Further, the study also evaluates the interplay of these macro, meso and micro levels in engendered social, economic and political empowerment of women. These changes affect the work environment as well as the overall life experiences of the young women. It attempts to give a voice to that sector of young women in the labour market, who are in and visible but are yet invisible!

References

Al-Ali, J. (2008) ‘Emiratisation: drawing UAE nationals into their surging economy’, *International Journal of Sociology and Social Policy*, 28 (9/10): 365 – 379

Alanen, L. (2001) ‘Explorations in Generational Analysis’, in L. Alanen and B. Mayall (eds) *Conceptualizing Child-Adult Relations,* pp.11-22*.* London: Routledge Falmer.

Ayala, L.S. (2012) ‘Interviewing techniques for migrant minority groups’, in C.V. Silva(ed.) *Handbook of research Methods in Migration,* pp.117-136. Cheltenham, UK: Edward Elzar

Berner, E. (1998) ‘Social Structure and Human Agency: An Introduction’. Basic Text for INT 101, pp.1-7.

Carling, J. (2005) *Gender Dimensions of Intervention of International Migration*. Geneva: Global commission on International Migration.

Clark-Kazak, C.R. (2009) ‘Towards a working definition and application of Social age in International development Studies’, Journal of Development Studies 45(8): 1307-1324

Connell, R. W. (1987) *'Gender and Power: Society, the Person and Sexual Politics’*. Cambridge: Polity Press

Crespi, F. and Z. Bauman (1992) *Social Action and Power.* Blackwell Oxford,, England

Curran, S.R., S. Shafer, K.M. Donato and F. Garip (2006) 'Mapping Gender and Migration in Sociological Scholarship: Is it Segregation Or Integration?'*, International Migration Review* 40(1): 199-223.

Dance, J.L (2009) ‘Racial, Ethnic and Gender Disparities in Early School Leaving (Dropping Out)’ in Dill, B.T and R.E. Zambrana (eds) *Emerging Intersections, Race, Class and Gender in Theory, Policy and Practice,* pp.180-202. USA: Rutgers University Press.

Davis, K. (2008) ‘Intersectionality as a Buzzword: A sociology of science perspective on what makes a feminist theory successful’, *Feminist Theory* 9(1): 67-85.

Dhar, R. (2007) ‘Women and International Migration: A Cross-cultural Analysis’, Research Thesis. Guildford, UK: Centre for Research on Nationalism, Ethnicity and Multiculturalism (CRONEM), University of Surrey.

Edwards, M.B. (2011) ‘Labour immigration and labour markets in the GCC countries: national patterns and trends’ .LSE: Global Governance

Gardner, A.M. (2010) *City of Strangers: Gulf Migration and the Indian Community in Bahrain*. Ithaca and London: Cornell University Press.

Gardner, A.M. (2011) ‘Gulf Migration and the Family’, *Journal of Arabian Studies* 1(1): 3-25.

Giddens, A. (1997) *What is Sociology*. Cambridge and Oxford.

Global Forum on Migration and Development (GFMD) (2011), retrieved from http://www.gfmd.org/en/pfp/131-private-employment-agencies-new-regulation-uae.html. (Acceessed on 5 November 2012).

Hobbs, D. and R. Wright (eds) (2006) *The Sage handbook of fieldwork*. London: Sage Publication.

Huijsmans, R. (2004) ‘Listening to working school youth: A Child Centered Case Study of Empowerment Experiences of HAVO students in Rural Eastern Netherlands’. MA thesis. The Hague: Institute of Social studies.

Jarallah, Y. (2009) 'Domestic Labor in the Gulf Countries', *Journal of Immigrant & Refugee Studies* 7(1): 3-15.

Kabeer, N. (1999) 'Resources, Agency, Achievements: Reflections on the Measurement of Women's Empowerment'*, Development and Change* 30: 435-464.

