

## 21 'Women in Motion' in a World of Nation-States, Market Forces, and Gender Power Relations

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### Abstract

This chapter provides concluding reflections from a set of nineteen case studies of transnational and intra-national migration and mobility. It contrasts the 'sedentary bias' present in policy regimes and associated thought centred on nation-states, where movement is seen as exceptional, including normatively exceptional, with the centrality of movement in the processes of socio-economic change and evolution, particularly those promoted under capitalist systems of economic organization. While market capitalist and nation-state principles of organization differ, they combine in hybrid systems, such as those currently being elaborated in policy regimes for temporary migrant workers, to exploit migrant labour. Many of these arrangements mirror the indentured labour regimes of earlier eras. The chapter presents by contrast a perspective based on principles of human rights and human security that uses a global framework both for understanding and for evaluation and then adds an explicit gender-aware enrichment of that perspective, in order to do justice to the special vulnerabilities and exploitation of women's migrant labour. A human security perspective, in particular, helps to base concern for human rights in an awareness of bodily and emotional needs, of global interconnections, and of the intersecting circumstances in people's everyday lives; but it requires, and lends itself to, gender-enrichment through partnership with insights from feminist theory, as illustrated in the book's various case studies. The systems of the nation-state, market capitalism, and gender power that are discussed in this chapter, that structure the experiences of migrant women workers, are very deeply established. The chapter suggests directions for possible re-cognition, to reduce and counter the invisibility and misframing of migration, and of women and their work; it also suggests priority areas for research and networking following the format employed for the book: linking researchers, policy practitioners and migrant advocates, South-South-North.

**Keywords:** Women's migration, human security, human rights. migration regimes, globalization, women's labour, intersectionality.

### 21.1 Themes

This book reflects the great scale and reach of contemporary migration and its far-reaching impacts, notably the frequently problematic outcomes in terms of quality of life and well-being for many of the more vulnerable migrants, especially women. Mobility is a normal and necessary component in the processes of economic, social and personal development and evolution, and of learning and cultural enrichment (section 21.2). Yet in a world structured around, firstly, a nation-state system and nationalist principles of identity, mobility - at least the mobility of poor people - is treated as not normal, and it is assumed that migrants do not have to receive normal treat-

ment. 'People on the move' was the title of the chapter on migration in the report *Human Security Now* (CHS 2003). As counterpart to that phrase we take instead 'women in motion' (Oishi 2005) for the title of this concluding chapter, since 'women on the move' has become mostly used as a catchphrase for upward professional mobility, which does not fit the cases addressed in this book.

Contemporary migration is structured, secondly, by the pull of market power and by largely capital-centred policy calculation (section 21.3). Nowadays ministries of finance and economic affairs often dominate migration policy, not ministries of social welfare or labour. Within these market processes, women's labour is especially in demand. The principles of the capital-

ist market are fundamentally different from those of the nation-state.<sup>1</sup> The former is not only open to migration but actively generates it, and current migration is in part a response to greatly increased global and intra-national inequality.<sup>2</sup> But the two sets of principles are widely combined in hybrid policy regimes which seek to maximize profit while minimizing perceived costs to national identity in richer states. These hybrid regimes draw on migrant labour while minimizing the rights granted (sections 21.4–21.6).

Thirdly, central to the investigations in this book, a remarkably high proportion of migrant labour is now women's labour. Around eighty per cent of Indonesia's international labour migrants, for example, are women (Sukamdi 2008); a similar percentage among Burmese workers in factories in Thailand is reported in various studies (Pearson/Kusakabe 2012: 78). Yet this feature is still relatively little considered in policy

discourse and even in much research on migration. Women's work, whether in formal or informal workplaces or in homes, whether in labour-importing countries or labour-exporting countries, remains to a large extent 'invisible' (section 21.7). Thus, in addition to the structuring roles of legal and policy regimes and of market forces, structures of gender power are also at play in the huge growth of exploitation of migrant women's labour, as we outlined in the Introduction.

Nowadays, women may even constitute the majority of international migrants, given the scale of demand for their labour in most sectors, reflecting their perceived greater docility because of family commitments,<sup>3</sup> and especially the demand for their services as care workers, maids, and providers of sexual services (for pleasure, intimacy and emotional wellbeing as well as for biological reproduction). These last three roles and more are combined in the case of arranged foreign brides, as illustrated in chapter 5. Enormous numbers of women from low-income countries, and especially from South and South-East Asia, now play such roles in richer countries. Many chapters in this book address a new global class of women, who form one of the largest groups of international migrant workers and yet whose labour is not recognized as 'real' 'work' by domestic laws and migration regimes, and who thus work with little protec-

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1 This essay adopts the usage 'nation-state' rather than 'nation state'. Historically such terms were originally used to help differentiate between types of state: compared to a city state or empire a nation state was a "sovereign state of which most of the citizens or subjects are united also by factors which define a nation, such as language or common descent" (Oxford Dictionary of English 2010). However, in the literatures of political science new layers of meaning emerged. In the realist tradition of international relations, the terms nation and state have often come to be used interchangeably. Some lines of work have explored the meaning of this coincidence, its fusion of belonging and governance. In the nation-state an apparatus of governance ('the state') has fused with the society it governs, so that the unit of governance is asserted to be also in important respects an integrated community and body politic: an identity-area and not only a governance-area. Use of only a few terms is inevitably imperfect for describing the many situations possible. In English, 'state' is ambiguous: it sometimes refers to a country and sometimes to its state apparatus, because of the history of partial fusion. 'Nation' too is ambiguous: it sometimes refers to a country but also has strong connotations of cultural community. However, the term 'nation' does not now imply necessarily a relatively full cultural or ethnic unity; any significant degree of shared identity is sufficient, and is typically achieved (despite considerable internal heterogeneity) in important part through distinguishing a 'We' as against a 'They'. The disadvantage of the term 'nation state' then is to convey a too simple picture. The hybrid term 'nation-state' is intended here to better suggest, by its evident artificiality, the social construction of a system of governance which includes both a notion of civic belonging and citizenship and a culture of national feeling and identity, the latter based on (in Benedict Anderson's term) an 'imagined community'.

