1   Migration, Gender, Social Justice, and Human Insecurity

Thanh-Dam Truong, Des Gasper, and Jeff Handmaker

1.1   Context of the Book

This book examines the links between gender and migration and their implications for social justice thinking, both at the experiential and normative levels. It offers insights also into the uses of human security thinking as a framework for attention to social justice concerns, including in trans-border contexts, and to their intersectional complexity. The volume presents a diverse but selective set of empirical, theoretical, and methodological issues on gender in migration from migrant-centred and Southern perspectives. Its aim is to stimulate debate and discussion among migration scholars and professionals engaged in migration-related policy and to enable insights and enrich practices on gender and social justice.

The point of departure of the book is a recognition that the practice of governing migration as population flows has been closely connected with the rise of the modern nation-state, with the human sciences, and with the production of "knowledge about the population and individuals" (Foucault 2007). Such practices are to be understood as an interface between government and society, or what Foucault called 'governmentality' (Truong 2009, 2011). Central to this interface is the role of dominant forms of knowledge of society in shaping the regulation of socio-demographic processes, inclusive of gender relations, lifestyles, and their social forms. These forms of knowledge have created historically distinct regimes of discipline over individuals and their subject identities and self-regulation (Foucault 1995).

An understanding of the contemporary mode of governing migration in the depth that it deserves means tracing the different forms of knowledge and rationalities used by various actors (states, migrants, social networks, recruiting agencies). Each of these forms may be expressed differently, but together they buttress the relationships between specific interests and powers that define entitlements, rights, and obligations in migration, as well as the framings of 'gender' as a set of values linked to the identity of 'migrants' as social subjects.

Rethinking migration and social justice in the context of globalizing processes requires, firstly, challenging the dominant forms of knowledge that operate under the guise of neutrality, and revealing the hierarchies of power-to-interpret that undermine principles for a just world. Secondly, since the notion of belonging that underpins concepts of citizenship and rights is now polycentric and fluid in social terms, it must be located in society-centred practices of solidarity that seek to claim rights by emphasizing the interconnectedness and interdependence of rights, rather than defending them only on the basis of conventional hierarchies (i.e. civil and political over socio-economic and cultural) and delinking these legal rights from migrants' experiences and consciousness. Accordingly, social-justice-seeking strategies for migrants should directly challenge hegemonic understandings of human mobility produced by legal categorizations. Such categorizations can also be seen as sociopolitical constructs to be countered by an ascending approach to realizing rights. Gender hegemony (either male-centred or female-centred) must be subject to scrutiny in order to bring attention to the confluences of social relationships (gender, class, race, generation) that shape migrants' experiences and identities in ways that set the boundaries of their access to rights.

Taking off from the ideas of the feminist historian Joan Scott (1986), this book approaches 'gender' simultaneously as (1) a constitutive element of social relations built on the perceived differences between the sexes and (2) a signifier of power in a relationship – often operating in conjunction with other types of power relations. This definition enables us to establish intersections of significant subsets of power relations that are specific in time and place and their social formations. Specifically, we note that in a changing environment of border controls, the institutional structures of the state, and knowledge about migration (internal and cross-border) are also changing.

Rather than seeking wide empirical generalizations about the impact of migration on women's rights, this book essays empathetic and careful listening at many levels, presenting the research findings in ways that help bring to light a range of meanings of social justice. By situating notions of 'citizenship' and 'gender' in their contexts and problematizing their expression as a signifier of relational power, the book also takes on board the diverse ways in which femininities and masculinities are constructed and how they impact on the subject positions of migrants.

Distancing itself from the hegemonic treatment of the North and South as binary opposites of power and privilege, this book adopts a perspective on structural inequality and vulnerability as a phenomenon that cuts across countries, whether defined as belonging to the North or the South. In doing so, the authors open empirical and theoretical space for reflection on, and by, those groups of migrants (male or female) situated in vulnerable positions within the hierarchies of social power. Rather than a fixed state of being, vulnerability can be understood as a process of *becoming* while on the move. As Munck (2008) pointed out, adopting a Southern vantage point on migration in contrast to the Northern bias of the dominant discourses is a necessary step for moving towards a holistic global approach to the interlinked processes of migration and development, in order to develop a paradigm through which processes can be properly contextualized and placed in an adequate historical perspective.

This interpretation of the 'South' triggered our use of the United Nations' framework of Human Security (Commission on Human Security 2003) as one important point of reference for studying social justice in migration. Security, according to this framework, means the absence of, or freedom from, any threat to the core values of human dignity (including in particular physical survival, well-being, and identity with respect). The framework is based on the norms of human rights and human development and pays specific attention to population groups defined as 'people on the move', situated between different jurisdictions and rendered vulnerable by socially embedded forms of power operating at both the inter-group level and the level of states, including inter-state relations and citizen-state relations. With the exception of the work convened by the *United Nations Educational, Scientific and Cultural Organization* (UNESCO) (see Burgess 2007; Goucha/Crowley 2008), most work on human security has not done justice to the relationship between subjective identity and security as lived.

Though on various occasions the *United Nations* (UN) has emphasized the distinction between the meanings of 'state security' and 'human security', in practice the politics of securitization in different parts of the world demonstrates that the focus of practices called 'security' has mostly shifted from the security of those human beings on the move to 'border security' (Truong 2011). A variety of binary constructs – 'legal and illegal', 'regular and irregular', 'victim and agent' – have been utilized, and these have fuelled xenophobic sentiments and legitimized ever more stringent practices of control and discipline over migrants, including extraterritorial forms of control. From the perspective of the South, the notion of statehood has generally been subject to the impact of colonization and an artificial definition of the 'nation'. For this reason, in many cases the discursive apparatus that regulates migration cannot simply be read off from international models of codification.[1] Identifying the discrepancy between the normative and the experiential helps to demonstrate the relationships between the categories of 'security', 'gender', and 'migration'. These are historically constituted by unequal political, economic, and social structures. New ways of realizing rights (through qualitative transformations in the relationships between people as well as with, and between, states and bureaucracies) are sorely needed.

This introductory chapter provides an overview of how different understandings of gender have influenced migration research and considers the values for policy of their various insights, especially when viewed from the perspective of migrants' experiences of human security. Section 1.2 provides the theoretical context in which gender research on migration has emerged and the diverse ways in which the meanings of 'gender' have been applied, as well as the shortcomings and explanatory potentials of these meanings. Gendered forms of engagement with power should be analysed in contextual terms, contingent on the discourses and practices of migration and security in specific places. Finally, section 1.3 presents a detailed overview of the chapters of the book and the studies it draws together.

---

1   Regular versus irregular; legal versus illegal; economic migrants versus asylum seekers; knowledge workers as subjects in trade in services versus migrant workers as subjects of immigration control; human trafficking versus human smuggling.

1.2 Concepts and Objectives

Long dominated by a state-centric approach, models of analysis of migration have tended to favour the interests of states over people. In recent decades, new forms of analysis have emerged and new theoretical and empirical spaces have been opened up to address the multilayered phenomenon of migration. Alongside analyses that treat people's mobility as faceless and placeless flows, a wide range of perspectives now exist and these try to identify specific institutional domains where the specific causal relationships underlying certain types of flow and their human consequences may be located and explained.

Broadly, different conceptualizations of migration may be differentiated as follows: 1) migration as an integral aspect of macro-changes (socio-demographic, economic, cultural, and political) in the *longue durée* (Braudel 1972; Castles/Miller 2003; Hatton/Williamson 2006; McKeown 2004; Hoerder 2002); 2) migration as a time- and space-bound phenomenon patterned by interactions between migration-related institutions and collective actors (household, labour markets, recruitment and employment agencies, migrants' organizations) (Brettell/Hollifield 2000; Faist 2000; Faist/Özveren 2004); 3) migration policy and practices as bounded by the ethos of nation-states, public opinion, and the politics of migrants' rights and identities (Thränhardt/Bommes 2008).

Migration research can thus be seen as being subject to two different ontological standpoints, static and interactive. The first limits the formation of migration systems to economic fundamentals (resources, population, exchange), while the second takes a more open approach to exploring the interactive dynamics capable of releasing non-actualized possibilities and unexercised powers within existing structures, and the conditions under which these produce legally and socially unanticipated migration systems, such as those formed by the confluence of human trafficking and smuggling practices (Kyle/Koslowski 2011; Truong 2008).

Feminist research on migration has been engaging with the power of cognition embedded in models of thinking on 'gender', human mobility, and migration. The key challenge has been to show how these models actually inform research and shape results, including how different understandings of gender influence the choice of sites of inquiry and methods (Mahler/Pessar 2006; Silvey 2004a, 2004b). One striking issue is the emergence of the term 'feminization of migration' and its common usage in the last two decades.

Though popular in usage, so far the term refers mainly to the increasing statistical share of women in various migration streams (internal, cross-border, South-North, and South-South). In other words, the term conveys a representation of the empirical reality of migration based on a normative distinction between male and female migrants. Yet the evidence shows that the term can be extended to cover also the discursive codification of gender in (a) migration regimes that bear and/or promote distinct gendered values, norms, and characteristics, and (b) gendered forms of subjectivity and agency that emerge from the enactment of these regimes. Therefore, questioning why gender relations are constructed in the migration process as they are, and deciphering the logic of their operation and transformation, may help open a new space for conversations on the relationships between gender and migration and the implications for debates on the rights and human security of migrants.

1.2.1 From International Migration to Transnational Mobility

Migration scholarship has been traditionally influenced by a twofold methodological bias inherited from positivist sociology and its epistemological orientations. Until recently, this bias treated the nation-state and the individual as relatively fixed units of analysis and shaped a large core of theoretical explanations about contemporary patterns of internal and cross-border movements (Wimmers/Glick-Schiller 2002). The central focus of migration studies has been the monitoring of stocks and flows of migrants, later extended to their patterns of remittances and their capability of assimilation and social integration in host societies. Refugees have been handled as a separate category, through different procedures of status determination and classification, thus producing the field of refugee studies as a distinct entity. Migration research, by and large driven by policy concerns, is often structured more by ideas concerning what should be rather than what is actually happening and emerging. Assumptions that are disconnected from the social worlds of migration can obscure significant aspects of ongoing social transformations.

The intensification of various migratory flows since the 1990s following the fall of the Berlin Wall and processes of economic liberalization worldwide has posed huge challenges for policymakers and researchers. In particular, the transformation of the state from society-led to market-led, coupled with the rise of social network theories and theories of the in-

formation-driven post-industrial society, has exposed the limits of the assumption that the individual and the nation-state are relatively static entities.

The 'transnational' approach to migration offers an alternative perspective that sees the rise of non-state actors in the globalizing processes as a force capable of curtailing the power of states to assume an increasing role in shaping cross-border migration; by implication these non-state actors also become capable of changing certain features of the societies of origin and destination (Smit/Guarnizo 1999). Social network theories, as applied to the study of non-state actors, direct analytical attention to interactions between micro-, meso-, and macro-levels, and view individual migrants' decision-making as inseparable from influences at many levels (household, informal social groups, formal organizations and the community, and sometimes also nation-states).

Nowadays, the human dimensions omitted by the classical approach in migration studies are brought to the fore and integrated with the analysis of transnational migration as an aspect of identity formation within a plurality of intertwined life-worlds of migrants connecting the area/country of origin and of destination (Basch/Schiller/Szanton-Blanc 1994). Flows of values and ideas play a central role in shaping migration patterns; wage differentials are not the only determinant. Portes and Sensenbrenner (1993) demonstrated the 'social embeddedness' of migration chains, and directed researchers to explore how migration is mediated through local structures of power and networks at both the sending and receiving ends. The 'circular and cumulative' characteristics of these chains have been noted, especially their certain degree of dependency on the paths laid down by earlier migrants (Massey/Arango/Hugo/Kouaouci/Pellegrino/Taylor 2005). Furthermore, interactions between policy norms and the agency of migrants can change public opinion and so influence and alter the practices of states in migration management (Maas/Truong 2011; Irudaya Rajan/Varghese 2010).