Kabeer, N. (2007) 'Marriage, Motherhood and Masculinity in the Global Economy: Reconfiguration of Personal and Economic Life', IDS Working Paper No. 209. Brighton: IDS

Kathiravelu, L. (2012) ‘Social Networks in Dubai: Informal Solidarities in the uncaring State’. *Journal of Intercultural Studies* 33(1): *103-119*

Longva, A.N. (1999) 'Keeping Migrant Workers in Check'*, Middle East Report* 29(2; ISSU 211): 20-22.

Luhmann, N. (1982) ‘The World Society as a Social System’, *International Journal of General Systems* 8 (3).

Lumby, J. (2011) ‘ Methodological issues and intersectionality in gender studies’, paper presented at The IIEP Policy Forum on Gender Equality in Education, Paris, France.

Mahler, J.S. and Patricia R. Pessar (2006) ‘Gender Matters: Ethnographers Bring Gender from the Periphery toward the Core of Migration Studies’, *International Migration Review* 40(1): 27-63.

Mahmood, S. (2004*) Politics of Piety*. New Jersey: Princeton University Press.

Oishi, N. (2005) *Women on the Move: Globalisation, State Policies and Labour Migration in Asia. Stanford*. CA: Stanford University Press.

Okwany, A (Under review) ‘Negotiating tensions in Girlhood: Marginalization and Agency of Urban Poor Girls in Kenya’, in A. Honwana (ed) *Youth Marginalization and Citizenship in Africa. Special Issue Development and Change*: The Hague: Institute of Social Studies.

Oliver, P. (2006) ‘Purposive Sampling’, in V. Jupp (ed.) *The SAGE Dictionary of Social Science Research Methods*, pp.245-246. SAGE Publications

Pedraza, S. (1991) ‘Women and Migration: The Social Consequences of Gender’, *International Review of Sociology* 17: 303-325.

Rahman, M.D.M. (2011) 'Bangladeshi Migrant Workers in the UAE: Gender-Differentiated Patterns of Migration Experiences'*, Middle Eastern Studies* 47(2): 395-411.

Retail ME (2007) ‘GCC’s retail growth: Is it Sustainable?’, July-August 2007

Robson, C. (1993) *Real World Research: A Research for Social Scientist and Practioner Researchers*. Oxford: Blackwell.

Sabban, R. (n.d.) ‘United Arab Emirates: Migrant Women in the United Arab Emirates. The case of female domestic workers’. GENPROM working paper No.10

Scott, J. W. (1986) ‘Gender: A useful category of historical analysis’, *The American Historical Review*, 1053-1075.

Sercombe, H. (1996) ‘Naming youth: the construction of youth category’. PHD thesis. Western Australia: Murdoch University.

Shah, N.M. (2007) ‘Migration to Kuwait: Trends patterns and policies’. Migration and Refugee Movements in the Middle East and North Africa. Egypt: The American university in Cairo.

Siddiqui, T. (2008) ‘Migration And Gender in Asia’, paper presented at the United Nations Expert Group Meeting On International Migration And Development In Asia And The Pacific, Bangkok, Thailand (20-21 September).

Soto, R and R. Alvarez (2011) The Efficiency cost of the Kafala in Dubai: A stochastic Frontier Analysis. Accessed 24 May <www.economia.puc.cl>

Taha, N. M. (2011) Skills to Bargain: Agency of Indonesian migrant domestic workers in Singapore. Masters Research thesis. The Hague: International Instutute of Social Studies.

Timothy, R. and S.K. Sasikumar (2012) ‘Migration of Women Workers from South Ashia to the Gulf’. India: V.V Giri national Labour Institute and UN Women.

U.A.E Labour Law Fedral Law No. (8) of 1980 Labour law and its Ammendments 2001.

UNDP (2009) ‘Overcoming barriers: Human mobility and development. Human Development report 2009’. Ney York: United Nations Development Programme

United Nations (2004), ‘World Survey on the Role of Women in Development:Women and International Migration’. New York: United Nations Publication.