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2 Economic calculation is, however, never more than part of the causes of migration. Goldin, Cameron, Balarajan (2011) note that the US mainland has three times the average income and a quarter of the unemployment of the American territory of Puerto Rico, whose residents have the right to emigrate to the mainland – yet the large majority choose not to (p. 100). Worldwide, economic analysis alone cannot explain why still *relatively* few people try to migrate, why emigrants are concentrated among particular social groups and localities, and why even chronically ageing Japan holds out against official in-migration. The relevant costs excluded by the economic analyses include costs of meaning and identity too; thus Goldin, Cameron and Balarajan (2011), using economists' highly restricted notion of welfare admit that their accounting is purely in 'economic and welfare' terms (p. 269.)

3 Of the Burmese women in Thailand interviewed for chapter 4, three-quarters 'related that they had migrated out of a sense of duty to their parents' (Pearson/Kusakabe 2012: 58), and many supported younger siblings. They continue their remittances home much longer than their male counterparts, including after marriage (ch. 3). Yet having gone to Thailand to support their families in Burma, many gradually lose their place and social base in Burma but remain rejected outsiders in Thailand and never achieve much security (chs 6, 7).

tion and who are disproportionately subject to abuse. In recent times both India and Indonesia, for example, have been led in some cases to stop their citizens taking up contracts abroad as domestic servants until conditions were improved (see, for example, TIP 2010 on one Indonesian proscription on moving to such work in Kuwait). But, as observed by Irianto and Truong in chapter 2, of the 109 articles in Indonesia's 2004 law on the placement and protection of migrant workers abroad, only eight cover protection. Women are disproportionately affected too by the care burdens that remain in the country of origin when men or women leave to work in another country. Largely similar issues arise in much intra-national migration too.

The phrase 'feminization of migration' has become popular to refer to women's increasing statistical share in various migration streams (internal, South-North, South-South). Studies in this book show the importance of the qualitative dimensions, in addition to headcounts: how migration practices bear distinct gendered values, norms and characteristics, the gender-differentiated treatment of migrants, and gendered modes of migration and means of migrant livelihood. That migration's patterns and effects are strongly gendered should be no surprise: gender is not a peripheral decorative feature in social life but a core dimension. Formal migration research has however been dominated by behaviouralist approaches that are preoccupied with surface phenomena and that try to build generalized models about, for example, when people move and the impacts on economic production (for further discussion, see Truong/Gasper 2011a, and chapter 1 in this volume). The spectacular rise in officially measured international remittances, from an estimated US\$31 bn. in 1990 to US\$316 bn. in 2009, has understandably attracted attention. What migrants – especially migrant women – experience and think has been a lower research priority, so that many of the realities of social life have stayed relatively neglected. Yet according to studies reviewed in one recent survey of global migration (Goldin/Cameron/Balarajan 2011: 10–12), these new realities include accelerated innovation, including innovation in identities (not least via the movement of brides).

Even Goldin, Cameron and Balarajan's prominent survey still in many ways reflects the slight and unbalanced attention typically given to migrant experience. The lead author, Ian Goldin, earlier a vice-president of the World Bank, heads the Oxford Martin School of futures studies at Oxford University, and evinces throughout the book a sympathy for migrants that re-

flects his own family history and personal trajectory, as a progressive émigré South African of East European Jewish background. But the perspective remains the abstracted generalized gaze typical of an economist. Women migrants receive very little specific mention. Only two-thirds of the way through the book – and two-thirds of the way through a fifty-page chapter on the impacts of migration focusing overwhelmingly on measured economic impacts – do women migrants at last specifically appear, in one brief mention that they are the most absolutely and relatively disadvantaged participants in labour markets compared to the native workers (p. 194). The treatment of the social costs of outmigration more broadly remains remarkably brief and superficial (e.g. p. 193). In these respects the book is typical of many treatments of migration, which underrate the various aspects of societal reproduction, including the biological, familial, emotional, psychological, and cultural.

The present book has in contrast explored the life-worlds of migrants, especially migrant women, the impacts on migrants' security and insecurity of the systems of nation-state membership and exclusion and of global market power, and how migrants seek to cope and respond. This concluding chapter reviews and reflects on themes arising from these studies, from a workshop on the draft volume held in Trivandrum in February 2013, and from wider literatures.<sup>4</sup> It does not attempt a summary, which has already been offered in chapter 1. Instead it essays an interpretation and commentary with reference to key issues, of which some are specific to women migrants and others common to all migration or all international migration. Part of our analysis will locate migrant women's problems within the context of market-dominated development transformations and nation-state systems (sections 21.2–21.6); and part will highlight the specific and additional difficulties that millions of migrant women face, and the shifts of cognition and representation that are needed to acknowledge and respond to these, as well as sister shifts needed to respond to the structural forces that affect all migrants (sections 21.7–21.9). Since the opening chapter has theorized gender dimensions in some depth, this closing chapter pays considerable attention to the latter forces too. It seeks to identify causal structures and also their social construction, and thus to indicate some spaces for reform efforts.

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4 Our thanks go to all the workshop participants, not least Indu Agnihotri, Ruth Pearson, and Anita Shah, for helpful and thought-provoking contributions.

## 21.2 Migration is Major and Normal but is Treated as Exceptional and Ethically Aberrant

The 2010 *World Migration Report* reported 214 million people now living outside their country of birth. Sometimes it is observed that this constitutes only three per cent of the world's population, a modest share that is little or no higher than twenty or a hundred years ago. However, the figure is misleading in several respects, quite apart from the question of the possible and increasing exclusion of many irregular migrants from the statistics. It does not include children who have not themselves emigrated but have been born in a different country from where their parents were born and grew up, or have been left behind and separated from one or both parents who have emigrated. And it does not include other persons who are also strongly involved: the other family members and (former) close associates of the emigrants in their country of origin; people who have moved earlier in their lives but have returned to their country of origin; people who are preparing to emigrate; and others who are strongly affected by emigration, whether in the countries of origin or destination or en route. If we include these groups we talk of a figure several times larger. Beyond this, and much more than in earlier eras, the 'transnational' character of much present-day movement – that so many people retain strong connections with a land (or lands) of personal or family origin, through more frequent visits and communication, cultural exchange and identification, strong family links, and even recurrent switches of place of residence – has profound implications (see, for example, Truong/Gasper 2008b, 2011b).