Turning to the literature that addresses specifically the links between migration and development, De Haas (2010) has shown that many of the discursive shifts in the migration and development debate may actually be seen as part of more general paradigm shifts in social and development theory. Furthermore, in view of the heterogeneous empirical evidence regarding the impacts that migration has on development, caution should be exercised against ideologically-driven positions. There is now a certain degree of consensus about the social and political world of

migration being constituted by power relations that connect sending and receiving countries and areas. The detailed explanations of these relationships still vary according to the relative emphasis placed on different types of power, but generally migration (internal or cross-border) is becoming accepted as part and parcel of social transformations occurring on different scales. Migration research has now moved beyond the view of flows between fundamental building blocks (household, labour market, and nation-states) to cover also processes involving networks of relationships that are constantly changing, affecting individual migrants and affected by their actions. This has provided new empirical and theoretical spaces for gender analysis in migration research.

1.2.2 Gender Equality and Women's Rights in Migration: Siting the Power of Denial

The framing of women's rights in migration from the perspective of the South stemmed from the seminal work of Ester Boserup (1970) on women in processes of demographic transition and economic development. Women appeared in her work both as actors in migration and as bearers of the consequences of male migration. Her work played a prominent role in the UN-led campaigns in the 1970s for women's rights in the development process and contributed to the framing of the policy debate on women's rights in terms of access to resources in countries categorized as 'underdeveloped' (Tinker 2006).

Migration research since then has included women as a category, and has generated a rich body of knowledge that refutes the view of the male migrant as always head of the family and instead regards women, analytically, as persons in their own right, whether migrating or staying behind.[2] More than three decades of research on women as subjects of migration has generated a full critique of migration theories. Feminist research often begins with a perspective on social lives and uses plural methodologies, including historical, narrative, and case study approaches. Even those preoccupied with statistical

---

2   This has consequences for extant male-centred standards of measurement of the costs and benefits of migration (employment defined as paid economic activity; gains and risks defined in monetary terms; remittances and their impacts defined in monetary and investment terms; use of remittances for education, health, and food categorised as unproductive use; and so forth).

analysis use these perspectives to challenge dominant representations.

Following Boserup, research that initially included women in dominant models of analysis of migration took off from the critique of state-generated demographic and socio-economic indicators that provided a 'view from above' which depicts men as being the central subjects. Chapter 7 by Mazumdar and Agnihotri provides an intensive example of such a critique. When women were included, their marital status was the main template used to infer their motivations.[3] Scant attention was given to the unequal structures of power that govern their activities in migration as an entire process that connects sending and receiving ends, hence the silence on them as individual subjects of rights.

Phizacklea's edited volume (1983) focused on European countries and examined the place of migrant women in the labour market, the gender division of labour in factories, discrimination against second-generation migrant women in the workplace, and 'home working' as a pervasive form of employment at piece rates for migrant women. Studies on political and cultural identity have explored how second- and third-generation women migrants still faced the boundaries of 'belonging' set by the societies of their residence, and exposed the links between gender, race, and class in the social construction of the 'nation' as 'community' (Anthias/Yuval Davis 1992). By exposing the modern notion of the 'nation' as a false construct, this work laid the ground for exploring the distinctive social hierarchies (gender, race, class) built into it. Intersections of these hierarchies in white societies delimit the space for women of colour (who can be seen as migrants of different generations) to articulate their experiences of discrimination and non-belonging (Carby 1999; Creenshaw 1991; Collins 1986; 1990). These studies were among the first to resist the liberal notions of women's rights and 'emancipation', and turn instead to issues of cultural representation as an

obstruction in a terrain of struggle for economic, political, and social rights.

Turning to the literature that has addressed the links between migration, gender, and development, Sassen-Koob (1984a) noted that export-oriented production and women's international migration since the 1970s have evolved into mechanisms that incorporate women from the South into wage labour in and for the North. Women migrants have filled emerging labour demands in the urban service sector in metropolitan centres that have acquired a global role (Sassen-Koob 1984b). Research that integrated the household as an analytical sphere to account for decision-making and resource distribution has looked at links between rural-urban migration and poverty. Such studies demonstrated gender-differentiated motivations for, and the impacts of, migration, and how class and gender relations at the household and community levels have structured migratory processes (Phongpaichit 1982; Chant 1998; Wright 1995). Phongpaichit's work on the migration of young women from rural Thailand to Bangkok to take up employment as masseuses demonstrated the gendered aspects of urban-rural linkages. Though she examined migration as an outcome of individual decisions, she also demonstrated its link with women's responsibilities as daughters. Their remittances not only sustained their rural households but also sustained cultural practices at the community level such as maintaining temples and village ceremonies. From this perspective, women's migration may be seen as integral to the intergenerational process of social and cultural reproduction, and as reflecting the relational nature of female agency.

Explaining the differentiated motivation of migration between men and women requires understanding the gendering of the household as a site of power where many activities and interests can be viewed as cooperative conflict (Sen 1990) and where gender as cultural hegemony strongly influences behaviours and defends the legitimacy of gender norms (Kabeer 2000; Silvey 2004a, 2004b). These insights emphasize the contextual nature of 'gender' as power relations within the household defining the actors' cultural dispositions and their derived bargaining power. The labour market, social networks, and national policy and legislation also play an important role in making the motivation to migrate legitimate (Silvey 2007).

Gender equality strategies in migration that use a universal category of 'women' as subjects of rights without a complementary perspective on the social embeddedness of gender relations have encountered many difficulties related to the power of the state and

---

3   For example, Thadani and Todaro (1984) introduced a typology of women migrants that had been missing from earlier analyses, consisting of: (a) married women migrating in search of employment; (b) unmarried women migrating in search of employment; (c) unmarried women migrating for marriage reasons; and (d) married women engaged in associational migration with no thought of employment. The conceptualization of women's migration remained heavily influenced by views on the male-dominated heterosexual family as an institution.

its ethos on gender, which can operate as a double-edged sword. On the one hand, this ethos can be used to define women's right to migrate for work and also impose restrictions on their mobility by drawing on the state's responsibility to 'protect' women, to the extent of 'infantilizing' them (Kapur 2010). On the other hand, it can promote women's migration to join the global labour force, often in unregulated sectors such as domestic work and entertainment where they are excluded from civil, social, and political provisions for protection as workers.

1.2.3   Gender as a Social Structure and Structuring Process

The corpus of knowledge in feminist research that treats 'gender' as a property of the state, the economy, and social institutions has brought to the fore the significance of social reproduction, ignored by mainstream theories. Building on perspectives from feminist perspectives on political economy, Truong (1996; 2003; 2006) posits that the emergence of women's migration across borders as domestic helpers and sexual service providers constitutes a transfer of reproductive and sexual labour from one social group and nation to another. Parreñas (2001) has extended this idea and formulates the concept of the 'international division of reproductive labour' to cover the transfer of care duties between three groups of women: female employers in the receiving countries, migrant workers, and women in the countries of origin who care for those who stay behind. This form of analysis has exposed the chains of negative externalities by which an enhancement of care provision through labour import in some countries can lead to the denial of the entitlement to care of others who have stayed behind.

Contemporary migration chains in this 'intimate' side of the economy operate within a two-tiered system. Tier (1) consists of the care sector in which the chains have been formed by a combination of macro- and institutional factors. These include the care deficit in major industrialized countries caused by ageing populations, structural reforms affecting the quality and coverage of care, and the growth of women's participation in the labour force without a corresponding rise in the range and intensity of men's 'domestic' participation. Tier (2) consists of the commercial sex sector, which has evolved with a different set of dynamics. These came about through the growth of tourism driven by the desire for foreign exchange earnings, combined with the political will to allow commercial

sexual services to become the auxiliary of tourism (Truong 1990; Moon 1997).

By treating movements in the care and sex sectors as integral to broader transformations in sending and receiving societies, a new area has opened up for theoretical reflection on the gender hegemony (in favour of men) in legal and policy frameworks that obliterate the reproductive side of societies and economies through the exclusion of domestic work and commercial sexual services as categories in the classification of occupations (Ehrenreich/Hochschild 2002; Yeates 2010). This obliteration has produced ambiguous policy and social environments that have enabled the formation of distinct networks and pathways of movements of women across borders in search of employment in the care or sex sectors (Tyner 2004, Oishi 2005).

Migration chains in the care and commercial sexual services sectors show how a gender division of labour is an institution vested with power, and how we must treat gender as a resilient social structure. This power comes from the recursive and reiterative practices of individuals and groups who adhere to the notion of an asymmetrical gender order as 'natural', and from the neglect of the reproductive side of the economy. The following chapters in this book will illustrate this in detail – for example in the studies by Kusakabe and Pearson (chapter 4); Duong, Truong, and Khuat (chapter 5); Haile and Siegmann (chapter 6); Serrano Oswald (chapter 9); Truong, Marin, and Quesada-Bondad (chapter 12). This neglect of social reproduction produces a hegemonic understanding of the law, of public morality about care as a moral duty, and of sex as intimacy, which refuses to recognize that the liberalization of economies and broadening market relations can free up a social and moral space for care and sexual services to become incorporated into (semi-industrial) labour relations.

Growing links between different national systems of social reproduction, now spanning most countries and regions, are being formed, and point to the formation of a new class of women based on their gender identity (female), their work (domestic helper, commercial sexual provider, foreign bride), and their unrecognized status in migration law (Truong 1996; Chin 1998; Kojima 2001; Cheah 2009; Agustin 2003). The socio-legal space through which these migratory movements take place is ambiguous and therefore abuse is frequent and often without redress. The politics behind discursive constructions of gender, and of skills, work, and legislation regarding rights and entitlements, have become important areas of theorizing

and empirical research regarding women's agency in migration.

By integrating macro-, meso-, and micro-perspectives, gender research on migration has produced new perspectives on (1) how migration systems evolve from gendered interactions between regulation and the actions of all those involved: migrants, employers, social networks, civic organizations, and law enforcement agents; (2) how the intersecting inequalities which shape the security-seeking actions of particular groups of migrants pose new challenges to justice-seeking actions. We will see this in detail in the chapters that follow. Gender is now approached as a matrix of power relationships operating at multiple levels: 1) as a resilient structure expressed through the various social and cultural meanings of being male and female that are embedded in the ethos of the state; 2) as a set of relationships that have organized the social and cultural reproduction of society; and 3) as the formation of identities and the definition of subject positions in a given social order.

A key point of contention is whether the contemporary, economics-dominated framing of migration, and the diffusion of related practices of management, contain emancipatory potentials for marginalized migrants, or whether these have become another apparatus of power that has created new categories of gendered mobile subjects whose identities remain distant from the human rights framework based on citizenship as the main criterion of belonging. This has led to the exploration of the social construction of femininities and masculinities in migration. A small body of literature has now emerged on how transnational migration also impacts on masculine identities, norms, and conventions, and how men negotiate and reconstruct their identities as they encounter different gender regimes, rationalize their experience of racial discrimination, and find new lines of inter-group differentiation (Datta/McIlwaine/Herbert/Evans/May/Wills 2008). Several chapters in this volume engage with those themes, including the studies by Haile and Siegmann (chapter 6), Sinatti (chapter 11), and Huijsmans (chapter 20).

The use of 'gender' as a heuristic device in several disciplinary interfaces (political economy, law, sociology, and anthropology) in migration studies suggests that satisfactory treatments of the relationship between gender and human rights require insights and angles of multiple kinds. Aspirations for a gender-equal world cannot avoid employing epistemic vigilance to discern where and which thinking about 'gender' is valid and how unjustifiable biases may be cor-

rected. Beyond individual social attributes, the struggles for gender equality have different expressions, contingent on geography, history, and culture.

