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# Reducing Precarity for Female Domestic Migrant Workers in the Kafala System

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# Reducing Precarity in Female Migrant Workers Under the Kafala System

## Introduction

The Kafala System is a system of migration in place in the Gulf Cooperation Council countries (Bahrain, Kuwait, Oman, Saudi Arabia, and the United Arab Emirates), and in Jordan and Lebanon. Under Kafala, workers' migration status is tied to their employer (kafil). The Kafala System has come under international attention in recent years because of many reports of human rights abuses against workers.<sup>1</sup> Our group decided to focus on what we perceived to be one of the most exploited groups under the Kafala System - women domestic migrant workers - because of the undervaluing of domestic labor.<sup>2</sup> We will examine the historical origins and political economy of the kafala system, identifying the structures that position women domestic workers as hyperexploited labor, subject them to wage theft, and make them vulnerable to human rights abuses.

## Origins of the Kafala System

The principles of kafala have its roots in Sharia, and can be found throughout the Arab world.<sup>3</sup> The word "kafala" means "responsibility; answerableness; amenability; or suretyship; the conjoining of responsibility to another".<sup>4</sup> Similarly, the kafil is "one who is responsible, answerable, amenable, or a sponsor or surety".<sup>5</sup> Within the ambit Islamic Law, kafala has come to cover many different types of obligations, like "Property (money)," "Attendance of a person (before a tribunal, similar to the English bail)," "Delivery (of goods)," and "Purchase price of goods sold".<sup>6</sup> Clearly, these concepts are not unique to Islamic tradition, and similar systems of guarantees are in place all over the world, including the west.

The peculiarity of kafala in the Gulf is its application to labor migration. Under the modern Kafala System, "the ability for the migrant to seek employment for his labour power in a particular geographic area is tied to having a sponsor".<sup>7</sup> The kafil then "becomes legally responsible for the migrant sponsored during his stay as an employee in one of the Gulf countries and his subsequent repatriation at the end of his employment period".<sup>8</sup>

Historian Omar Hesham AlShehabi sees the Kafala System as an extension of British colonial policy in Bahrain. According to AlShehabi, in the 1920s Britain attempted to establish greater control and regulation of migration within Bahrain. This was specially the case in regard to pearl diving industry, as tens of thousands of migrants would pour in from the surrounding areas during the harvest season. Because of Bahrain's small bureaucratic capacity, the British devised the strategy of having each ship captain, nokhetha, be responsible for the people on his boat, "where he had to report to the customs officials their number, names and their valid travel permits".<sup>9</sup> Around that same time, No Objection Certificates (NOCs) were introduced for British personnel that wanted to bring their families to the Gulf. Once oil was found and migrant worker influxes skyrocketed, the nokhetha system and the NOCs were merged to facilitate administration. This period also saw the increase in application of NOCs to domestic workers, because local Bahrainis were seen as unfit for domestic work.<sup>10</sup> This system would spread throughout the region and would become legislated after the Gulf states attained independence.

Thus, the modern Kafala System is better described not as a continuity of Islamic kafala principles, but rather an extension of British colonial policy in the Middle East. This is helpful to understand because it reveals the initial motivations behind the Kafala System: to establish control over migrant worker bodies when faced with a weak state capacity. In the modern day, however, this type of "outsourcing" of immigration regulation to private citizens cannot be explained by a lack of a bureaucracy robust enough to manage migration flows. A social reproductive approach will be useful to explore who benefits from their labor.