The numbers of intra-national migrants are several times higher: estimated at over 300 million in India alone, including a large majority of women migrants (whose primary recorded reason for migration is marriage). Most of the themes that arise in the discussion of international migration – of the economic impacts of remittances and of absences and returns, of the political and psychological impacts of cultural change and interchange, of social strains and endangered social cohesion, of changed gender roles, of the emergence of new identities different from those prior to the move, and more – often apply almost equally in internal migration. The existential gap between Jharkhand and Delhi may well be bigger than that between Delhi and Dallas or Dubai.

In contrast to the scale of movements, much social science and policy has been marked by 'sedentary

bias' (Castles 2009): movement from the location where one was born is presumed to be abnormal, in the normative sense too, and especially when we speak of 'location' in terms of the scale of nation-states. Thus migration studies are not treated as a necessary dimension of all social studies but as a minor specialism. Moving between locations, and certainly moving between nation-states, is often presumed to arise from some failing, inadequacy, or sickness in the outmigration location's economy or body politic. In, for example, the leading American philosopher John Rawls's treatise *The Law of Peoples*, international outmigration is taken as proof that the country of origin's government has failed in its duties (see likewise the work of Rawls's prominent pupil Thomas Nagel [2005]). International migration, in contrast to trade or short-term travel, is thereby in this view excluded from the sphere of matters that governments are morally obligated to regulate amongst themselves by mutual agreement; instead, each government can regulate it as it sees fit. Such a perspective matches the conflation of migration with pathologies of crime and drug smuggling that has arisen in some 'homeland security'-type thinking. Young people's migration for work is likewise often presented as overwhelmingly due to the machinations of traffickers. Huijsmans has analysed the prevailing narratives concerning the movements of young women from Laos to Thailand (Huijsmans 2011; and chapter 19 in this volume). Movement supposedly destroys an idyll of childhood and/or rural residence; and young women are presented as forced to move in order to compensate for their drunken fathers' failure to earn. Huijsmans reports that the young Lao people he studied, not least the girls and young women, often in fact seek to migrate at an early age as a prestige-raising step towards becoming an adult, and that they cope competently with the challenges.

Movement by women is particularly prone to be represented as abnormal. Processes of nation formation have often included the strengthening of an image of women as symbols of family, domesticity, motherhood, and tradition, as counter-poles to Westernization, and as requiring male protection (Chatterjee 1993). Migrant women's lives expose and challenge these hegemonic norms; women who move are then liable to be treated either as trafficked or as perverted and hence as having forfeited their rights (Kapur 2010).

Movement is a normal part of life and adaptation, as we can see from all human history, implied the *World Migration Report 2008*; though it was too cau-

tious to say so openly, and so presented this position as just one possible perspective (IOM 2008; Campillo-Carrete/Gasper 2011). Goldin, Cameron and Balarajan state the position openly, after a pointed review of human history. First, the human race is one. We all stem from a core group of perhaps two thousand humans who lived in East Africa a modest 75,000 years ago (Goldin/Cameron/Balarajan 2011: 12); they/we then moved, across the world. Second, 'Migration is not a problem to be solved. It is an intrinsic element of international society and inextricably bound up with globalization itself' (p. 260). Yet while movement is normal, borders make it seem not normal, and lead to special problems for migrants, pushed and pulled by the pressures in the world political economy.

Rawls's liberal justice framework uses the idea of a social contract amongst citizens. It reasons in terms of individuals who are tacitly viewed as members of a nation-state, which is the frame for the social contract, but not as residents of the globe who exist in and through global webs of relationships. Extraordinarily – given its formulation within the USA, a country founded on immigration – the framework excludes migrants and issues of immigration (Gasper 2011). What we can call its Westphalian perspective combines a normative nationalism – moral communities are held to exist only within borders, not across them – with an explanatory nationalism that seeks to explain and allocate responsibility for events within a country's borders exclusively within those borders, as do Rawls and Nagel and the governments of some rich countries. "[R]ich countries that energetically export arms to troubled poor countries whose manufactured and agricultural exports they at the same time firmly restrict through use of tariff and non-tariff barriers, while also drawing away their best educated personnel, yet hold the poor countries overwhelmingly responsible for their failed systems of governance and thereby draw no conclusions of moral obligation for themselves – obligations to help constructively, to cease destructive exports, to open economic opportunities, and to admit more deserving migrants" (Gasper/Truong 2010a: 345–346). As global economic forces feed into local political conflicts and dynamics, the categories of economic migrant and political refugee merge in many cases, but this is denied in political philosophies grounded on nation-states.

Castles points out that most social science has shared the sedentary bias seen in modern nation-state policies. By the late twentieth century, however, we could no longer plausibly treat the nation as the natural, self-enclosed 'society'-cum-'economy'-cum-'polity'

that had been typically assumed in the social sciences since their origins and codification in the eighteenth and nineteenth centuries (Wallerstein et al. 1996). The assumption that the nation-state, an apparatus of rule over a given geographical territory, also represents an economic and sociocultural community and exercises close control in it has come to diverge too far from reality. The present-day scale of flows of messages, ideas, hopes and values, commodities and finance, of longer-term and permanent migrants and refugees, and of short-term visitors, pathogens, weapons, and technologies, has required changes in social sciences' traditional choice of the boundaries of states as the main frame for organizing their attention.