1.2.4 From Citizenship and Legal Liminality to Acknowledging Multiple Scales of Social Justice

A legacy of the Enlightenment in European history and philosophy, the concept of citizenship embodies the epistemological orientation discussed earlier: a focus on individuals within national boundaries and on defining the terms and conditions and benefits of membership in such a political community. Although membership of such a community on the basis of the idealized and seldom realized liberal notions of equal individual rights rarely guarantees social justice as lived, this formal membership remains an indispensable basis in the struggle for achieving rights for both internal and international migrants – men, women, and children.

Until very recently, the relationship between citizenship and migration has been debated mainly from the perspectives of receiving countries, using a variety of approaches to address the rights of 'strangers' in a framework of concentric circles of belonging. In the inner core, rights obtained either via *jus soli* (through territory) or *jus sanguinis* (through blood) define the ground for nationality. In the additional layers, the other legal principles that define criteria of belonging – for immigrants, foreign residents, or temporary visitors – vary according to particular histories, demographic concerns, and the particular concerns of migration policy at a given point in time, creating a hierarchy of statuses, as pointed out earlier in this introduction.

Debates on migration and citizenship in the *United States of America* (USA) and the *European Union* (EU) boomed during the 1990s. Many contributions were from the perspective of cosmopolitanism, understood as a cognitive process essential in the recognition of 'strangers' and for overcoming the binary distinction between 'self' and 'others'. Bloemraad, Korteweg, and Yurdakul (2008) discern three main areas in the debates. These include: 1) the legal foundations of citizenship and how particular conceptions of national belonging or institutional configurations can be linked to conceptions of citizenship as legal status or right; 2) how group rights and multiculturalism may or may not be realized, from the point of view of the normative political theory of citizenship, taking into account how the assimilation and integra-

tion of immigrants and their descendants into receiving societies may also transform these societies culturally and socially; 3) equality of participation in a host country's economy, society, and political system.

From a socio-legal perspective, work on liminal legality in respect of migrants with an uncertain legal status (Menjivar 2006; Coutin 2002) is more ethnographically informed and provides a more grounded, albeit sombre picture. Centred on segmented integration, this body of work focuses on migrants whose social lives are situated in a zone of legal ambiguity and their ways of struggling for residency under tighter immigration policies based on an anti-immigration stance. Coutin (2011) especially highlights the trends in the USA towards a conflation of immigration and criminalization as a result of a process of securitization of the homeland following the attack of 11 September 2001. This perspective is applied and explored in Part V of the book.

Both bodies of literature show the need to approach the migrant populations as heterogeneous and amongst whom citizenship as entitlement to legal protection does not necessarily carry the same meanings and implications. Furthermore, this debate lacks a transnational perspective on citizenship that connects all moments of the migration process and the institutional accountabilities of the parties involved (sending, transit, and receiving states; third parties; and the migrants themselves). Chapter 2 by Irianto and Truong will offer such a perspective. Just as migration policy tries to control inflows, migrants themselves increasingly rely on third parties to adjust their trajectories from the ideal to the viable, and in so doing they enable the migration business to take root and expand, giving rise to multidirectional flows rather than the traditional bidirectional flows. Migrants' needs and aspirations are often adjusted to family circumstances as well as to legal and economic possibilities. The categories for the classification of migrants by 'place of origin' and 'place of destination' and as 'permanent', 'temporary', or 'return' migrants can nowadays be seen as policy constructs that have been outdated by the changing character of migration.

In a transnational context, liminal legality is also a reality for migrants whose struggle may not be about settlement but rather about legalizing their presence as a temporary or transient migrant in a long-term migration project. It is important to bring forward a perspective (such as that presented in the Irianto and Truong chapter) that connects forms of arbitrary treatment at different points in the migration process to provide a fuller picture of dysfunctions in particular

migration systems operating within a national jurisdiction or across two or more jurisdictions. These forms may be locally rooted in the absence of protection measures or arise from the dysfunctional character of existing measures.

A perspective on transnational justice that adds insights into how global connections can demand additional responsibilities for social justice may help to keep states and relevant actors in check rather than allowing them to use discretionary powers to deflect their responsibilities.[4] Such a perspective may help to develop notions of responsibility for social justice in an inductive way and contribute to an approach to realizing rights for migrants closer to their lived realities. The exercise of citizenship and entitlements in the transnational migration process is socially embedded at each phase; departure, work placement, and return. For the universal language of citizenship to become meaningful to migrants for whom existing systems of protection fail, preconceived ideas about their social positions must be challenged.

Nancy Fraser's (2009a) proposal for a reflexive and dialogical approach to social justice offers some interesting ideas for the field of migration. In her view, globalization has dramatically changed the terrain of social justice, clearly revealing the limitations of a statist model. Both the 'who' of justice as well as 'how' the 'who' should be determined are objects of struggle (Fraser 2009b: 283). Two existing stances on justice obligations are predicated on the notion of belonging, defined either by a political relationship (to the nation and/or state) or by an abstract notion of moral personhood (the humanity principle). These are not sufficient to address the requirements of what she calls transnational justice derived from cross-border social relations of interdependence. As acknowledged in chapter 15 by Mora and Handmaker, the Westphalian stance carries the danger of discriminatory nationalisms, which can become aggressive, and of obscuring economic inequalities, hierarchies of status, and asymmetry of political power within a territory. The humanity stance offers a one-size-fits-all frame that does not fully take into account actual or historical social relations, and can foreclose the possibility that different issues require different frames or

---

4   For example, Young (2006) provides a model of political responsibility based on global connections, such as in the claims of the anti-sweatshop movement, or indeed, any claims of responsibility that members of a society might be said to have towards harm and injustices to distant strangers.

scales of justice (Fraser 2009b: 290). A third approach to obligation to justice is what she calls *the all-affected principle*, which views the 'who' of justice as neither always national nor always global, and presents transnational injustice as contextually expressed.

> What makes a group of people fellow subjects of justice is their objective co-imbrication in a web of causal relationships. Whoever is causally affected by a given action nexus has standing as a subject of justice in relation to it. Thus, the 'who' of justice is a function of the scale of social interaction. As the latter varies from case to case, so does the former....Unable to identify morally relevant social relations, it [the all-affected principle] treats every causal connection as equally significant (Fraser 2009b: 291–292).

Fraser's solution is to address misframing as a *problématique*, by introducing *the all-subjected principle*, according to which "all those who are jointly subject to a given governance structure, which sets the ground rules that govern their interaction, have moral standing as subjects of justice in relation to it". To her, the structure of governance as a broad expression can encompass relations to powers of various types (states, inter-state, and non-state agencies that generate enforceable rules that structure important swathes of social interaction). The *all-subjected principle* affords a critical standard for assessing the (in)justice of frames; an issue is justly framed if, and only if, everyone subjected to the governance structures that regulate a given swathe of social interaction is accorded equal consideration (Fraser 2009: 293).

Applied to migration, the *all-subjected principle* is relevant in that it makes possible a critique of misframing migration caused by the epistemological biases that reproduce hierarchies of status and asymmetry of political power (e.g. knowledge migrants, labour migrants, asylum seekers, trafficked persons). Misframing can lead, and has led, to distinctive forms of economic and cultural injustice (as in the treatment of migrant domestic workers) and/or denial of equal standing within democratic deliberation (as in the case of asylum seekers and trafficked persons). In this respect the Global Forum on International Migration and Development and the associated events (Roldan/Gasper 2011) and the World Social Forum which has taken up the theme of migration offer nascent political spaces for migrant organizations and socially engaged scholars to interact with each other to address meta-political injustice and its practical implications.

Bridging the discrepancy between the normative and the lived realities can help to reveal how the misframing of categories of 'security', 'gender', and 'migration' obscures the role of unequal political, economic, and social structures in determining migratory processes historically. It will help also in imagining new ways of realizing rights through qualitative transformations in significant social relationships underpinning these processes. This implies a new ethical responsibility among researchers and policymakers for sustained engagement in reciprocal and self-reflexive learning that values flexibility, diversity, and knowledge sharing in order to provide sharper analyses of the political practices and norms applied to social justice in migration. Co-responsibility and mutual respect are indispensable for innovations in thinking to resolve the tension between a notion of citizenship that is bounded by the nation-state as a determinant of legal and social belonging and the ongoing forces that are redefining territorial, cultural, political, social, and economic boundaries and, consequently, undermining traditional norms of belonging.

1.2.5 From Human Security as Protection of People on the Move to Critical Studies of Borders and Belonging

Human security analysis is a framework brought into prominence by the *United Nations Development Programme* (UNDP)'s Human Development Report of 1994 (Gasper 2005, 2010). It involves a pervasive concern for human vulnerability derived from all sources, including organized political violence, generalized deprivation caused by structural inequality, natural disasters, disease, and environmental degradation (Brauch/Scheffran 2012). This concern matches and extends the two pillars of the UN Charter, the foundations of human rights instruments, "freedom from want" and "freedom from fear". Many disagreements are related to the stance on humanity at the meta-political level which can be used as the one-size-fits-all frame discussed in the previous section. Moreover, as Fukuda-Parr and Messineo (2012) point out, its open-endedness has made the concept vulnerable to political dynamics and to use for purposes unrelated to the original concern. These may include exaggerating new post-Cold-War security threats; locating these threats in the developing world; and facilitating short-term policy-making in the absence of clear strategic foreign policy visions (Chandler 2008: 248).

In so far as migration is concerned, going by the reports made accessible by the human security gateway,[5] policy intervention over "protection of people on the move" appears to be primarily directed at

---

5   See at: <http://www.humansecuritygateway.com/>.

forms of movement caused by organized political violence (freedom from fear) and environmental stress. Much less attention is given by governments to those movements that are related to economic instability (freedom from want), though the unfolding economic crisis that is sweeping across the globe may well turn the tide towards even more stringent border control. Even for the *responsibility to protect* (RToP) individuals from large-scale and systematic violations of their human rights by states, in practice only nationals of those states are protected, whereas non-nationals who may be foreign workers tend to be left to fend for themselves or to be cared for by their own governments (see chapter 13 by DeVargas/Donzelli).

Furthermore, the term human security can be, and has been by some, retracted to the comfort zone of collective security, as in the case of the European Union, which has defined terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure, and organized crime as the key threats to human security in Europe (Kaldor 2007). The impact of such a vision on migration is the securitization of borders that creates what Van Houtum (2010) calls "the global apartheid of the EU's external border regime".

Debating social justice in migration requires awareness of the history shaping present circumstances and a perspective on human security that makes sense of migrants' own conceptions of 'security' and the relational aspects of their agency, as has been shown by Mushakoji (2011), Burgess (2007), and some of the national Human Development Reports (Jolly/Basu 2007). Integrating these aspects into critical analyses of the norms and politics of policy is an important task ahead. Being contingent on the operation of various power relations, the relationship between identity and security is subject to dynamics that can produce hybridized experiences of insecurity, as shown by the case of Libya (see DeVargas/Donzelli chapter 13, as well as chapter 4 by Kusakabe/Pearson and chapter 10 by Rojas).

For policymakers, this poses a major problem of assigning weight to and setting priorities for which content of identity is to be secured (with reference to gender, age, ethnicity, religious identity). For example, programmes for safe migration of young women tend to prioritize the prevention of human trafficking for sex work to protect a specific group of the population considered to be at risk, but are silent on the key aspects of gender relations in the everyday life of people who depend on migration as an opportunity for earning income. It is important to engage with the various representations of 'people on the move' which depict

them as social problems and displace their position as subjects of rights. Showing how such representations can serve to deflect political responsibility at various levels necessitates interrogating the categories used in defining the subjects of human security by using migrants' experiences of insecurity as an indicator of the reality as lived, against which conventional hypotheses can be tested and new questions can be asked.