## Social Reproduction Theory

The conditions endured by women domestic migrant workers exist at the intersection of patriarchy-capitalism-colonialism, as performers of the gendered, devalued labor that domestic labor represents. Domestic work is a type of socially reproductive labor. In this context, social reproduction refers to "the activities and attitudes, behaviors and



emotions, and responsibilities and relationships directly involved in maintaining life, on a daily basis and intergenerationally. It involves various kinds of socially necessary work—mental, physical, and emotional—aimed at providing the historically and socially, as well as biologically, defined means for maintaining and reproducing the population.”<sup>11</sup> Under Social Reproduction Theory (SRT), social reproduction is the mechanism by which workers’ labor power is replenished daily, and the working-class is reproduced intergenerationally. For example, families that rely on domestic workers to provide socially reproductive labor are essentially dependent on their employees to be able to work outside the household and receive wages to sustain themselves. This allows for middle class families to have a higher standard of living than they would otherwise have if a less exploitative environment where the cost of domestic labor was more prohibitive.

The kafil’s employer benefits as well. For highly demanding jobs that may prevent the workers from performing socially reproductive labor at home, the kafil’s employment is contingent on the domestic worker. By reproducing the kafil, domestic workers allow the kafil’s boss to exploit (extract surplus value) from the kafil. In fact, the Kafala System makes it so that the kafil’s boss receives racial and gendered subsidies from their employees’ domestic workers. Bosses of employees who can forgo domestic labor “consequently benefits doubly: from exploiting its worker and from the effective salary subsidy” that comes from a system of cheap (hyperexploitation), or, at times, not remunerated labor (appropriation).<sup>12</sup>

## Hyperexploitation

Hyperexploitation refers to domestic workers’ low-wage conditions. ILO estimates show that domestic workers usually make less than 50% of the average wage of the country where they work.<sup>13</sup> This is especially the case with domestic labor and other types of “unskilled” labor. In the case of the Kafala System, only 3 out of the countries that utilize it have minimum wage laws for Kafala workers, and only in two countries are they protected by domestic labor laws.<sup>14</sup>

The poor image of domestic labor can be explained through the ways in which it has been gendered and racialized. For example, domestic labor is devalued through centuries of labor gendering through dismissing these jobs as “labors of love.”<sup>15</sup> Moreover, domestic

labor is heavily racialized.<sup>16</sup> In the case of the Gulf, transregional migration systems have reinforced racial hierarchies associated with what was largely regarded as the “dirty work” of the household.<sup>17</sup> These systems have produced a labor that is undervalued and underpaid.

Moreover, there are many restrictions on unionizing that prevent workers from bargaining for higher wages. The country with the most favorable policy towards collective bargaining in the Gulf is Bahrain; their Workers’ Trade Union Law of 2002 granted all migrant workers, except domestic workers, the right to belong to a union. Despite this codification of rights, however, most migrant workers are unable to join a labor union for fear of losing their jobs and because of overwhelming language barriers given the diversity of home countries for migrant workers and the lack of resources given to union organization. Union regulations vary widely across the Gulf a more typical law is that of the Qatar labor code which allows a singular trade union, but excludes non-Qatari workers, effectively preventing unionizing.<sup>18</sup>

## Wage Appropriation

One of major parties involved in feeding immigrant workers to the Kafala System in the Gulf countries are the recruitment agencies in the home countries of the immigrants. In addition to the many injustices an immigrant worker may face from their employer, they are also at risk of wage appropriation from the recruitment agency. Generally, a domestic immigrant worker has little to no knowledge of the recruitment prices and can end up paying the agency a substantial amount of money. These fees may cover costs for the recruitment, travel, visa, and administrative costs as well as other unspecified fees or service charges. These recruitment fees charged to workers represent the dominant business model of the recruitment industry in the global south, including within the supply chains of leading brands. This means that many workers are already exploited and vulnerable before they even arrive at their place of work.<sup>19</sup>

A new method being increasingly used by recruitment agencies is the “go now, pay later” scheme, where a migrant worker does not pay recruitment costs up front but, instead, the cost incurred by the agency is deducted from the worker’s monthly salary.<sup>20</sup> This leads to a situation where the workers are indebted to the recruitment agency. This debt is paid by the employer in the host



country by deducting the costs from their monthly wage under the “go now, pay later” scheme.