### 21.3 Global Interconnectedness and Global Economic Forces

Methodological nationalism in social science analyses – automatically taking the nation as the appropriate framework – is obsolete. The much discussed 'transnational migration' of the past generation, for example, has involved the maintenance of ongoing intense interactions with the area of origin, including through trade, movements to and fro of persons, cultural relations and exchange of ideas, and much more. It is part of an increased global interconnectedness that generates global-wide streams of 'side effects' that render nationally-enclosed analyses outdated. This book is part of an ongoing passage from a conception of 'international migration' (a definition based on the nation-state as a unit and actor in international relations) to a conception of 'transnational migration' (based on the recognition of a transnational space formed by the trans-boundary activities of a variety of actors, including but not limited to the nation-state). The former conception is associated with a primary focus on the management of aggregate flows between countries (population, goods, finance, skills, etc.). The latter conception tries to grasp the interactions between the global and local dynamics of migration, and requires a multi-pronged approach in research, advocacy, and policy advice. Debates on migration that use an 'international migration' conception often fall into a "North versus South" framework which depicts a geographical divide and a binary opposition of power (North) versus vulnerability (South). More fruitful for dealing with contemporary realities in migration is to study structures, networks, and relationships that cut across national boundaries, including the practices adopted by migrants and their trans-local networks, in

interaction with different state agencies, employers, migration brokers, and so on.

Kaye (2010) illustrates the interconnectedness by looking at some of the drivers of outmigration from Senegal. Senegalese farmers are out-competed by subsidized foreign produce, and many Senegalese fishermen have been displaced by foreign factory trawlers that exceed their approved catches. Eighty per cent of the country's rice is now imported. European governments see, or acknowledge, no causal connection between these economic patterns and the presence of European Union Frontex ships off the Senegal coast to block attempts at migration, sometimes in canoes, across the ocean to outlying territories that belong to Spain and Portugal (Kaye 2010: 232–235). Tandian and Bergh's chapter in this volume noted how the Spanish government in 2008 recruited two thousand (again) Senegalese ex-fishery workers on permanent contracts. Kaye quotes the ambassador of Senegal to Spain – 'I think if Spain offered employment contracts in Senegal, it is because somewhere there is the phenomenon of canoes' – and shows us how behind the canoes are the factory trawler boats, the European Union's subsidies to fishers and farmers, and its de facto barriers to many types of processed and manufactured imports.

To draw these connections has been taboo in Northern governments and businesses; no global-wide social impact assessments of policies and programmes are undertaken. Kaye adds that the huge *International Organization for Migration* (IOM) contains negligible expertise on local development, because its central function has been to shift cheap labour into metropolises when it is required and back again when it is no longer wanted there. Despite IOM's name, forty per cent of its 2009 budget was funded by one country, the USA (Kaye 2010: 249). The broader picture he presents is of how, being able to rely on a huge reserve labour army – from, for example, the Philippines, thanks partly to the lack of land reform there (Kaye 2010: 39) – a footloose global capitalism pulls people here and there, whenever convenient to business, and whatever the formal legality.

Intensified global interconnections mean that not only do the actions of the strong impose 'externalities' on the weak worldwide, but also that sometimes and increasingly the weak 'talk back', whether through conscious reactions or through ramifying chains of consequences, such as in the fields of environment, education, and health. Old habits of the strong – imposing negative 'externalities'/'side-effects'/'collateral damage' on the weak – can boomer-

ang and damage the strong too. Neglecting the education and care of some groups of international migrant children, within a framework of self-oriented national governance, for example – as in Japan or Thailand, where often the children of foreign workers have had and still have no de facto right to education (chapters 4 and 17) – may eventually lead to sad and disruptive outcomes. So can their exclusion from health care systems, and the roles of social inequalities in the emergence and spread of diseases (Farmer 1996). Undermining of local economies and of the care of children whose parents work abroad can lead eventually to a next generation of economically and psychologically displaced young people whose actions will not remain confined, in execution and effects, by national boundaries. Conflicts can spread, just like disease.

In the longer run, legal exclusion but de facto admission of low-skilled workers creates in some countries an undereducated marginalized underclass. It provides a supply of cheap labour, but can foster a world of associated illegality and criminality – of 'black money', bribes, and marginalized people who lack qualifications – whose existence then serves in the ideological reproduction of a certain sort of system of rule. It isolates a group or groups who are deemed 'other' and can be viewed as dangers: 'they' must 'therefore' be ruled firmly by a tough-minded national elite. The underclass can fulfil the role of scapegoat and be blamed for various social ills in a way that removes criticism from, indeed mobilizes support for, national elites (see chapter 20 by Sandoval-Garcia on these cultural dynamics in Costa Rica, Abella [2013] on attitudes to migrants in ASEAN, and De Genova [2005]). The politics of securitization of borders in various parts of the world has eroded existing protection systems and promoted xenophobic sentiments. These have in turn encouraged ever more stringent practices of migration management where thinking is in terms of "flows of people" across borders rather than with understanding of persons having their own histories, networks, and contributions.

#### 21.4 The Attempted Maintenance of Nation-State Projects Through Migration Regimes of 'Temporary' and 'Irregular' Workers

In many respects global economic forces act in ways that do not respect, and can undermine, a system centred on nation-states. The global system of market

capitalism causes calculations and decisions to be made in the light of worldwide market alternatives and opportunities. However, while globalist in this regard it is like the system centred on nation-states in another way: it has no inherent respect for universal human rights; its calculations concern profitability. Partnerships between the system of market power and the nation-state system have emerged around the exploitative use of migrant labour (Gasper/Truong 2010a). Since women's labour too is a space for intensified exploitation, migrant women's labour is such a space par excellence.

A 'migration regime' is a system of regulation of migration that covers far more than formal laws and written regulations. De facto systems of national and international regulation of lower-skilled migrant workers frequently allow additional value to be extracted from these workers through their official rejection as legal migrants. Huijsmans (2011; see also chapter 19), for example, noted that Laos (the Lao People's Democratic Republic) prohibits the recruitment of Lao workers for unskilled work in Thailand, and yet all participants know that this is what the largest group of Lao international migrant workers do. Kusakabe and Pearson in chapter 4 demonstrated the impacts of the migration regime for foreign women workers in Thailand and the human costs of a blinkered approach (see also Doneys 2011; Pearson/Kusakabe 2012). Negative impacts are partly deliberately discriminatory and partly unintended in countries where economic expansion induces in-migration, particularly to activities which citizens become unwilling to undertake, and yet where national identity is a product in the making or something that is reviving. Many migration regimes are attempting to control a transnational phenomenon that is unavoidable, but are doing so while an exercise in nation-building is still going on. In such situations Mushakoji (2011) warns against attempts to directly enforce universal humanist values in order to defend migrants, for migrant rights will then be reviled as imperialist imposition. He advises instead seeking creative syntheses of humanist values with compatible strands in the national culture.