The coding of identities of 'people on the move' into standardized bureaucratic categories delimits the fields of their action and also those of border controllers as well as those of civic advocates for human rights. Spaces of legal ambiguity that have emerged from these forms of administrative coding of migrants have significant consequences for migrant workers, people fleeing from conflict situations, and people subject to human trafficking networks, in terms of their ability to make choices in the present and of their life chances in the future. Ensuring greater transparency in negotiating and honouring formal international commitments requires interrogating the categories used in defining the subjects of human security and understanding the power relations implicated in the applications of such categories through the perspectives of the migrants themselves. That is what this book attempts to do.

1.3   Overview of the Chapters

The chapters are grouped into five parts after this introduction and overview. They cover five continents, and address both intra-national and especially international migration, as well as both 'South-to-North' and 'South-to-South' migration. They illustrate the often shared issues across these categories and how such categorizations have become in many respects too crude.

1.3.1   Social Reproduction, Gender, and Migration: Local-Global Interactions

Part II opens with a chapter by *Irianto and Truong* (chapter 2), which sets the stage for critical reflections on social reproduction, gender and migration. It surveys the migration chains: from villages and townships all over the Indonesian archipelago, through various intermediate phases, locations, and agencies, in both Indonesia and the *United Arab Emirates* (UAE) – the weakly regulated private recruitment agencies, brokers and subcontractors at various levels in Indonesia, and the employment agencies and Government offices in

the Emirates – through to homes in the UAE where Indonesian women domestic workers sustain the households and seek to save in order to support their own households seven to eight thousand kilometres away. Table 2.2 gives a valuable summary overview of the chain and the key aspects of structural dependency. Drawing on field research in Java and Abu Dhabi, as well as documentary research, Irianto and Truong report on every level of the chain, and the problems, misinformation, deceptions, and injustices that are common at each level. Some of the cases reported convey the appalling vulnerability of workers with no status in labour law and no powerful defenders. While including detailed treatment of common problems of employment in the UAE – paralleling the discussions in chapter 16 by Vlieger on Saudi Arabia and the UAE and by Truong, Marin, and Quesada (chapter 12) on Qatar – Irianto and Truong note that perhaps eighty per cent of the problems arise from shortcomings within Indonesia, and call for deficiencies there (in legislation, regulations and their enforcement, and in education, training, and supervision) to be addressed. Reflecting on this leads one back to their discussion of the ways in which domestic work and women workers are conventionally viewed, or ignored – framed or left out of the frame. Indonesian labour legislation itself, like the legislation in the UAE, does not recognize the category of domestic work.

Domestic worker migrants are very largely women, including in the case of Indonesia where they form by far the largest part of an emigrant labour force which, by 2010, was sending remittances equal to eleven per cent of the country's gross domestic product. Rich countries increasingly depend for their social and family reproduction on migrant women's labour for a range of demanding or 'menial' tasks that their own populations are less willing to undertake: cleaning, cooking, childcare, and care of the sick and of the old. The large movement of women in rich and middle-income countries into paid employment, while the numbers of old people steeply rise, is based to a large extent on the ability to hire poorer women (and men) to undertake these tasks, whether women from their own country or – increasingly – women from poor countries who are drawn to richer locations by the low level of opportunities in their home places, the high expectations placed on them for support for family members, the hopes raised by successful examples, and the promises circulated by migration industry brokers. The social reproduction of rich countries (and rich people in middle- and low-income countries), in all the cycles of daily living and generational

rise and fall, physical and emotional maintenance, is highly dependent on 'domestic workers' who are largely not recognized and protected as 'workers', and whose own physical and emotional maintenance is stressed and often violated. Illustrations of this recur in the later chapters by Tandian and Bergh (chapter 3), Truong, Marin, and Quesada (chapter 12), Vlieger (chapter 16), and Sandoval (chapter 19).

Highlighted by Irianto and Truong, the status of 'domestic work' as employment was finally acknowledged internationally in 2011, with the signing of the *ILO Convention Concerning Decent Work for Domestic Workers*. This 'breaks the silence' about domestic work, previously hidden behind use of euphemisms like 'guest' to excuse the absence of rights enforceable in law. The chapter engages with 'breaking the chain of social injustice' by re-crafting the links along the labour-supply chain (elaborating laws, spreading information to ensure laws are respected, and so on), rather than breaking the labour-supply chain itself.

Chapter 3 by *Tandian and Bergh* also extensively discusses domestic work, for that proved to be the main destination for the women workers brought to Spain for seasonal agricultural labour by a scheme initiated by the Spanish government and administered in cooperation with the Senegalese government. The scheme, intended to promote regulated seasonal temporary migration, facilitated the opposite: long-term 'irregular' in-migration, into personal care services and domestic work. Faced with a wide discrepancy between promised and actual living and working conditions, which in many other situations migrants have no alternative but to accept, in this case the migrants did have alternatives: many of them were well-educated, not merely the bearers of 'pairs of harvesting hands', and had networks in Spain or nearby (often, a husband or other close relative) and possibly in Senegal too (including potential access to persuadable or bribable public officials connected to the allocation of places in temporary migration schemes). Based on a set of 525 interviews with women migrants in Spain, the chapter also draws key insights from thirty-three supplementary in-depth qualitative interviews which allow it to explore more profoundly the women's lives, with attention not just to economic variables but to their whole economic and social situation in terms of their full range of rights as seen through their own eyes. While domestic work is a relatively easy entry sector, many interviews recount the advantage that some employers take of their 'irregular' employees, and how migrants may thus after a while move on

again to less oppressive and humiliating work, if and when they see a possibility. Related to this they may seek to regularize their status. Undocumented migrants can fortunately already register with a municipality for access to health care and to schooling for children. But their options have become less and less favourable under the economic crisis in Spain. Overall, this sort of outcome of immigration appears unsatisfactory to both the Spanish state and to very many migrants. Tandian and Bergh comment on ways in which mutually more attractive arrangements might be established: Spain needs migrants' work contributions, while most Senegalese migrants may well aspire to dividing their time between Senegal and Spain, eventually returning permanently to Senegal; but the migrants will require more secure and respectful, rights-based, options for their employment in Spain than the sort of scheme that was examined in this chapter.

Chapter 2 by Irianto and Truong described the complex machinery of the multi-location migration system, and yet how much of it centres on the most intimate types of work, in homes; and those themes were echoed in chapter 3 by Tandian and Bergh. In contrast, Chapter 4 by *Kusakabe and Pearson* focuses on different types of work, in factories, and on intimate relations outside the workplace, in the homes of the women factory workers where they act as young mothers, and in their connections with their families in places of origin, in which they are daughters and providers. Kusakabe and Pearson's research concerns one of the larger cross-border migratory movements in the world: the possibly two million Burmese migrants in Thailand. They look at the export-oriented garment and textile factories concentrated in a number of cities just within Thailand along the border with Burma (Myanmar), which rely on the cheap labour of mostly young Burmese women; in particular the export factories located in Mae Sot. How have the (typically 'illegal' or 'registered irregular' or sometimes now registered as temporary) women factory workers combined their multiple responsibilities as workers, wives, mothers, household managers, daughters and economic supporters of their families who remain in (or exit from) crisis-ridden Burma? They are paid far below the official minimum wage, work extraordinarily long hours, and receive little or no support for the upbringing and education of their children from the Thai state, the Burmese state, or their employers. Instead they must rely on their own additional efforts and their networks of family and fellow migrants. Access to Thai schools, for example, requires a household registration, which is essentially inaccessible for these immigrants. Kusakabe and Pearson describe the struggles by and ingenuity of the women and their families, nuclear and wider, to maintain themselves on a daily basis and support the newborn, the young, the old, and the sick or disabled. Childcare is often sustained through frequent shifts of children or caretakers to and fro across the border. The chapter vividly conveys the contradiction between the Thai economy's hunger for cheap dependent Burmese labour and Thai society's predominant comprehensive hostility to the labourers and their families. Results from its ramifying investigation are reported in fuller detail in a book (Pearson/Kusakabe 2012).

Duong, Truong, and Khuat's chapter 5 continues the analysis of social reproduction, again with reference to both daily and generational processes. The emerging crisis of the East Asian family model has led to significant flows of both domestic workers and brides from South-East Asia to Japan, South Korea, Taiwan, and now also China, to compensate for a shortage of women in those countries, increasing longevity and female employment, and a growing unwillingness amongst some East Asian women to marry some categories of East Asian men and to follow the model's expectations, such as to care for a husband's parents. Foreign brides may be a solution for working-class families who cannot afford the full-time hire of a foreign domestic worker and who continue to adhere to traditional gender norms. (So, for example, the recruited brides must proceed through the charade of a virginity check, which serves to assert masculine privilege and gender hierarchy rather than to actually check anything.) The chapter reports on a study of the movement of Vietnamese women to South Korea and Taiwan via commercially arranged marriages, and examines the contexts, pressures and motivations on both sides, and the brides' varied subsequent life paths. Research was undertaken in sending areas in rural Vietnam and in cities in Taiwan and Korea, amongst potential, actual and ex-brides, husbands, and others involved. The chapter employs Pearson (1997)'s concept of 'the reproductive bargain': the partly (re)negotiable arrangements that divide responsibilities for daily, generational, and social reproduction between different members of the household, and between households and the state and other agents. The cases studied here make it clear how the bargains today frequently span countries, and not just at the moment of marriage. The Vietnamese brides abroad are expected to function as the multi-duty pro-

viders required in the Confucian family model but also, from their own side, as economic providers for their families of origin. If one or both of these aspects is not fulfilled the marriage becomes at risk of termination. But in any event, concludes the chapter, transnational marriages may only slightly postpone a crisis of social reproduction that is emerging in East Asia.

The final study in this part, by *Haile and Siegmann* (chapter 6), also concerns out-migration from South-East Asia that serves to fill gaps in domestic labour in rich countries. Like the Tandian and Bergh chapter 3 it examines migrants' work situation in the rich country, here with specific reference to Filipino and Filipina domestic workers who have irregular status in the Netherlands. Based on a far smaller-scale research project than the preceding studies, its distinctiveness lies in its main focus: men who are employed as domestic workers, an occupation that is seen as 'women's work' but which is the avenue most open to them. It complements a series of later chapters (by Sinatti [chapter 11], Donzelli and DeVargas [chapter 13], and Huijsmans [chapter 20]) which likewise look at male migrants and ideas about masculinity, including about what is fitting work and suitable behaviour for men; and other chapters which explore predominant ideas about appropriate gender identities, such as the piece by Serrano Oswald (chapter 9). Like that chapter it applies ideas from Nancy Fraser (2000, 2007) about social recognition and distributive justice. The male domestic workers interviewed by Haile and Siegmann did not transcend beliefs that domestic work is feminine and of low status, but reconciled themselves to it as a route to fulfilling their manly role of material provisioning for family in the Philippines. Yet domestic work's multiple skills and essential role in social reproduction justify its own recognition as honourable and important, in addition to deserving inclusion in the regimes for worker protection.

1.3.2   Women and Internal Migration: Visibility, Rights, and Livelihood Security

The first three chapters in Part III are each the product of very large, though sharply contrasting, research projects that address different aspects of how migration within subcontinental-scale countries involves and affects women. The paper by *Mazumdar and Agnihotri* (chapter 7) covers women's work-related migration in the whole of India, and shows how it has grown enormously but has been conventionally misconceptualized and greatly under-recorded, including in the major government statistical publications. The paper by *Zhu and Lin* (chapter 8) looks at the current state of migration to the coastal province of Fujian in China, and to its capital city Fuzhou in particular; a part of the biggest migration in human history, to cities in the coastal regions of China during the past generation. It gives special attention to policy choices. The paper by *Serrano Oswald* (chapter 9), on a locality in Mexico, looks at the other side of massive out-migration: lives in the areas from which people have migrated but to which many wish to and do return, eventually or periodically. The three papers thus give special attention to, respectively: conceptualization, policy, and lived experiences; and each illustrates a special methodological depth of a distinctive type. In all the cases we see, first, how the very term 'migration', if it conveys an expectation of a once-for-all movement, fails to do justice to much of reality; and, second, that the greatest pressures arising from the multi-location lives which many families adopt, given their limited opportunities and their personal and cultural commitments, fall upon the shoulders of women.