From the beginning, the worker is lured into migrating without much knowledge about the recruiting process, the destination country, or the conditions under which they will be working. Once they arrive, they find themselves facing several abuses as well as unable to collect their full pay because it is automatically forwarded to their recruiter by the employer. Nonetheless, attempts to regulate recruitment agencies have not yielded great results. In the case of India, this policy increases the transaction cost for women to find work, promotes informality in the process, and hurts the reputation of Indian migrant workers in the Middle East.

Moreover, domestic workers are also susceptible to wage appropriation from employers; because of their ability to restrict Kafala workers’ mobility in many countries around the Gulf, they are at risk of simply being denied wages by the kafil. This points to the problem of unregulated labor discipline by the sponsors that can lead to abuse.

### Human Rights Abuses

One of the most prominent issues surrounding the Kafala System, and one of the reasons for its popularization in recent years is how it so often opens the door to human rights abuses. It has been compared to “modern slavery” because sponsors (which will be used interchangeably with kafil) have practically complete discretion over the labor, as well as the gendered bodies of their workers because of the setting of these workers’ labor – that is, private households. These workers are thus often exposed to verbal, physical, sexual and psychological abuse without recourse. This is because they are often punished if they report abuse or even question the terms and conditions of their employment contracts.<sup>21</sup> The kafil can also threaten migrant workers to cancel their working contract and put them at risk of detention or deportation. Even when they are able to file a complaint, finding lawyers and affording legal charges is still practically impossible for them. They are also prevented from absconding because the kafil can restrict their access to their passport, change their employment or transfer their sponsorship to another employer without their consent, and ban their re-entry back to the country.

### Attempts at Reform

Facing international pressure, GCC countries have begun to implement marginal Kafala System reforms; although these policies look substantial on the surface, the vast majority fail to address the inherent power imbalance created by the system.

Starting in 2005, countries like Jordan, Saudi Arabia, and Kuwait created labor protections that required a certain number of hours for continuous rest in a workday, a singular day off per week, and a maximum allowable work hours per week. Despite these advances for migrant workers, the laws do nothing to protect against abuse during the workday, there is little enforcement of these breaks, and Kuwait’s maximum hours per week law excludes domestic laborers, one of the most vulnerable migrant worker populations.<sup>22</sup>

The recent “landmark” reform in Qatar as of January 16th, 2020 was hailed as the “end of the Kafala system” given that it took away the requirements for migrants to obtain an exit permit to leave the country. The law requires a 72-hour notification to the employer with a four-year work ban and financial penalties if this is not done.<sup>23</sup> The law, however, fails to recognize that the 72-hour period would be ineffective for migrant workers trying to flee an abusive employer: passports could be confiscated, more abuse could happen in response to the attempt to flee, and an employer could physically prevent a worker from leaving. In essence, the landmark law reform has little effect on the status quo, especially for the most vulnerable of domestic workers.

### Challenge Overview

Thus far, most of the attention received by the Kafala System has focused on human rights abuses. While this is certainly part of the problem, it is necessary to pay attention to the ways in which their economic condition has allowed or even fostered these types of abuses. By employing a Social Reproduction Theory analysis, it is clear that the sponsors, employers of sponsors, and recruitment agencies all have a stake in exploiting and profiting off of these workers, made possible by the nexus of colonialism and patriarchy. Past attempts at reform will be of use as we look towards ways to fix or ameliorate this issue.