A migration regime extends across borders, and interfaces with and links to other such regimes, as shown by Irianto and Truong in chapter 2. Many actors are involved in the multi-billion-dollar migration industry, in both its legal and illegal channels, including not only recruitment agents and smugglers and traffickers of persons, but especially the employers and customers who benefit from the low-cost flexible supply of labour power and goods and services. Even

Lao migrants with an 'irregular' status in Thailand are part of a highly regulated system, regulated by the Thai state and Thai employers. Employers prefer illegal low-skilled foreign workers, for they are cheaper, more vulnerable, more flexible and exploitable, and easier to dismiss and expel than legals. Their very 'irregularity' increases the demand for such labour.

Piore (1979) long ago explored this rationale in a North American context. Illegal labour has no rights and no protection; its secretly sanctioned entry brings no admission of the political sin of polluting the motherland/fatherland through an open-door introduction of aliens. Further, such workers have little or no access to social benefits, and so, given that and their low wages, they are obliged to have a high rate of participation in work, often relatively dangerous work (Goldin/Cameron/Balarajan 2011: 206-207). The intensity of this rationale has increased since the 1970s as global competition has increased (Chun 2009; Hiemstra 2010): many employers prefer rightless illegals, who have fewer alternatives also because they have less education and less access to education. The employers pay little or nothing towards the full cost of the social reproduction of their labour force - including the costs of bringing up and educating children and caring for the old and the sick. These burdens fall exclusively on the workers and their families, especially the women. But relatively neglected children may eventually disrupt this short-run market logic of cost minimization.

Both 'temporary' and 'irregular' workers are now found worldwide in huge numbers and proportions. For the USA, Goldin, Cameron and Balarajan (2011) cite recent estimates of twelve million irregular workers, who have only a one to two per cent chance of being caught (pp. 117-119). While border control in the USA has grown enormously, the "percentage of undocumented migrants working on US farms and in low-level service occupations and construction also rose continually" (p. 119). Kaye (2010) investigates how this form of migration regime is constituted in particular US states, such as in Texas's alliance between business and migrant groups. Border control schemes do not achieve their objectives, and compared to the vast gains realizable potentially for all parties by well handled legitimate migration they are an anachronistic waste of resources, conclude Goldin, Cameron and Balarajan (2011: 210). A theatrical apparatus of border checking has been instituted - comparable to the enforcement apparatus in the era of attempted alcohol Prohibition in the USA - which prevents relatively few people from entering (except

for asylum seekers), and cannot prevent millions of overstayers. ‘The [high] regulation/[low] enforcement gap in low-skilled sectors represents a political compromise for governments that face pressure to be “tough on illegal immigration”, when key sectors of the economy depend on the low-skilled labour that they provide’ (Goldin/Cameron/Balarajan 2011: 252).

Comparable patterns apply, *mutatis mutandis*, between regions within a continental-size country, India, where huge numbers of workers are controlled and exploited in circuits of temporary and circulating labour, as shown by Mazumdar and Agnihotri in chapter 7 (see also Breman 2009). Internal xenophobia against internal migrants serves as part of a similar social logic of creating and keeping a rightless class to provide cheap labour. An extreme example of such a pattern was apartheid South Africa pre-1994, which even tried to turn itself from a single country into a series of supposedly separate nation-states, most of which would be the ‘national homes’ of the low-wage labourers, even if many of these had never lived in their supposed ‘national home’. Capital was allowed to move freely across the new boundaries, while labour movements were to be strictly controlled. In practice, irregular labour was still plentiful and – because irregular – cheap. The same pattern is seen in contemporary practices in the USA and the European Union.

The form of legal migration now put forward by the governments of most rich countries and the migration management organizations that they support is temporary migration. In effect the model country in the contemporary migration order is the Philippines, whose economy revolves around preparing its workers for recurrent temporary emigration, as relatively cheap, docile, and supposedly short-term labour to fill slots identified by rich importing countries. The Philippines is a demonstrably inferior development model, socially and economically. As a substitute for the sort of land reform and other internal reforms that sustained the economic transformation of many of its neighbours, it recurrently exports its citizens, at considerable personal cost to them and their families and children (see e.g. chapter 12 by Marin and Quesada).<sup>5</sup> It is not gutted by this brain drain in the same way as a country like Malawi, where the large majority of doctors and nurses have left the country (Goldin/Cameron/Balarajan 2011: 180), because the Philippines specializes in training extra staff who will then attempt to emigrate for at least some time. Some Filipino doctors even retrain as nurses in order to more readily gain access to the USA.

Many contemporary projects to promote security for citizens within labour-importing countries rest on the insecurity of the lives of an underclass, those in temporary work and irregular work, whose labour power is wanted but who are not wanted as citizens. Much current temporary labour, legal and illegal, is in effect indentured labour (see e.g. Pearson/Kusakabe 2012, ch. 2, on the millions of foreign workers in Thailand). The workers are tied to a single employer and a single location for a long period; payment is in part only at the end of the period and subject to a series of conditions. This is the case in Canada’s seasonal worker scheme described by Goldin, Cameron and Balarajan (2011: 132) that seeks to prevent long-term entry; by contrast, a 2008 law allowed foreign graduates of Canadian universities to stay and work for three years, in the hope of then culling the best of them (p. 139). Similarly, Korea and Japan avoid official in-migration, and draw instead on the labour of ‘trainees’ and students and overstayers (p. 131). In the Spanish seasonal agricultural work scheme studied by Tandian and Bergh (chapter 3), most of the Senegalese workers quickly ‘absconded’ to elsewhere in Spain to seek work with better prospects, particularly work with a longer time horizon.