Mazumdar and Agnihotri's chapter 7 addresses the enormous topic of women's employment-related migration in all of India, a country of over 1.2 billion inhabitants. It is based on a correspondingly huge multi-year study that involved surveys in numerous parts of the country, both in places of origin and destination, complemented by other discussions and long-term literature review and critique. Even though women are officially recorded as the large majority of Indians who change their usual place of residence, due to their movement after marriage – and the recorded proportion of rural women who migrate for marriage has almost doubled since the early 1990s – women's migration has received little attention in research and policy on migration, since these moves are not seen as employment-related. Further, the criterion of change of usual place of residence leaves out the huge numbers of short-term migrants, which have grown enormously since the 1990s and now contain a high proportion of women, as a result of the agrarian crisis in much of India and the marked decline in secure employment of women in most sectors in the era of market-led growth. "Armies of women [are] migrating in search of [seasonal] work", reported one observer cited in the chapter. But, due to a view of 'real' migration as meaning permanent transfer from rural to urban areas, short-term migrants only entered official figures as recently as 2007–2008. Even then, those whose migratory cycles exceed six months are excluded; and the employment-related component in movements that are also for marriage is overlooked.

Even so, the chapter takes such a component as secondary in importance and confines itself to the huge enough canvas of women's migration for the primary reason of paid employment. It aims to identify ways to better understand, support, and improve such employment.

By investigating what are the different modes of migration (including many that diverge from the stereotype picture – circulatory; short-term seasonal; irregular short-term; medium-term; daily or weekly long-distance commuters, including urban to rural; and migration for unpaid family care) and the different types of employment, the chapter gives a far deeper, richer picture than do the official statistics and associated analyses. It demonstrates, for example, the concentration of migrant women workers from the scheduled castes and tribes into the most marginal, poorly-remunerated, and physically arduous employment, especially in short-term and circulatory migration and particularly for work in agriculture and brickmaking. In general, the current patterns of female migration do not display a major shift of migrants into new types of employment that are more 'advanced'. Instead, the relatively fast-growing and higher-status urban service occupations are largely the preserve of urban upper-caste women; the women from outside the cities who enter such occupations are themselves in general of upper caste. Overall the study shows the desperate pressures on many poor women as the rural economy increasingly marginalizes some groups, groups who also have the least access to the relatively few formal sector jobs generated in the urban economy.

Zhu and Lin's chapter 8 on rural-to-urban migration in the economic boom province of Fujian in China presents a contrasting case, though again of a combination of economic structural transformation and yet continuity. The chapter preludes its empirical reportage with a detailed explanation of the welfare regime for migrants – the rights and actual access they have to housing, health and education services, insurance, and pensions. The *Hukou* household registration system has been the legal basis for social entitlements. The system has recently begun to evolve but large gaps remain. Social insurance has remained very largely place-bound: people who move on to another location cannot take all, or sometimes any, of the accumulated rights with them; hence most migrants choose not to participate in these insurance schemes or to withdraw from them. Drawing on a pair of large surveys, the chapter then maps the situation of migrants, in many dimensions. As in India, a large proportion of migrants are found not to be one-way travellers, but to follow a circulatory pattern. Although in contrast to India women migrants are much more concentrated in manufacturing, sales, and service industries, they suffer from concentration in unstable, high-intensity, temporary, and relatively low-skilled types of work and enjoy very little formal welfare protection or upward occupational mobility. On the contrary, while popular with employers when young, women migrant workers 'are not wanted when they are over forty'.

Zhu and Lin return then to the policy issues arising from, and develop proposals to respond to, the tensions between, first, the enormous scale of migration, second, the restriction of socio-economic rights to people registered as belonging to an area, and third, the choice by very large numbers of people to spread their lives, loyalties, and resources across more than one location by circulating between their places of origin and destination and/or eventually returning permanently to the area of origin. Problems generated by the second factor, institutionalized in the *hukou* system, have been considerably reduced by recent policy changes that aim to extend the *hukou*-based, residence-based welfare system to cover in-migrants. But problems remain, including those due to the third factor: the choice by many migrants to maintain land, security, and family connections in their area of origin (not necessarily their exact birthplace) and/or some third location, both as insurance – given the limits and unreliability of demand for their labour in the cities where they are presently located – and out of family and regional loyalty. In addition to their parents and other relatives, often the migrants' children remain in the area of origin because of employment instability and the extra costs of urban residence. What is logically required to match the real nature of migration – as not a once-for-all transfer but a fluctuating, risky, partial, long-term experimental process – is a national-scale welfare regime rather than a place-based one. Rather than integration of migrants into urban areas, integration of the national society as a whole is required, to construct a welfare regime which has the same span as the economic system that it seeks to make whole. One can add that, eventually, the same logic may have to be acknowledged for the world as a whole.

After the colossal scale of the issues treated in the chapters on India and China, the next two chapters, both on Mexico, look at individual women's lives, though still with strong attention to bigger structures and processes. *Serrano Oswald*'s chapter 9 focuses on the significance of migration for women who stay

rather than for those who move. Migration studies that focus only on trajectories of departure and remittance do not capture many of the human implications and interconnections. She shows how large-scale migration to other parts of Mexico and especially to the USA brings major changes in a community of origin, especially for women, for they receive new and expanded duties; but that this occurs within an evolving continuity of tradition, male dominance, and female subordination. Based on years of research into an indigenous Zapotec locality in Oaxaca state in southern Mexico, her study looks at transformations and continuities in the local economy and society. Most migrants remain culturally rooted in their community of origin and intensely connected to it, maintaining frequent communication and revisiting regularly, often as the prelude to eventual return.

This pattern operates with particular intensity in the locality observed by Serrano Oswald because of the strength of indigenous identity and organization and the opportunities provided by tourism and the related growth of woodcarving, which have made seasonal international migration-and-return very common. The pattern has a special impact on women, who are expected to remain behind (or return and settle after they have children) and to maintain the community, the children, the culture, the elderly, the homes, the cherished agricultural base, and the local physical and organizational infrastructure, as well as to support the comings and goings of the migrants and the additional demands of the new economic activities, and often to bear a new child after a return visit home by their husband. The impact on the children of such migration is also intense, with an absent father and a severely loaded mother. Local women today work on average twenty to twenty-five hours extra per week when compared to their male counterparts, and the discrepancy is higher for women whose husband is away. Yet migrant men retain *de jure* authority and exercise it de facto, directly or through their blood relations. The role assigned to wives is as subordinates and as mothers, for whom all sacrifices for their family are mandatory.

In exploring this sort of social terrain, Serrano Oswald demonstrates the relevance of a combination of: first, critical ethnography, that allows local people to express and present themselves within long-term studies that provide space for the researcher to become aware of 'silences, omissions, and processes of invisibility'; second, social representation theory, which examines the systems of ideas used to define, characterize, and legitimate roles; and third, Nancy Fraser's

theory of social justice, which distinguishes three aspects or types of justice, involving redistribution, recognition, and representation. Fraser (2009) argues the need for each of economic justice, political voice, and cultural respect, for each person and group; and in her own work has placed these issues in a global rather than solely national context (see Fernandez 2011).

The remaining chapter in part IV, by *Rojas-Wiesner* and *DeVargas* (chapter 10), parallels the exploration of lived experiences of particular women seen in Serrano's chapter, and prefigures Section V's investigations of legal liminality. Rojas-Wiesner and DeVargas' study of long-term immigrants from Guatemala in south-eastern Mexico combines narratives gathered from in-depth interviews with a structural analysis. It shows the central importance of access to recognition and rights as a citizen, to be able to protest when one is a victim of injustice and excluded from basic services. In contrast, women of immigrant origin feel forced into invisibility, to avoid discrimination due to their origin or risk of being reported to the authorities and perhaps deported. This fear applies especially where networks and organizations that might protect them are too remote, geographically or socially. Increasingly restrictive immigration policies in the name of 'national security' keep migrant women powerless and vulnerable.

1.3.3 Intersectionality in Migration and the Complexity of Gender

The chapters in part IV articulate and apply the theme of intersectionality – the crucial significance of the combinations and interactions of factors that constitute a person's situation, including gender, economic class, ability, race and ethnicity, sexual orientation, religious and political affiliation, and more. Chapter 11 by *Sinatti* looks at transnational families, "families who maintain close relations and a sense of unity across geographic distances", as illustrated also in several other chapters. The definition has equal relevance to families spread across subcontinental-scale countries like India, China, and Mexico. Migration from Senegal is central to its society – a tenth of the population are outside at any one time – and its economy. The migrants are to a large extent young unmarried men, who carry high family expectations on their shoulders in addition to their individual dreams. Sinatti looks at the evolution of their ideas of gender roles, notably their constructions of masculinity, during the stressful years abroad, years in which they are

separated from the comfortably familiar but may acquire great importance and higher status in their family as a provider of vital resources, while at the same time seeking to accumulate the resources to establish their own independent household. Typically the unmarried men eventually acquire a wife (or wives) during a trip (or trips) back to Senegal and subsequently live separated abroad while they seek to save for property at home. Sinatti's research on Senegalese migrants, in Italy and also when they are back in Senegal, reveals that while migration is seen as a path to increased status at home, including status as a serious man, it carries the price of years of low-status living abroad, without societal respect there, obliged to cook for oneself, and separated from the daily exercise of authority at home in Senegal and at risk of being treated only as the supplier of money. Some absent fathers maintain their family presence through carefully selected gifts. This is an example of how their role as man and father, which their emigration sought to ensure, is led to become something other than it would be if they were living at home.

The human right to health applies to migrants, to women, and not least to migrant women. In particular, migrant women have *sexual and reproductive health* (SRH) needs which are largely ignored by migration regimes, which frequently treat women as sexless units of labour to be used maximally and then discarded. Chapter 12, on "Intersectionality, Structural Vulnerability, and Access to Sexual and Reproductive Health Services" by *Truong, Marin, and Quesada-Bondad*, shows the centrality of the issue of migrant workers' sexual and reproductive health. The Filipina women migrant domestic workers who were interviewed were largely in their child-bearing years, and most continued to have children during the cycle of their overseas employment. Older women too have SRH needs. The chapter thus transcends an abstraction that is convenient in the migration industry – an assumption that women workers are the equivalent of a washing machine or an electric iron, sexless production inputs, or that they must be rendered 'safe' through pregnancy prevention.

A holistic approach to the lives of real persons with real bodily and affective needs, in situations constituted by the intersection of multiple factors – cultural, psychological, biological, legal, financial – brings out migrants' human right to SRH, the constraints often encountered, and the need for cooperation between researchers and policymakers in the fields of health, migration, and gender. Foreign women domestics working in distant countries are physically and culturally isolated, typically not legally recognized as workers, and often culturally disempowered in such a way that they believe that sexual needs and many reproductive health issues are matters of shame that cannot be discussed. Truong et al. provide case studies of and from three of the financially richest countries in the world: Qatar, Singapore, and Hong Kong (Special Administrative Region of China). The chapter illustrates what is the truly shameful behaviour, that of employers who take advantage of vulnerable women to the maximum extent possible – working them without limit and in some cases abusing them physically, mentally, and/or sexually. The chapter also illustrates elements of good practice. Some *non-governmental organizations* (NGOs) try to build these workers' awareness, skills, self-image, and self-confidence, to provide the bases for effective agency. Domestic workers' legal status in Hong Kong includes obligatory employment protection and health insurance, in contrast to the de facto situation in even Singapore, where only in 2012 did migrant domestic workers receive the legal right to a rest day. In Qatar – the first- or second-ranked country in the world in many listings of real gross domestic product per capita – a 1963 Sponsorship Law still ties migrant workers to a single employer. Foreign workers are denied the legal protection given to Qatari workers and even their limited rights under the 1963 law are to a large extent not enforced, reflecting their marginal situation. In all three countries the health of the migrant domestic workers is largely dependent on the quality of their relationship with their employers. Financial wealth here appears something rather separate from human wealth.