### Policy Solutions

Nations of the Gulf Cooperation Council have increasingly drawn international attention





and criticism of their current sponsorship and labor migration policies, collectively known as the Kafala System. It is known for placing migrants in particular precarity as the kafils -the sponsors, or employers- maintain control over migrants' immigration status. This creates conditions where domestic workers can be exploited, subject to wage theft, and made vulnerable to multiple forms of abuse. Women domestic workers within the Kafala system face particularly precarious conditions because their labor is gendered, racialized, and deskilled. In this report we will discuss Kafala System reforms advanced by international organizations (IGOs), host countries, and sending countries. First, we will look at the recent Qatar reforms, and the role played by the ILO in fomenting policy change, then we will consider current and future efforts at collective bargaining in host countries, as well as policies enacted so far by sending countries to reduce precarity for their citizens. We recommend both short and long term policies to regulate recruitment agencies, and expand human rights infrastructures in the Gulf, and culminate by highlighting the centrality of global inequality and imperialism for producing conditions of precarity.

### The ILO and the Qatar Reforms

The International Labor Organization (ILO) has been a strong proponent for reform to the Kafala system. In 2011, it passed the Convention concerning Decent Work for Domestic Workers that sought to expand labor protections to domestic workers; while the convention provides a framework for improving worker protections and working conditions, it has not yet been ratified by any GCC country.<sup>24</sup>

Aside from this convention, the ILO has advocated for reforms and policy recommendations of the Kafala system. The ILO Technical Cooperation Programme in Qatar has worked collaboratively with the Ministry of Administrative Development, Labor and Social Affairs of Qatar to make labor reforms that are in compliance with ratified international labor conventions and fundamental principles and rights at work in the State of Qatar.<sup>25</sup> Qatar has since established a non-discriminatory minimum wage and created a Worker's Support and Insurance Fund. Qatar has also adopted a labor inspection policy that educates auditors regarding Qatari labor laws enables them to track occupational safety policy compliance; this is critical as it better protects workers from adverse working conditions such as heat stress during the summer.

The Qatari government has taken significant steps to limit sponsors' power over workers by removing the requirements for workers to obtain exit permits and no-objection certificates (NOC) to change employers and by creating laws that protect the migrant workers against forced labor.<sup>26</sup> Despite this, domestic workers are still at high risk for abuse; in particular, domestic workers are required to provide their employer with 72 hours notice before leaving a position, even if they do not need an exit permit. This could be enough time for the employer to confiscate their passport, create abusive repercussions, and discourage domestic workers from taking advantage of the new law.

However, Qatar still has a long way to go in to reduce the precarity of migrant workers in general, and domestic workers in particular. For example, Qatar has yet to ratify 67 ILO conventions, including C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and C100 - Equal Remuneration Convention, 1951 (No. 100).<sup>27</sup> Moreover, even after the reforms, Kafala workers remain tied to their employers for "applying for, renewing, and canceling their residency and work permits."<sup>28</sup> Migrant workers can thus become undocumented because of their employer's inability or unwillingness to carry out said tasks.

### Unionization in Host Countries

Host country reforms could prove to be the most effective in the short-term by targeting the lack of collective bargaining power and legal barriers to recourse for abuse of migrant workers. Policy reform should also be standardized across GCC countries to address inter-country disparities in labor protections. .

Fostering and supporting collective bargaining power, particularly among domestic workers who have been excluded by the majority of current unionization efforts, should be a two-pronged approach. Currently, creating policy interventions to facilitate domestic workers unions remains infeasible within GCC countries. In the two nations of Kuwait and Bahrain, where unionization is legal, domestic workers are prevented from running for elected positions and often face barriers to join from high membership fees and unavailability to attend union meetings, all which is all exacerbated by gender disparities.<sup>29</sup> Thus, facilitating collective bargaining must both be grassroots



and domestic-worker led, with the intent of extracting concessions from the thousands of middle-class families that depend on Kafala domestic labor.