Historically, indentured labour paralleled and then replaced slavery. Not only was it the format used to bring South Asian and East Asian workers to the Americas, South Africa, and elsewhere after the abolition of slavery, but before then: “of all the colonial white immigrants [to the thirteen colonies that became the USA] between 1580 and 1775, more than half came as indentured servants who had agreed to provide several years of labor in exchange for passage, food, protection, and eventual landownership” (Kaye 2010: 127). Nowadays, vast numbers of South Asians, South-East Asians, and Africans working in West Asia are de facto indentured, but, as in many other contemporary cases, they have no path for movement to citizenship – unlike in the American case in the seventeenth and eighteenth centuries.

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5 Philippines government induction courses to prepare emigrants for international employment as domestic servants tell them not to expect more than five hours sleep a night, but do not tell them that the contracts they sign in the Philippines will often be replaced by far more unfavourable contracts when they reach their destination (Marin 2013).

**Table 21.1:** Viewpoints in Global Ethics. **Source:** Adapted from Gasper (2005a).

Viewpoints In Global Ethics		Extent of Values and Responsibilities With Global Scope		
		Extensive	Modest / Slight	None
Are national (and regional) boundaries ethically important ?	Very important	1. 'Scandinavian'	2. 'Inter-nationalist' (which includes some communitarians)	3. 'International sceptic' Plus some communitarians & post-modernists
	Intermediate importance	4. 'Solidarist- pluralist'	5. Transnational corporations with national loyalties/ priorities but some accepted global duties	6. Typical domestic corporation
	Not important	7. Full cosmopolitans ('solidarist-globalist') e.g. pure utilitarians	8. 'Libertarian-minimalist' I: e.g. transnational corporations without national loyalties but with some accepted necessary global duties	9. 'Libertarian-minimalist' II: 9a Business-only corporations 9b Robber-baron businesses

### 21.5 Who Counts? National Versus Market Versus Humanist Frames

This book has explored the forms of insecurity experienced by “people on the move” (CHS 2003) who straddle different jurisdictions and systems of social protection. The two stances we have just highlighted – a nationalist stance that gives weight only to the interests of citizens of one’s own nation, and a market-oriented stance that gives weight only to the expansion of economic profit – represent two of the poles within the political landscape. A more formal analysis helps to clarify this. Table 21.1 uses two dimensions for classification: 1. how far is global community – the existence of values and responsibilities of global scope – accepted? and 2. how important are national community and national boundaries deemed to be? Cosmopolitan positions hold that: all humanity is the reference group in ethical discussions, some important common values apply across humanity, and some responsibilities exist across all humanity. In full cosmopolitanism (#7), an extensive set of values is deemed universally appropriate and to be promoted. In contrast, ‘international scepticism’ (#3) holds that countries do and should pursue only their own interests. These sceptics concerning inter-national morality are, however, believers in intra-national morality (unlike position #9b). In contrast, libertarian-minimalist positions (#9 especially) first assign no special priority to national boundaries: individuals and their liberties are all that matter worldwide, not nations/states, which must not interfere with those liberties; and second, libertar-

ian-minimalists deny having significant responsibilities to almost any others, not only to foreigners.

The formal analysis reveals more positions besides the three corner positions (3, 7, 9) that we have mentioned. ‘Scandinavian’ positions combine strong national feelings and strongly felt global obligations (#1). Position 2 is an ‘inter-nationalism’: while countries are the primary units, held together internally as established communities, a community of countries is held to have emerged to some degree, for and through the regulation of their interactions; and this inter-national community produces agreements which must be respected. In a solidarism-pluralism variant of cosmopolitanism (#4; Dower 1998), global-wide concerns and obligations are emphasized but with acceptance of considerable variation in values and behaviour between settings. And towards the bottom right of the table are a range of positions held by business actors (5, 6, 8), that represent variants around the full ‘libertarian-minimalist’ category (9a, 9b). Market perspectives can seek to turn almost everything into a commodity, including human life, human organs, the human genome, even (in position 9b) legal rulings and police services. But other market-based perspectives include a greater acknowledgement of the prudence and/or appropriateness of accepting certain elements of obligation in relation to compatriots or even to all fellow humans (positions 5, 6, 8).

In the era when Europeans wanted to spread out and trade as they wished, in China, India, and the Americas, they put forward cosmopolitan doctrines which gave people a natural right to move in this way.

Francesco de Vitoria (1492–1546), considered by many to be the founder of international law, wrote that “[i]t was permissible from the beginning of the world, when everything was in common, for anyone to set forth and travel wheresoever he would.” Similar ideas appeared in the works of other great jurists of the time, including Hugo Grotius (1583–1645), Samuel von Pufendorf (1634–1692), and Christian Wolff (1679–1754), who argued that the state possessed a duty to allow the transit (and sometimes residence) of migrants (Goldin/Cameron/Balarajan 2011: 42).

By the late nineteenth century in Europe passports had come to be seen as feudal relics, only still used internally by feudal states such as Russia. In 1892, the Institute of International Law declared that free entry was the norm and should only be curtailed for special and very weighty reasons (Goldin/Cameron/Balarajan 2011: 71). However, passports re-emerged in the run-up to the First World War, and by the 1930s the norm had been reversed. The Netherlands refused to admit Jews in the 1930s unless they could *prove* that they faced an “immediate danger to life” (p. 83). This principle is now widely applied by rich countries. The ranking of the liberal principles of securing individual freedom and allowing individual endeavour versus the nationalist principles of restricting rights and responsibilities to only those people within national borders has been inverted. Within liberal countries people have the right to move, and cannot be legally prevented from entering a community by the local community itself, but between countries these rights have disappeared (Goldin/Cameron/Balarajan 2011: 266–267). To a full cosmopolitan these are feudal attempts to protect unjust privilege (Carens 1987); and for Goldin et al., given their perspective that all humankind is a relatively new enterprise by two thousand African migrants, ‘the earth is one country and all of humanity its citizens’ (Goldin/Cameron/Balarajan 2011: 285).