The intersections examined in chapter 13 by *De Vargas and Donzelli* are those that structured the lives of foreign black sub-Saharan African male migrant workers in Libya during the war in 2011, and enabled the resulting extremes of insecurity, including armed attacks, that they faced as a group having multiple vulnerabilities. What the chapter distinctively adds is to show the importance of how these migrants were represented (and sometimes ignored) by the foreign media. This contributed to the allocation of attention and the processes of opinion formation amongst influential foreign publics and decision-makers, and in turn to the actions and inactions of the dominant foreign powers and the deaths of many migrants. Common in the representations of the diverse groups of black African male workers was that they were supposedly threats to some other actors, with an implication that their own protection and security had no pri-

ority. In the background, argue DeVargas and Donzelli, amongst other notions (such as of pro-Gaddafi black African mercenaries, an idea promoted by the anti-Gaddafi rebels) was often a Eurocentric presumption that the African workers in Libya were eventually headed for Europe and needed to be deterred, dispersed, and sent back southwards.

The chapter's analysis of a selection of reports during 2011 in *The New York Times*, *The Guardian*, and *Al Jazeera* finds a shared and consistent set of themes: a picture of the events as a democratic revolution that advanced human rights; a mitigation of the violence against black Africans as being a product of a racist inheritance from the Gaddafi era and Gaddafi's perverse resistance, and as an unsurprising risk to be faced by rash illegal immigrants; and representations of masculinities that matched Connell (2005)'s categories: the hegemonic masterful controlled masculinity of the intervening Western powers; the imperfect complicit approximation by the anti-Gaddafi forces; and the inferior irrational and brutish masculinities of the Gaddafi regime and its desperate black African dependents. The chapter adds ideas on how to try to counter myth-making and marginalization, including by assertion of the right of those in insecure situations to specify what security signifies for them and what steps would improve their conditions.

The section concludes with a case study by *Bop and Truong* (chapter 14) of a particularly striking set of intersections. It concerns the migratory blind beggars, victims of river blindness, who move between Mali and Senegal, and the non-blind girls or young women who function as their guides or eyes. Rather than as individual migration, this form of migration is best understood through the lens of communities affected by an insidious illness, with sensitivity to the embeddedness of gender relations in the coping responses. The blind male migrants must deal with multiple conditions of disability to continue their role as the family providers. They are joined by non-blind boys and girls, but generally rely on the guidance of the girls and young women since boys mostly beg for themselves. A variety of social arrangements for guiding are in practice, including a modification of 'child fostering' as a tradition, biological kinship and marriage, and employment. Intersections between disability, gender, class, and age obliterate the visibility of the girl guides in the eyes of policymakers. Mutual dependency based on gender and age can be interwoven into layers of culturally defined intergenerational obligations, for which social justice strategies that are built

only on the idea of the individual rights of women or children may not necessarily be appropriate.

The legal framework of human rights is understandably criticized as being too soft in its implementation and too individualistic in its orientation, approaching social justice and the advancement of minorities in terms of, for example, 'affirmative action' initiatives rather than by addressing the structural barriers faced by migrants. At the other extreme, efforts by states to administer migration policy regimes in a legal-technocratic manner have proved to be highly unsuccessful, as well as having negative consequences for migrants in terms of social justice. Whether framed by migrant advocates or government officials, narrow legalistic understandings of migrants' rights do not adequately address the social justice concerns of migrants. For example, relations of power as well as macro-economic policies tend to be much more significant for ensuring migrants' human security than the existence or non-existence of rights in law.

1.3.4   Liminal Legality, Citizenship, and Migrant Rights Mobilization

The chapters in part V explore the circumstances in which rights are denied to migrants by way of policy regimes and enforcement measures, illustrating what Menjivar (2006) has identified as a situation of liminal legality and which Coutin (2002) has described as legal non-existence. Chapter 15 by *Mora and Handmaker* on Peruvian migrants in Chile suggests that the main factors that structure the potential for advocacy, both by and on behalf of migrants, seem to be the presence of a vibrant civil society and the presence of democratic institutions that can serve as a reliable channel for rights claims. While acknowledging the potential for civic advocacy to protect migrants' rights, Mora and Handmaker elaborate the structural and institutional barriers faced by the Peruvian migrants, pointing out the consequences for the migrants and the specific challenges to be taken up by Chilean advocates. They argue that migrants and Chilean migrant advocacy organizations could make more productive use of Chilean state institutions than they have until now.

While migrant advocacy might hold much potential in Chile, the possibilities of invoking state institutions is substantially less possible in countries that highly restrict freedom of association, such as certain countries in the Gulf region, according to *Vlieger* in chapter 16. In a more extreme set of examples, she il-

lustrates the appalling treatment of many women migrant domestic workers in Saudi Arabia and the United Arab Emirates, where the numerous protection efforts of migrant advocacy organizations, and in some cases by the states from which migrants have come, have proved highly insufficient. In addition to a range of restrictive laws, she vividly illustrates a range of social, structural, and institutional 'dysfunctions' faced by migrants working in the domestic service sector in both the United Arab Emirates and Saudi Arabia. Vlieger goes on to explain the various legal obligations owed by these states according to international law. In the light of the record of such widespread impunity, she concludes, rather depressingly, that there is, in fact, very little prospect for human rights to serve as a protective framework at all in either of these countries.

Similar difficulties in advocating for migrants' rights through state institutions exist in Thailand, as *Petchot* (chapter 17) observes in her chapter on Burmese children born in Thailand, but who lack citizenship and rights. Placing an emphasis on the duties of the receiving state, as Vlieger has done, she demonstrates that migrants pursue active transnational lives, with little if any official intervention, although the possibilities for migrants relying on state institutions to protect their human rights are far more limited than in Chile, but substantially easier than in Saudi Arabia. As in Chile, there appears to be at least some potential in Thailand for advocating social justice and human rights on behalf of migrants through appealing to law, media, and other social or state institutions. Petchot elaborates this further with reference to the specific institutional challenges that migrant children face in obtaining education in Thailand. Accordingly, she addresses the grey area between labour laws and migration laws in Thailand, and the consequences this has for migrant children's education. In doing so, Petchot reveals the structural opportunities for expanding migrants' rights in Thailand by exploiting the tensions between the labour laws and immigration laws.

The approaches adopted by the contributors in this section differ, although they cover similar case studies. For example, Vlieger and Petchot place greater emphasis on the receiving state and its institutions and less emphasis on the migrant herself. By contrast, Irianto and Truong, in chapter 2 at the outset of the book, adopt a more transnational perspective, accepting the inadequacies of the receiving state's institutions, but exploring the responsibility of the sending state, in this case Indonesia, as well as the

scope for migrants wishing to exercise their agency and claim social justice, either on their own or through intermediary organizations.

Reflecting on these studies, *Menjivar and Coutin*'s chapter 18 underlines the value of a socio-legal perspective and more particularly its potential to evaluate the limits of complex legal regimes to protect migrants or to serve as a reliable basis for policy implementation. As they make clear, in the absence of rights-based policies for the protection of migrants at the national level, migrants experience a situation of 'legal non-existence', or liminal legality, where the mere possession of legal status is of limited value, if at all. Liminal legality, they argue, is produced by national laws in receiving states that with increasing frequency grant new migrants nothing more than temporary statuses that limit their social rights and access to justice (e.g. 'registered irregulars'), thus enabling states to appear to satisfy both demands for rights and calls for restriction. Liminal legality is also produced through clashes between different legal orders or different agencies. It gives employers and the state itself greater power in relation to migrants while still using their labour when wished. In the precarious legal and social context experienced by migrants, the potential for violating their rights is high. Where states tend to resist the recognition, let alone realization of rights to migrants, the legal consciousness of stakeholders concerned with migration and its management becomes very important. Moreover, the consciousness that migrants have of their rights, that NGOs have of the possibilities for realizing those rights, and that government officials have in relation to state obligations towards migrants, plays a decisive role in mediating the liminal legal status of migrants.

In all of the preceding three case studies (Mora/Handmaker [chapter 15]; Vlieger [chapter 16]; Petchot [chapter 17]), the socio-institutional factors make it extremely difficult for migrants to make a social justice claim, despite their 'entitlement' to a range of national, regional, and international rights. Even worse, conflating migration and crime, or *crimmigration*, can translate into highly restrictive policy and/or enforcement regimes (Welch 2012; Stumpf 2006), including ethnic profiling by the police (Leun/Woude 2011). Systematic violation of migrants' rights can even be regarded as a form of structural violence, as opposed to 'direct violence', with the violence calculated in terms of the 'number of (life) years lost' (Galtung/Höivik 1979: 73). This could be a direct or indirect consequence of migration policies and/or enforcement measures, or other factors leading to mi-

grants' social exclusion, especially where the possibilities for redress through public or official institutions are highly restricted. In short, both the tendency of states to resist rights, and of migrants and migrant advocacy organizations to resist oppressive state policies, can be measured. Barbara Oomen argues that "[i]n an empirical sense, this resistance can be understood as closely related to the constitutional pluralism that characterizes today's world". Looking beyond a strictly legal interpretation of this concept, as the authors in this section do, Oomen recognises that, from an anthropological perspective, interactions between these different normative orders often take place in a situation of "unequal power relations", where one system can "subvert, resist and evade the dominant legal order" (Oomen 2011: 21).

The policy implication is that stakeholders involved in migrant advocacy – whether NGOs, state institutions, or international organizations – need to adopt a more nuanced and critical understanding of the dynamics of transnational migration and the realities of migrant life. Realizing social justice and migrant rights claims requires much more than a purely legalistic approach and must be intertwined with other, more grounded and migrant-centred strategies.

1.3.5   Migration Regimes, Gender Norms, and Public Action

Chapter 19 by *Huijsmans* in part VI is the last in the series of papers which pay particular attention to male migrants as gendered subjects. He does this within a perspective on the policy regime that governs migration from Laos to Thailand and in this respect the chapter figures also as the Janus partner to chapter 2 by Irianto and Truong. Haile and Siegmann (chapter 6) looked at male migrant workers with irregular status in domestic work; Sinatti (chapter 11) discussed the role of notions of masculinity and how these are affected by the experience of international migration; DeVargas and Donzelli (chapter 13) considered the situation of African male migrants trapped in an armed conflict and stereotyped in ways that maximized their vulnerability; Bop and Truong (chapter 14) examined the multiple conditions of disability experienced by male beggars and their dependence on the support of young women and children; and here Huijsmans argues that the lack of attention to male migrant vulnerability in migration policy reflects hegemonic notions of masculinity which present hardship as something that real men must experience and overcome. His chapter looks at the rite of passage for young Lao

men of spending some years away in Thailand, and examines how dominant gender notions mould the migration experiences of both men and women. In revisiting both the themes of migration regime and masculinity the paper highlights the link between two key elements in this book's analysis; the systemic subordination of women in migration regimes may only be overcome when the contributory ideas about not only femininity but also about masculinity are surfaced and reconsidered.