Utrata, J. (2011) 'Youth Privilege: Doing age and gender in Russia's single-mother families', *Gender & Society* 25 (5): 616-641.

White, R. and J. Wyn (1998) ‘Youth Agency and Social Context’, *Journal of Sociology* 34(3): 314-327.

WHO (2010) ‘Preventing intimate partner and sexual violence against women: Taking action and generating evidence’. Geneva: World Health Organisation.

Winker, G. and N. Degele (2011) ‘Intersectionality as Multi-Level Analysis: Dealing with Social Inequality’, *European Journal of Women's Studies* 18(1): 51-66.

http://www.state.gov/r/pa/ei/bgn/5444.htm (accessed on 24 May 2012)

http://www.leeds.ac.uk/educol/documents/000001172.htm (accessed on 23 May 2012)

http://srmo.sagepub.com/view/the-sage-dictionary-of-social-research-methods/n192.xml (accessed on 24 May 2012)

http://srmo.sagepub.com/view/the-sage-dictionary-of-social-research-methods/n70.xml (accessed on 25 May 2012)

http://www.iza.org/conference\_files/worldb2011/vazquez-alvarez\_r1528.pdf (accessed on 6 June 2012)

http://esa.un.org/migration/p2k0data.asp (accessed on 23 May 2012)

http://www.iom.int/cms/en/sites/iom/home.html

Appendix

Appendix 1
Changes in Labour Migration Legislation and Policy in South Asian Countries since 2005

| **Country** | **Main Statute** | **Subsequent Decrees** | **Key Provisions** |
| --- | --- | --- | --- |
| **Bangladesh** | Emigration Ordinance (1982) | Overseas Employment Policy (2006) | * Provision of legal assistance to overseas workers. Signature of bilateral agreements with labour receiving countries.
* Establishment of labour standards in terms of working hours, rate of wages, overtime, leave entitlement, health services, and freedom of mobility.
* Increased regulation of the migration process. Improved coordination between governmental and non-governmental stakeholders.

***Source:*** *IOM country assessment.* |
| **India** | Emigration Act (1983) | Emigration (Amendments) Rules (2009) | * Higher application fees and security deposit; obligation to produce documents verifying qualifications and financial health for recruiting agencies. Obligation for recruiting agencies to arrange pre-departure skill testing; insure workers; cap workers' fees at 45 days worth of wages; renew workers' visas; and ensure the provisions of employment contracts are respected by the foreign employer.
* Agencies banned from retaining workers' travel and employment documents.
* Reduction in number of ECR (Emigration Check Required) countries from 154 to 17 to reduce the regulation of movement.
* Introduction of mandatory insurance (Pravasi Bharatiya Bima Yojana) at a nominal cost: life insurance, medical and legal expenses coverage.
* Abolition of the mandatory provision for ECR passport holders to obtain a suspension from the Government (Protector of Emigrants) to visit overseas for purposes other than employment.

***Source:*** *Ministry of Overseas Indian Affairs.* |
| **Nepal** | Foreign Employment Act (2007) as amended on 31 May 2007 | Foreign Employment Regulations, 2064 (2008) | * Enhanced protection mechanisms: mandatory skill and orientation training; establishment of a Welfare Fund; provision of health check-ups, shelters and legal assistance; appointment of labour attachés; creation of a Labour Desk (at international departure points).
* Obligation for recruiting agencies to provide comprehensive employment contracts and to insure workers.
* Penalties (fines and imprisonment from three to seven years) for offenses such as sending of minors abroad, operating without a license, not respecting employment contracts, sending workers to countries not approved by the government.
* Creation of a Foreign Employment Department under the management of the Ministry of Labour and Transport Management and of two independent institutions: the Foreign Employment Promotion Board and the Foreign Employment Tribunal (Special Court).