Grassroots empowerment could be possible with a collaboration between communities of domestic migrants, the International Domestic Workers Federation (IDWF), and the embassies of sending countries. The current organization of IDWF maintains over 500,000 current members who belong to various trade unions and it has been active in the Middle East since 2017; it creates membership based organizations that imparts leadership and organizational skills to migrant workers who can then be prepared to join or create their own trade union.<sup>30</sup> Using the IDWF to give community members skills and access to information empowers them to organize domestic worker unions in such a way that is suitable for their work hours, financial means, and representative of their interest. Moreover, this would facilitate a connection between these community-based unions and the embassies of the sending countries then legitimizes the concerns of the unions and provides a channel through which to express grievances and gain legal support. This connection can be made from communities to their embassies prior to migrating to the Gulf. Empowering these community-based unions, then, creates a force for collective bargaining in the region that could be felt by employers and local governments alike.

### Sending Country Policies

Countries sending large numbers of domestic workers to the Gulf have also sought to establish mechanisms in order to protect their citizens living and working abroad. These policies range from fairly effective to surprisingly detrimental. For example, the bilateral agreements and Memorandum of Understanding (MOUs) signed between origin and destination countries have limited efficacy that varies across countries and contexts. Some sending countries, such as the Philippines, have been strong advocates for their overseas workers, negotiating 12 bilateral labor agreements with receiving countries, many of which include strict regulation of private recruitment practices and fees. Despite concerted efforts, the government has not been able to sign agreements with the countries with the largest number of Filipino workers, Saudi Arabia.<sup>31</sup>

Other attempts to protect workers traveling abroad for employment have been equally unsuccessful. The Nepali government issued

an order banning Nepali citizens, particularly women, from traveling to the Gulf for jobs as domestic workers.<sup>32</sup> However, this has not stopped Nepali workers from seeking employment opportunities in the Gulf, only adding an extra step of first travelling to a neighboring country prior to being sponsored. Activists have raised concerns that instead of protecting, the embargo actively discriminates against women, making them more vulnerable to exploitation before they even reach their destination. Moreover, although the Nepali government claims its best efforts in helping migrant workers abroad, there are stories of delays in managing the legal procedures as well as instances where Nepali workers have been blatantly refused help from their embassies.<sup>33</sup> A better policy, thus, may be one that targets labor brokers as opposed to workers themselves, to ensure workers are not taken advantage of.

The COVID-19 pandemic presents a unique opportunity for sending countries to exert pressure. Many workers have been disillusioned with the appeal or working in the Gulf area during the pandemic. As Zeina Ammar, advocacy manager for Lebanese grassroots group the Anti-Racism Movement, noted “migrant workers are unable to send money back home. The whole purpose of staying here has disappeared.”<sup>34</sup> Although many workers have left the Gulf during the pandemic, employers will need workers back as the economy opens up once more. Already, countries like the UAE<sup>35</sup> and Saudi Arabia<sup>36</sup> have resumed their recruiting protocols. Nonetheless, if workers find more attractive opportunities elsewhere, they may not come back. With this leverage, sending countries can also push for policies regarding regulation of recruitment agencies, in particular fees levied on migrants, as well as designing standardized contracts between kafils and domestic workers to be used across GCC countries.

### Moving Forward

In order to address the Kafala system in the short-term, there must be a two-pronged approach that focuses on both sending and host countries. For sending countries, the answer is not to restrict immigration. After all, “[l]abor mobility to the Gulf countries has long been one of the largest poverty alleviation programs in the world.”<sup>37</sup> Moreover, it would expose migrants to further danger because of the subsequent irregular migration. Until conditions in sending countries can be ameliorated, migration flows should not be restricted, since these are



some of the only forms of uplift available to poor women in East African, South Asian, and South East Asian countries.

Education campaigns regarding the dangers and benefits of migration instead of curtailing it might be successful at reducing precarity. Moldavian women who migrate to Turkey for work are a relevant example regarding this. Ethnographer Leyla Keough has been critical of International Organization for Migration (IOM) policies that pushed for immigration restrictions on the assumption that these women were being trafficked for sex work. For one, recent IOM studies have shown that 35% of the women who migrated were aware that they would be engaging in high-risk occupations like that of sex work; in fact, there were even documented cases of re-trafficking in which after a survivor escaped being trafficked they would decide to migrate again for work.<sup>38</sup> Even after redirecting its efforts away from “saviorism” and towards a “Smart Migration” campaign about the dangers of migration, migration still portrayed migrating as an immoral, unsmart decision.<sup>39</sup> Policies that position women solely as objects of foreign saviorism are not emancipatory. Women have agency, even as they navigate precarious situations, and this must be respected.