Although around sixty per cent of migrants from Laos (the Lao People's Democratic Republic) to Thailand have been women, a new migration policy regime formalizes the labour supply chain to Thailand by the insertion of authorized labour bureaus and is bringing an increase in the share of men. Migrants are supposed to enter only via the services of an authorized bureau. The new system is declared necessary in order to make migrants safer. But since undocumented migration remains predominant, due to the costs and inflexibility of the new formal system, and has become unsafe, migrant vulnerability has actually increased. The new bureaus are largely private migration-employment agencies that impose high charges and leave migrants uninformed and misinformed. Although their advance information is mostly misleading the bureaus do nothing when appealed to later by workers who are in difficulties. The high charges render most workers who use them indebted and hence insecure but tied to the agency and the assigned job. The system also has gender implications. First, prospective migrants using this channel are more dependent on parental approval and support in order to pay the charges, and so traditional gender notions often re-enter. The idea that women are more vulnerable, whereas men need a period abroad in order to grow as men, comes into play to reduce the share of women in migration. Second, domestic work is not recognized by the Lao state as an approved reason for migration; this serves as a way of asserting its honour in relation to its dominating neighbour Thailand. Women's migration into domestic work in Thailand continues as by far the largest migrant flow from Laos, given the limited domestic opportunities, but the women are forced to work irregularly in the eyes of the Lao state. Safety is not increased, while migration brokers reap gains. Policy functions as public theatre that fulfils objectives other than the ones declared.

The sequence of case studies concludes with a wide-ranging reflection by *Sandoval* (chapter 20) on the roles of migration research, researchers, and pol-

icy campaigners, with reference to the case of Costa Rica. About ten per cent of Costa Rica's residents are immigrants; people from neighbouring Nicaragua comprise nearly seven per cent, a figure that is now growing only slowly. Nicaraguans play essential roles in the national economy but are widely stereotyped as a fast-growing horde of criminals and welfare-dependents, and this hostility is exacerbated now by a border dispute. Consistent with Michael Burawoy's call for "public sociology" (Burawoy 2005, 2007), Sandoval considers ways in which social scientists have contributed and could further contribute in this situation. So far these have ranged from seeking to clarify the real levels of immigrant population and its growth, through to involvement in taking up to the Supreme Court in 2011 a writ of unconstitutionality against the State for new anti-immigrant legislation. Sandoval argues that international funders who fondly sponsor migration research, often on themes that have already been well studied, should spend rather more on supporting the necessary follow-up work of long-term policy advocacy and public education.

Much of the contribution by social scientists to public debate has pointed out how immigrants perform tasks that the local population no longer wishes to, notably heavy manual work in key export agriculture sectors and as domestic workers. Large numbers of Costa Rican women have joined paid employment because they can hire Nicaraguans to care for their children, homes, and older generations. But Sandoval finds Costa Rican society is not ready to acknowledge this fundamental interdependence; Nicaraguans are instead commonly represented as scroungers and 'Threatening Others'. Consequently, the next major type of social scientist involvement has been to try to counter unfounded stereotypes and their formation, for example the false claim that deterioration of public services under neo-liberalism is because of high demands placed on them by immigrants. In reality, predominantly working-age migrants require relatively little health care, for example.

A further type of involvement responds to the implicit overwhelming reliance on the nation-state as the basis for self-identification and collective identification in public debate. It tries to build on values of hospitality and solidarity, including on 'a social fabric of cosmopolitanism from below [that exists] around the eating establishments, clinics, or schools' in the binational communities where poorer Costa Ricans and Nicaraguan migrants co-reside. To articulate and convey this experience requires use of the methods of ethnography (as illustrated here in the chapters by

Tandian and Bergh [chapter 3] or Serrano [chapter 9], and the formats of popular culture, including music, film, videos, and novels. It requires also bridging the gap between abstracted policy advocates and analysts on the one hand, whose work remains in a vacuum when disconnected from popular discourses, and the community activists and practitioners on the other, who can connect well to these. A final, related, type of involvement has been trying to help migrant groups in their own organizations, participation, and self-projection, to help them make use of public spaces and connect to broader political actions and advocacy work.

Sandoval concludes how all of this implies the need for forms of social science training and organization that respect each of: skills in description and analysis, skills in critique and attempted change, and skills in listening and cooperation within coalitions of varied types of researcher and activist. His sentiments well reflect the spirit of this book as a whole.

The book's final chapter, by *Gasper and Truong*, steps back from the case studies, to draw out some of the underlying issues of social and political philosophy and political economy, including in regard to basic conceptions about migration, women, men and their roles. It also extends Sandoval's themes to a broader stage. The hundreds of millions of women nowadays who engage in migratory movement do so in settings that are structured by market forces, systems of nation-state authority and identity, and systems of gender identities and gender power relations. Market capitalist systems generate mobility; nation-state systems limit the rights and entitlements of migrants; and these systems combine in hybrid migration regimes to use and exploit migrant labour. A human rights and human security perspective adopts, in contrast, a global framework for according sympathetic attention and respect to all persons, as well as for understanding interconnections worldwide, including global-local and local-local. The book's set of studies contributes, we hope, to understanding and responding to the reality that the 'people on the move' are now often primarily women, who are typically subject to migration regimes that, in the terms we used earlier, bear and promote distinct gendered values, norms and characteristics. While women frequently already serve as social and economic 'shock absorbers', migrant women can be exposed to particular and particularly intense patterns of exploitation, at the intersection of multiple systems of power. Awareness of this remains insufficiently developed in work on migration and even in much work on human

rights and human security, approaches which are often not explicitly or sufficiently gendered. The chapter considers ways to integrate insights from thinking about human rights, human security, feminist theory and migration studies, for studying the relationships between gender and migration, giving attention to relations of gender subordination but also to how the relationships are highly varied and may change. It reviews forms of 'invisibility' and misframing used in gendered migration regimes and directions for attempting to counter them. The chapter concludes with some indications for further work, including on South-South migration, the on-going transformations in the nature of borders, and portability of social protection, with attention in all these cases to differential impacts on various categories of women, men, children, and families.

References

Agústin, Laura, 2003: "A Migrant World of Services", in: *International Journal of Social Politics*, 10,3: 377-396.

Agústin, Laura, 2007: *Sex at the Margins: Migration, Labour Markets and the Rescue Industry* (London: Zed Books).

Anthias, Floya; Yuval-Davis, Nira, 1992: *Racialized Boundaries: Race, Nation, Gender, Colour and Class and the Anti-racist Struggle* (London: Routledge).

Basch, Linda; Glick Schiller, Nina; Szanton-Blanc, Cristina, 1994: *Nations Unbound: Transnational Projects, Postcolonial Predicaments, and Deterritorialized Nation-States* (New York, NY: Gordon and Breach).

Bloemraad, Irene; Korteweg, Anna; Gokce, Yurdakul, 2008: "Citizenship and Immigration: Multiculturalism, Assimilation, and Challenges to the Nation-State", in: *The Annual Review of Sociology*, 34: 153–79.

Boserup, Ester, 1970: *Women's Role in Economic Development* (London: Earthscan).

Bourdieu, Pierre, 1990: *The Logic of Practice* (Stanford: Stanford University).

Brauch, Hans Günter; Scheffran, Jurgen, 2012: "Introduction: Climate Change, Human Security, and Violent Conflict in the Anthropocene", in: Scheffran, Jürgen; Brzoska, Michael; Brauch, Hans Günter; Link, Peter Michael; Schilling, Janpeter (Eds.): *Climate Change, Human Security and Violent Conflict: Challenges to Societal Stability* (Heidelberg/Dordrecht/London/New York: Springer): 3-40.

Braudel, Fernand, 1972: *The Mediterranean and the Mediterranean World in the Age of Philip II,* 2 volumes (New York: Harper & Row).

Brettell, Caroline; Hollifield, James Frank (Eds.) 2000: *Migration Theory: Talking Across Disciplines* (London/New York: Routledge).

Burawoy, Michael, 2005: "For Public Sociology", in: *American Sociological Review*, 70: 2-28.

Burawoy, Michael, 2007: "Public Sociology vs. the Market", in: *Socio-Economic Review*, 5,2: 356-367.

Burgess, J. Peter; Amicelle, Anthony; Bartels, Edien; Bellanova, Rocco; Cerami, Alfio; Eggum, Erik; Hoogensen, Gunhild; Kittelsen, Sonja; Knibbe, Kim; de Koning, Martijn; Koser, Khalid; Krause, Keith; Salemink, Oscar, 2007: *Promoting Human Security: Ethical, Normative and Educational Frameworks in Western Europe* (Paris: UNESCO).

Carby, Hazel V., 1999: *Cultures in Babylon: Black Britain and African America* (London: Verso).

Castles, Stephen; Miller, Mark J., 2003: *The Age of Migration: International Population Movements in the Modern World* (New York: Guilford Press).

Chandler, David, 2008: "Human Security: the dog that didn't bark" in: *Security Dialogue* 39,4: 427-438.

Chant, Sylvia; Radcliffe, Sarah A., 1992: "Migration and development: the importance of gender", in Chant, Sylvia (Ed.): *Gender and Migration in Developing Countries* (London: Belhaven Press): 1-29.

Cheah, Wui Ling, 2009: "Migrant Workers as Citizens Within the ASEAN Landscape: International Law and the Singapore Experiment", in: *Chinese Journal of International Law*, 8,1: 205-231.

Chin, Christine B.N., 1998 *In Service and Servitude: Foreign Female Domestic Workers and the Malaysian 'Modernity' Project* (New York: Columbia University Press).

Collins, Patricia H., 1986: "Learning From the Outsider Within: The Sociological Significance of Black Feminist Thought", in: *Social Problems*, 33,6: S14-S32.

Collins, Patricia Hill, 1990: *Black Feminist Thought* (New York: Routledge).

Commission on Human Security, 2003: *Human Security Now* (New York: United Nations).

Coutin, Susan, 2002: *Legalizing Moves: Salvadoran Immigrants' Struggle for U.S. Residency* (Ann Arbor: University of Michigan Press).

Coutin, Susan, 2011: "The Rights of Noncitizens in the United States", in: *Annual Review of Law and Social Science*, 7: 289-308.

Creenshaw, Kimberlé, 1991: "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color", in: *Stanford Law Review*, 43: 1241-1299.

Datta, Kavita; McIlwaine, Cathy; Herbert, Joanna; Evans, Yara; May, Jon; Wills, Jane, 2008: *Mobile masculinities: Men, migration and low paid work in London* (London: University of London, Queen Mary, Department of Geography).

De Haas, Hein, 2010: "Migration and Development: A Theoretical Perspective", in: *International Migration Review*, 44,1: 1-38.

Ehrenreich, Barbara; Hochschild, Arlie Russell (Eds.), 2002: *Global Woman: nannies, maids, and sex workers in the new economy* (New York : Metropolitan Books).

Faist, Thomas, 2000: *The Volume and Dynamics of International Migration and Transnational Social Spaces* (Oxford: Oxford University Press).

Faist, Thomas; Ozveren, Eyüp (Eds), 2004: *Transnational Social Spaces. Agents, Networks, Institutions* (London/ Burlington, VT: Ashgate).

Fernandez, Bina, 2011: "Exploring the Relevance of Fraser's Ethical-Political Framework of Justice to the Analysis of Inequalities Faced by Migrant Workers", in: *International Journal of Social Quality*, 1,2: 85-101.

Foucault, Michel, 1995: *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books).

Foucault, Michel, 2007: *Security, Territory, Population: Lectures at the Collège de France, 1977-1978* (New York: Picador/Palgrave Macmillan).

Fraser, Nancy, 2000: "Rethinking Recognition", in: *New Left Review*, 3 (May-June): 107-120.

Fraser, Nancy, 2007: "Transnationalizing the Public Sphere: On the Legitimacy and Efficacy of Public Opinion in a Post-Westphalian World", in: *Theory Culture & Society*, 24,4: 7-30.

Fraser, Nancy, 2009a: *Scales of Justice: Reimagining Political Space in a Globalizing World* (New York: Columbia University Press).

Fraser, Nancy, 2009b: "Who Counts? Dilemmas of Justice in a Postwestphalian World", in: *Antipode*, 41,1: 281-297.