Nowadays, the global neo-liberal governance regime is a hybrid that asserts that national boundaries have high ethical status in respect of people – foreigners will be kept out – but have no status in respect of capital: commodities and finance must flow without hindrance. This version of neo-liberalism is far from textbook nineteenth-century liberalism and market doctrine, and is not a pure position. It is laced with rich-country chauvinism, and aims to marry the possessive individualism of market thinking with the pseudo-communalism of nationalism. Different arrangements are then constructed for: 1. drawing on high-skilled workers from poorer countries; 2. making use of but socially excluding low-cost lesser-skilled foreign labour, in those labour-intensive tasks which can-

not be relocated to low-wage countries, in particular many tasks in the agriculture, construction, personal services, and care sectors – some in legally approved temporary arrangements and some in formally irregular but tolerated shadow zones; and 3. marginalizing and excluding other groups, both within and outside a country, as part of the ideological legitimation of rule by a national elite. For asylum seekers, “the three Ds” are deployed – the instruments of destitution, detention, and deportation (Hintjens/Kumar/Puri 2011). Overall, the layered system of privilege, exclusion, and deportation has thought-provoking resemblances to what was pioneered by apartheid-era South Africa, and is seen by some as a system of global apartheid (Hintjens/Kumar/Puri 2011; Mine 2011). As with apartheid South Africa, reforming such a system requires looking in a differentiated and empathetic way at the concerns of all parties, taking into account their psychological as well as economic insecurities.

A possibly enlightening parallel emerged in chapter 8 in this volume by Zhu and Lin on China. In this subcontinental-size country, perhaps the largest migration flows for employment in world history have been under way during the past generation. There have been very high average income differentials between the main in-migration areas, mostly in the coastal provinces, and the main outmigration areas, mainly in the interior. The majority of migrants do not make a once-for-all transfer to in-migration areas. They continue moving to and fro, and/or plan to return eventually to their area of origin (if not necessarily to their place of origin), for reasons of family loyalty, sentiment, access to land, and/or lack of access to many registration-based rights and privileges in the place of in-migration, but also because of lack of access to stable urban employment. A large proportion of urban jobs are in rapidly changing sectors in which firms’ workloads fluctuate markedly, and lay-offs are as frequent as hirings. From their own studies of internal migrants and review of many related studies, Zhu and Lin (p. 167) recommend that “the protection of the rights of migrants should not rely on ‘urban citizenship’, and the whole society (rather than the destination cities) should bear the responsibility for protecting the rights of all citizens, including female and male migrants, no matter where they live.”

The policy in many in-migration countries is now to promote regulated temporary and circular migration and to exclude the migrant ‘denizens’ from full rights. That stance has been defended (for example by Gerhard Leers, the Netherlands minister for immigration and integration in 2010–12) on the grounds that

rich countries do not wish to have any second-class residents and 'so' insist on having only temporary regulated in-migrants rather than long-term irregular in-migrants. A third option - permanent in-migrants who acquire citizenship - is very largely closed. Principles of reciprocity and solidarity apply amongst citizens, but supposedly 'win-win' deals will be negotiated with non-citizens, such as redundant Senegalese fishermen or young Burmese women seeking to support their struggling families, that take advantage of their marginalized position. In contrast, the proposal for China is to move to a 'whole society' approach with special attention to the interests of temporary and circular migrants, so that they accumulate rights from their years of work that are later transferable elsewhere.

## 21.6 A Human Development and Human Security Perspective

A human development and human security approach, as articulated by, for example, Mahbub ul Haq, instigator of the work on Human Development Reports, attempts to apply a global, humanist perspective both in descriptive and explanatory work and in normative and policy work (UNDP 1990, 1994; Haq 1999). It uses a wide-angle lens that leads us beyond the bounds to analysis conventionally set by national frontiers and disciplinary divisions. At the same time it uses a zoom lens, to look at how particular people actually live and can live: at their opportunities that are attainable and valued through reason - this is the 'human development' reconceptualization of 'development' - and at the risks and pressures to which people's lives are subject within global, transdisciplinary systems of interconnection: the 'human security' focus within the 'human development' agenda (Brauch 2009; Gasper 2005b, 2009, 2010; Truong/Gasper 2011b; UNESCO 2008). The concept of human security focuses on 'critical, severe or pervasive threats to the vital interests of human life, livelihood or dignity, where the harm caused can be prevented or mitigated by human action' (Lester 2010: 322).

A concern with the meanings and sources of people's security and insecurity helps us to think about what matters most in their lives and how they are affected by the intersections of different factors - gender, class, race, religion, sexual identity, age, nationality, chance events - that structure and affect their lives, their opportunities and risks, rises and falls (Leichenko/O'Brien 2008; Gasper 2013). By situating individuals socially, such an approach becomes less in-

dividualistic than unnuanced human rights thinking, while encouraging sensitivity to subjectivities (Burgess 2007; Gasper/Truong, 2005, 2010b). It strengthens the basis for taking human rights seriously (Oberoi 2010). By looking at the capability of people and groups to maintain, restore, and promote their own security - 'securitability' (UNDP 2003) - it partners, and helps to set priorities within, work on 'human development'. Reflecting the realities of a transnational and interpenetrated system, it goes beyond the Westphalian conception of states and citizenship. 'Non-citizens are not viewed as non-persons or "outsiders", as they are under the state-centric system of international relations, but as equal citizens in the global community facing interdependent and universally relevant threats' (Edwards/Ferstman 2010: 40). Overall, it offers a commodious framework that respects the richness of listening-oriented fieldwork about daily living, the style of research seen in nearly all the chapters in this book, and that at the same time connects well with themes of global interconnection. The book has followed this agenda, as well as paying attention to the influence, in combination with other factors, of gender norms, including forms of gender blindness.<sup>6</sup>