***Source:*** *Department of Foreign Employment, Government of Nepal.* |
| **Pakistan** | Emigration Ordinance 1979 | National Migration Policy (2010) | * Minimum wages for migrants raised by 16 per cent; obligation to pay wages through check/bank transfer.
* Establishment of a comprehensive social insurance scheme (health and pension) for overseas Pakistanis.
* Creation of a labour-market information system. Extended scope of the Workers Welfare Fund: housing construction programmes, scholarships for migrants' children.

***Source:*** *Government of Pakistan.* |
| **Sri Lanka** | Sri Lankan BureauForeign Employment Act, No. 21 of 198 | National Labour Migration Policy for Sri Lanka (2008) | * SLBFE Act of 1985 to be amended.
* Increased regulation and monitoring of recruiting agencies; penal provisions to address offences.
* Strengthening of the capacities of overseas missions to address workers' protection and guidance needs. Ensure access to skill development training to maximize the benefits of migration for national development.
* Address issues of abuse, violation, exploitation and prevent human trafficking.
* Enhanced protection mechanisms: psychological and medical support, repatriations for distressed workers.
* Development of a plan for provision of insurance, pension and welfare by the State.
* Implementation of a mechanism to facilitate return and reintegration: priority access to services, special services on arrival at the airport, tax concessions and special benefits to children of migrant workers.
* Creation of the Sri Lanka Migration Studies Institute to study migration issues and collect data.

***Source:*** *Government of Sri Lanka.* |

1. South Asia comprises of countries Bangladesh, India, Nepal, Pakistan, Sri Lanka, Afghanistan, Bhutan and Maldives. However, for the purpose of this study, the term has been used for the first five countries. [↑](#footnote-ref-2)
2. As per United Nations, the formal name is Western Asia popularly known as Global Cooperation Council (GCC). The term Middle East is used in Eurocentric discourses. For this research, I will use the term GCC. [↑](#footnote-ref-3)
3. Service Industry comprises of activities that do not produce or modify physical goods. They are immaterial and cannot be stored, transported or owned but they can be bought and sold. Services are characterized as relations between the provider and the user in that both the parties are involved in the provision of the service and that requires a level of interaction between the provider and the user. [↑](#footnote-ref-4)
4. In the UAE law migrants are referred to as guest workers but in scholarship work on migration, the term migrant is used. For the purpose of this study, I use the term migrant. [↑](#footnote-ref-5)
5. As per International Labour Organisation (ILO), Wage Employment is defined as Regular salaried/wage employees: These are persons who work in others’ farm or non-farm enterprises (both household and non-household) and, in return, receive salary or wages on a regular basis (i.e. not on the basis of daily or periodic renewal of work contract). This category includes not only persons getting time wage, but also persons receiving piece wage or salary and paid apprentices, both full time and part time. Casual wage labour: A person who is casually engaged in others’ farm or nonfarm enterprises (both household and non-household) and, in return, receives wages according to the terms of the daily or periodic work contract. No specific definition in the UAE context was available, so for the purpose of the research this definition is used. [↑](#footnote-ref-6)
6. Firms in free zones are exempt from the Kafala system and thus their workers enjoy considerably more freedom. For instance, migrants working in free zones are allowed to switch among firms inside the same free zone and, consequently, have some bargaining power to affect their working stance. Also, free zones firms are not bounded by other employment policies established by the UAE Ministry of Labor for firms outside free zones – such as the established minimum quota of Emirati workers that burden firms outside free-zones. Because of these reasons, migrant workers in free zones operate in far more flexible environments than their counterparts in non free zones firms. [↑](#footnote-ref-7)
7. Illegal is the term used for undocumented workers, who either overstay or run away from their sponsors. The term illegal is used in official government discourse. [↑](#footnote-ref-8)
8. UAE nationals are popularly known as locals. [↑](#footnote-ref-9)
9. AED is Emirati Dirham, currency used in the UAE. Value of 1 AED is fixed at 0.272 US Dollars. [↑](#footnote-ref-10)