Fukuda-Parr, Sakiko; Messineo, Carol, 2012: "Human Security", in: Brown, Graham; Langer, Arnim (Eds.): *Elgar Handbook of Civil War and Fragile States* (Cheltenham: Edward Elgar): 21-38.

Galtung, Johan; Höivik, Tord, 1979: "Structural and Direct Violence: A Note on Operationalization", in: *Journal of Peace Research*, 8,1: 73-76.

Gasper, Des, 2005: "Securing Humanity – Situating 'Human Security' as Concept and Discourse", in: *Journal of Human Development*, 6,2: 221-245.

Gasper, Des, 2010: "The Idea of Human Security", in: O'Brien, Karen; St. Clair, Asuncion Lera; Kristoffersen, Berit (Eds.): *Climate Change, Ethics and Human Security* (Cambridge: Cambridge University Press): 23-46.

Goucha, Moufida; Crowley, John; UNESCO, 2008: *Rethinking Human Security* (Malden, MA: Wiley-Blackwell).

Hatton, Timothy J.; Williamson, Jeffrey G., 2008: *Global Migration and the World Economy: Two Centuries of Policy and Performance* (Cambridge, MA: MIT Press).

Hoerder, Dirk, 2002: *Cultures in Contact: World Migrations in the Second Millennium* (Durham: Duke University Press).

Irudaya, Rajan S.; Varghese, V.J., 2010: "Broadening Exchanges and Changing Institutions: Multiple Sites of Economic Transnationalism", in: Faist, Thomas; Pirkko, Pitkänen; Gerdes, Jürgen; Reisenauer, Eveline (Eds.): *Transnationalisation and Institutional Transformations* (Bielefeld: University of Bielefeld).

Jolly, Richard; Basu, Deepayan R., 2007: "Human Security-National Perspectives and Global Agendas: Insights from National Human Development Reports", in: *Journal of International Development*, 9,4: 457-472.

Kabeer, Naila, 2000: *The Power to Choose: Bangladeshi Women and Labour Market Decisions in London and Dhaka* (London: Verso).

Kaldor, Mary , 2007: *Human Security : Reflections on Globalization and Intervention* (Cambridge, UK/Malden, MA : Polity Press).

Kapur, Ratna, 2010: *Makeshift Migrants and Law: Gender, Belonging and the Legal Regulation of the Migrant* (New Delhi: Routledge).

Kojima, Yu, 2001: "In the Business of Cultural Production: Theoretical Implications of the Mail-order-brides Phenomenon", in: *Women's Studies International Forum*, 24,2: 199-210.

Kyle, David; Koslowski, Rey, 2011: *Global Human Smuggling: Comparative Perspectives* (Baltimore: Johns Hopkins University Press).

Leun, Joanne; Woude, Maartje van der, 2011: "Ethnic Profiling in the Netherlands? A Reflection on Expanding Preventive Powers, Ethnic Profiling and a Changing Social and Political Context", in: *Policing and Society*, 21,4: 444-455.

Lutz, Helma, 2008: *Migration and Domestic Work: A European Perspective on a Global Theme* (Aldershot – Burlington, VT: Ashgate).

Maas, Wies; Truong, Thanh-Dam, 2011: "Europeanization and the Right to Seek Refugee Status: Reflections on Frontex", in: Truong, Thanh-Dam; Gasper, Des (Eds.): *Transnational Migration and Human Security: The Migration-Development-Security Nexus* (Heidelberg – Dordrecht – London – New York: Springer): 67-80.

Mahler, Sarah J.; Pessar, Patricia R., 2006: "Gender Matters: Ethnographers Bring Gender from the Periphery Toward the Core of Migration Studies", in: *International Migration Review*, 40,1: 27-63.

Massey, Douglas; Arango, Joaquín; Hugo, Graeme; Kouaouci, Ali; Pellegrino, Adela; Taylor, Edward J., 2005: *Worlds in Motion: International Migration at the End of the Millennium* (Oxford: Clarendon Press).

McKeown, Adam 2004: "Global Migration, 1846-1940", in: *Journal of Global History*, 15,2: 155-89.

Menjivar, Cecilia, 2006: "Liminal Legality: Salvadoran and Guatemalan Immigrants' Lives in the United States", in: *American Journal of Sociology*, 111,4: 999-1037.

Moon, Katherine, 1997: *Sex Among Allies: Military Prostitution in US-Korea Relations* (New York, NY: Columbia University Press).

Munck, Robert, 2008: "Globalisation, Governance and Migration: An Introduction", in: *Third World Quarterly*, 29,7: 1227-1246.

Mushakoji, Kinhide, 2011: "State and Immigrant Diaspora Identity in Contemporary Japan: From a Developmen-

talist Ethic Towards a Multicultural Ethic of Common Human Security", in: Truong, Thanh-Dam; Gasper, Des (Eds.): *Transnational Migration and Human Security: The Migration-Development-Security Nexus* (Heidelberg – Dordrecht – London – New York: Springer): 297-310.

Oishi, Nana, 2005: *Women in Motion : Globalization, State Policies, and Labor Migration in Asia* (Stanford, CA: Stanford University Press).

Oomen, Barbara, 2011: "Small Places: The Homecoming of Human Rights in the Netherlands", Inaugural Lecture as Utrecht University Chair in the Sociology of Human Rights, Middelburg, short version delivered on the 2nd of December 2011.

Parreñas, Rhacel S. 2001: *Servants of Globalization: Women, Migration and Domestic Work* (Stanford, CA: Stanford University Press).

Pearson, Ruth, 2007: "Gender, Globalisation and Development: Key Issues for the Asian Region in the 21st Century", Keynote Address, International Workshop, Beyond the Difference, at Ochanomizu University, 13-14 January.

Pearson, Ruth; Kusakabe, Kyoko, 2012: *Thailand's Hidden Workforce: Burmese Women Factory Workers* (London – New York : Zed Books – Palgrave Macmillan).

Phizacklea, Annie, 1987: *One Way Ticket: Migration and Female Labour* (London: Routledge).

Phongpaichit, Pasuk, 1982: *From Peasant Girls to Bangkok Masseuses* (Geneva: International Labour Office).

Piper, Nicola, 2008: *New Perspectives on Gender and Migration: Livelihood, Rights and Entitlements* (New York: Routledge).

Portes, Alejandro; Sensenbrenner, Julia, 1993: "Embeddedness and Immigration: Notes on the Social Determinants of Economic Action", in: *The American Journal of Sociology*, 98,6: 1320-1350.

Roldan, Bernice; Gasper, Des, 2011: "The Global Forum on Migration and Development: 'All talk and no action' or 'a chance to frame the issues in a way that allows you to move forward together?'", in: Truong, Thanh-Dam; Gasper, Des (Eds.): *Transnational Migration and Human Security: The Migration-Development-Security Nexus* (Heidelberg- Dordrecht – London – New York: Springer): 239–256.

Sassen-Koob, Saskia, 1984a: "The New Labor Demand in Global Cities", in: Smith, Michael Peter (Ed.): *Cities in Transformation* (Beverly Hills, CA: Sage): 139-72.

Sassen-Koob, Saskia, 1984b: "Notes on the Incorporation of Third World Women into Wage-Labor Through Immigration and Off-Shore Production", *International Migration Review*, 18,4: 1144-1167.

Scott, Joan W., 1986: "Gender: A Useful Category of Historical Analysis", in: *The American Historical Review*, 91,5: 1053-1075.

Sen, Amartya Kumar, 1990: "Gender and Cooperative Conflicts", in: Tinker, Irene (Ed.): *Persistent Inequalities: Women and World Development* (New York: Oxford University Press).

Silvey, Rachel, 2004a: "Transnational Migration and the Gender Politics of Scale: Indonesian Domestic Workers in Saudi Arabia, 1997-2000", in: *Singapore Journal of Tropical Geography*, 25,2: 141-155.

Silvey, Rachel, 2004b: "Power, difference and mobility: feminist advances in migration studies" in: *Progress in Human Geography*, 28,4: 1-17.

Silvey, Rachel, 2007: "Mobilizing Piety: Gendered Morality and Indonesian-Saudi Transnational Migration", in: *Mobilities*, 2,2: 219-229.

Smit, Michael P.; Guarnizo, Luis E., 1999: *Transnationalism from Below* (New Brunswick, N.J.: Transaction Books).

Stumpf, Juliet, 2006: *The Crimmigration Crisis: Immigrants, Crime and Sovereign Power*, Bepress legal series working paper; at: <http://law.bepress.com/expresso/eps> (27 July 2012): 1635.

Thadani, Veena N.; Todaro, Michael P., 1984: "Female Migration: A Conceptual Framework", in: Fawcett, James T.; Siew-Ean Khoo, Siew-Ean; Smith, Peter Colin (Eds.): *Women in the Cities of Asia: Migration and Urban Adaptation* (Boulder, CO: Westview Press): 36-59.

Thränhardt, Dietrich; Bommes, Michael Dietrich (Eds.), 2008: *National Paradigms of Migration Research* (Gottingen: V&R Unipress).

Tinker, Irene, 2006: "Boserup, Ester", in: Clark, David (Ed.): *The Elgar Companion to Development Studies* (Northampton, MA: Edward Elgar): 24-27.

Truong, Thanh-Dam, 1990: *Sex, Money and Morality: Prostitution and Tourism in Southeast Asia* (London: Zed Press).

Truong, Thanh-Dam, 1996: "Gender, International Migration and Social Reproduction: Implications for Theory, Policy, Research and Networking", in: *Asian and Pacific Migration Journal*, 5,1: 27-52.

Truong, Thanh-Dam, 2008: "Human Trafficking and New Patterns of Migration", in: *Gender, Technology and Development*, 12,1: 5-8.

Truong, Thanh-Dam, 2009: "Human Security and the Governmentality of Neo-liberal Mobility: A Feminist Perspective", in: Brauch, Hans Günter; Oswald Spring, Úrsula; Grin, John; Mesjasz, Czeslaw; Kameri-Mbote, Patricia; Chadha Behera, Navnita; Chourou, Béchir; Krummenacher, Heinz (Eds.): *Facing Global Environmental Change: Environmental, Human, Energy, Food, Health and Water Security Concepts* (Berlin – Heidelberg: Springer): 1183-1189.

Truong, Thanh-Dam, 2011: "The Governmentality of Transnational Migration and Human Security: The Making of a New Subaltern", in: Truong, Thanh-Dam; Gasper, Des (Eds.): *Transnational Migration and Human Security: The Migration-Development-Security Nexus* (Heidelberg- Dordrecht – London – New York: Springer): 23-38.

Tyner, James A., 2004: *Made in the Philippines: Gendered Discourses and the Making of Migrants* (London: Routledge).

Van Houtum, Henk, 2010: "Human Blacklisting: The Global Apartheid of the EU's External Border Regime", in: *Environment and Planning D: Society and Space,* 28,6: 957-976.

Welch, Michael, 2012: "The Sonics of Crimmigration in Australia: Wall of Noise and Quiet Manoeuvring", in: *British Journal of Criminology*, 52,2: 324-344.

Wimmer, Andreas; Glick Schiller, Nina, 2002: "Methodological Nationalism and Beyond: Nation-state Building, Migration and the Social Sciences", in: *Global Networks*, 2,4: 301-334.

Wright, Caroline, 1995: "Gender Awareness in Migration Theory: Synthesizing Actor and Structure in Southern Africa", in: *Development and Change*, 26,4: 771-792.

Yeates, Nicola, 2010: "The Globalisation of Paid Care Labour Migration: Policy Issues, Approaches and Responses", in: *International Labour Review*, 149,4: 423-440.

Young, Iris M., 2006: "Responsibility and Global Justice: A Social Connection Model", in: *Social Philosophy and Policy,* 23,1: 102-130.