The first step towards an education campaign must include extensive research on the views, narratives, and motivations of Kafala workers themselves. Moreover, the effort must align with local visions for dignified work and livelihoods. Investments in Community-Based Organizations (CBOs) that focus on education and employment generation are a powerful tool for reducing poverty.<sup>40</sup> Community-based efforts are also more likely to be in touch with the push factors that the women face when contemplating migration. Strategies to determine whether recruitment agencies are fraudulent, and in-depth information about migration’s possible harms and benefits, should be emphasized. Above all, these women cannot be reduced solely to victims. Respecting and centering women’s agency and diverse desires is paramount for designing just and inclusive policies that promote worker wellbeing.

Circumventing recruitment agencies is a way to avoid fraudulent schemes altogether. The creation of an ILO-sponsored or ILO-certified recruitment agency could increase transparency and reliability in the labor migration process. Data regarding employers could be centralized, bribes and debt minimized. Such an organization or certification system could be jointly led by select members of the ILO as well as elected

migrant workers or past migrant workers to ensure adequate representation. If sufficient migrants decide to go through this process, collective bargaining could take place. This is especially the case given the fact that over 3.5 million migrants have left, or will have to leave the region due to COVID-19, so the ILO could bargain for their return. Nonetheless, it is important to recognize that if the ILO recruitment agency were to impose greater migration restrictions, hopeful migrants would just revert back to recruitment agencies that do not place greater burdens on them. Lastly, while we believe having a public avenue for migration would be the most effective, we also recognize that the ILO has not demonstrated interest in pursuing a similar program thus far.

In terms of host country policies, the Kafala should be dismantled. The most direct way to do this would be to take migratory status out of the control of the sponsor. Though Qatar’s reforms show promise, it is relevant to compare Qatar and Saudi Arabia to see why the Qatar reforms were successful and inclusive while Saudi Arabia’s reform excluded the most precarious occupations like construction and domestic workers. For one, both reforms seem to be part of a broader restructuring to make the domestic economy more appealing to foreigners, especially after so many workers left the region as a result of the pandemic; like Qatar in 2018, Saudi Arabia did not feel pressured to attract domestic workers because of the large number of women willing to migrate to the Gulf. There was also a great deal of international pressure exerted on Qatar, especially because of the hypervisibility of construction workers’ death toll as they prepare to host the FIFA 2022 World Cup.<sup>41</sup> Qatar also had some human rights infrastructure in place like a human rights commission, unlike Saudi Arabia. Lastly, the portrayal of the Qatar government as “a leader in the region” in regard to migrant rights, especially at this aforementioned moment of hypervisibility, might have also pushed them to reform.

In the long-term, the demographic pressure will only increase as OECD countries’ need for young workers increases, and more workers start travelling to the Global North.<sup>42</sup> This may reduce the ability of GCC countries to satisfy professional class demands for domestic workers. In this case, sending countries would gain more leverage. In the meantime, however, sending countries need to continue being proactive in establishing communication channels with the host countries for bilateral negotiations, and the international community should continue to



pressure -but not antagonize- the host countries. Extra-governmental approaches such as unionization efforts must be supported. Given the isolation of private homes, it is typically difficult for domestic workers to organize in the host country. Hence, sending countries could create a space for migrants to organize prior to departure to facilitate labor organizing.

## Addressing “Underdevelopment”

More transformational, global-scale policies are central to future policy considerations. Financial precarity in home communities is the primary factor driving labor migration. Moreover, almost 90% of migrant domestic workers work in upper-middle, and high income countries, while lower, and lower-middle income countries supply most of the migrant domestic workers.<sup>43</sup> Thus, global inequality and underdevelopment in the Global South must be addressed. While global financial reform is beyond the scope of this brief, we offer some preliminary directions on the problems that should be explored for such a project.

Theories of development have historically portrayed development as a process to overcome “underdevelopment,” which has naturalized underdevelopment as “the inherent condition of traditional societies and inhibited the analysis of underdevelopment as a condition that had been actively produced in those countries.”<sup>44</sup> While decolonial thinkers like Walter Rodney and Frantz Fanon have extensively argued and theorized the centrality of colonialism and capitalism to “underdevelopment,” international institutions have yet to center decolonial approaches that address harms perpetrated by imperialism and neoliberal austerity programs.

CARICOM’s commission for reparations is a good example of what repair could look like for global south. In 2013, it put out a 10-point program that included formal apologies, repatriation schemes, and, most importantly for the purposes of addressing inequality, debt cancellation, technology transfers, and participation in community development.<sup>45</sup> OHCHR experts have the ability of conducting region-specific research on colonialism and its legacies to this end, including economic underdevelopment, and the downstream effects of contemporary forms of imperialism on oppressive social structures, like the Kafala system. These reports could be assembled into Amicus Curiae briefs for the International Court of Justice, or special ad hoc tribunal trials on

colonization. While reparations for the Trans-Atlantic Slave Trade, and slavery have rightfully garnered a lot of attention in recent years, with the United Nations High Commissioner for Human Rights Michelle Brachelet issuing a call for reparations last year, reparations for imperialism elsewhere should also be seriously considered and demanded.<sup>46</sup>

## Conclusion

Enacting policies to reduce precarity is not only possible, but imperative. Supporting bargaining initiatives - between sending and host countries, as well as between domestic workers and their employers - could make significant headway in the expansion, and creation of labor protections in GCC countries. In the case of state bargaining, communication between parties should be increased, and sending countries should be proactive in their application of pressure for reform. The likelihood for this is admittedly highly variable, since states have different levels of political will to look out for their citizens’ wellbeing. However, since wage appropriation can cause ceasement of remittances, sending countries could be compelled to take a more active role as neoliberal reforms have made them more dependent on remittances. Labor bargaining faces some hurdles, as GCC countries do not universally protect the right to unionize in general, and as migrants especially. Thus, campaigns for reform, whether led by the ILO or other IGOs, should be accompanied with broader pushes for labor protections broadly.

We also believe that a successful advocacy campaign or policy necessitates integrating locally produced knowledges about the needs and wants of women domestic migrant workers. International institutions must refrain from promoting paternalistic policies that seek to “regulate” these women, as opposed to being a resource for them to take advantage of as they make the decision of whether or not to migrate. Local initiatives that incorporate education-based, and employment-generating programs could prove the most successful by ameliorating the coercive push-factors for migration at the village level.

Lastly, we believe that understanding the triad of patriarchy-capitalism-colonialism is central to creating the conditions faced by these women, as well as to what transformations are plausible under this system. Gulf societies’ profiting off of migrant women’s bodies is inseparable from racialized and gendered notions of labor and value that



are a direct result of the colonial period, and are hardly exceptional: from Philadelphia to Jakarta, logics of disposability are routinely applied to women migrant domestic workers. Thus, anti-capitalist strategies that resist the commodification of bodies as labor will prove to be particularly relevant. At the state-level, financial precarity in sending countries is typically naturalized because of their status as developing economies (though “recovering economies” may be a more appropriate term that focuses on the harms of colonialism). This must be resisted in favor of deconstructing the material bases for “underdevelopment” in recovering economies, which is itself inseparable from capitalism. All in all, transformational policies like a reparations regime will be needed in order to create conditions where people are able to lead dignified lives without coercion - on their own terms.



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