Rich countries have sought to enforce a global order of open trade and capital flows, but with close regulation and restriction of flows of people, or to be more exact, of poor people. Some at least amongst their leading decision-makers know that the full logic of economic benefit from free trade applies only when all factors of production can move; but they have calculated that stronger actors can reap most of their own potential benefits without (officially) allowing poorer people to move, and they do not feel inclined to increase the dissatisfaction of some groups in rich countries by openly imposing upon them cultural stresses from immigration in addition to the economic stresses engendered by free trade and free movement of capital. Ignoring the principle of common (shared) security, they have calculated that ghettos of frustration created in pockets such as the driven-out fishing communities of Senegal can be se-

6 Whereas a significant body of work has now appeared that looks at migration in human security terms, the national framing inherent in National Human Development Reports has meant that none of the many such Reports that have explicitly investigated human security have taken migration as a lead theme (Gomez/Gasper/Mine 2013). In contrast, the Commission on Human Security (CHS 2003) used a global framing and treated migration in detail in its chapter 'People on the Move'; for an evaluation, see Oberoi (2010).

questered, or they do not even consider such consequences and the possible knock-on effects. The principle of common security holds instead that no sustained security can be obtained through undermining the security of those with whom one interacts (Lester 2010; Mushakoji 2011).

The social order in much of Europe and in Japan and perhaps some other countries, their human security in the long run, may also not be sustainable as the proportion of old people rises dramatically and care burdens are not absorbed by succeeding generations (UN Report on Replacement Migration 2001). The widespread pattern of continually increasing orientation to earn, spend, and consume; declining family care of the absolutely and relatively increasingly numerous elderly; and fewer women (let alone men) interested in bearing and caring for families that are on average of replacement size, let alone in caring for the previous generations, while at the same time coping with – or forgoing – the pressures and challenges of paid employment, might constitute in total one of what Daniel Bell (1996) called ‘the cultural contradictions of capitalism’. The sheer extent of demographic imbalance in much of Europe and in Japan makes it difficult politically and socially, however, for these countries to swallow the scale of immigration required to counterbalance the consequences of widespread – sexist, individualist, consumerist – cultural proclivities.

Goldin, Cameron and Balarajan propose (2011: 253) that the huge and growing gaps in the market for lower-skilled labour in rich countries cannot be bridged by the various subterfuges of undocumented migration; nor will permanently circulating workforces from South to North, Philippines-style, make sufficient economic or functional sense or be sustainable. For highly-skilled labour, they project that pressures to import will mount, and will collide with domestic resistance, at least in unprepared and fearful low-trust countries. They present a picture of vast potential economic gains from bringing labour to where demand for it exists, and cite World Bank estimates that economic benefits for countries of origin from expanded migration – of which a very large share would be by women – would vastly exceed those from full free trade or doubled international aid (Goldin/Cameron/Balarajan 2011: 163). Recipient countries, too, could benefit hugely, for example by releasing skilled women into the labour market, as described by Sandoval-Garcia for Costa Rica in chapter 20. Given labour market stratification, the evidence is that most immigrant workers do not compete with domestic la-

bour and so do not significantly reduce domestic wages in in-migration countries (Goldin/Cameron/Balarajan 2011: 166) but do significantly reduce the cost of wage-goods and services.

This sort of economic accounting is not sufficient for understanding the life impacts, including felt impacts and impacts not measured in money terms, for both immigrants and in-migration country residents; and consequently is not sufficient for devising and managing relevant, workable and just policy regimes. Widespread resistance and antipathy to immigrants is common: in Assam, Malaysia, South Africa, and Thailand, for example, not only in Italy, Japan, and the Netherlands; even, as seen in this book, to Nicaraguans in Costa Rica, despite their major contributions to the country’s agricultural exports and to freeing its middle-class women (and men) for paid employment. National identity and the nationally specific notion of citizenship are constructed in contrast to marginalized or excluded Others. The contemporary Indian state sometimes demonizes Bangladeshis, former fellow-residents of unpartitioned India, to the extent of periodically shooting some of them along the now partly fenced border as they continue to cross as always (Human Rights Watch 2010). Their exclusion helps to define something non-Indian, and hence to define ‘India’ (Kapur 2010: 200–1). In the Netherlands the principle of shared membership of ‘*ons land*’ (our country) conflicts with continuing race-based identification, in which the descendants of immigrants from some countries remain classified as *allochtoon* (from another soil), generation after generation.

Temporary-migration programmes plus the twilight status of de facto tolerated ‘irregulars’ seem designed to prevent any impression that a government treats new immigrants better than long-standing residents, but whether they will satisfy traditional residents, when these are exposed to exclusivist ideologies and a perpetual stream of transient foreigners rather than to emergent fellow-citizens, remains questionable. Further, major programmes of this type in the past in Germany and the USA have in reality still largely led to permanent settlement; they on balance discourage return to country of origin since migrants realise they cannot readily come back again (de Haas 2012). Similarly, felt security is not furthered by the parallel system of de facto tolerated irregular migration, but rather by the building of migrant loyalty to the country of in-migration by providing legal channels for entry and channels for legalization.

## 21.7 A Gender-enriched Human Security Perspective

Let us review our arguments up to this point. We have identified and contrasted, first, “a nationalist perspective that adopts only the nation as its ethical space, and typically adopts a national frame in explanation too; and second, a capitalist perspective that adopts a global frame in both evaluation and explanation, but with enormous exclusions in concern for poor people” since its measures in evaluation are purchasing power and completed monetary transactions (Gasper/Truong 2010a: 348-9). We contrast both these with the ‘human discourses’ fostered in the United Nations system: human development and more especially human rights and human security. These adopt “a global normative frame, in two senses – a comprehensive interest in the contents of people’s lives, and a concern for people everywhere, grounded in perceptions of human dignity and fundamental rights” (Gasper/Truong 2010a: 349). Work on human security in particular combines “‘joined-up thinking’ in explanation – a tracing through of fundamental interlinkages that cross national borders and conventional disciplinary boundaries – with cosmopolitan ‘joined-up feeling’ in valuation, giving priority to basic needs everywhere” (ibid.: 349). These human discourses, while open to different versions and emphases, are close partners and are readily and desirably combined. For our purposes, it matters relatively little whether the perspective is elaborated into an ethical viewpoint that corresponds to position 1 or 4 or 7 in [table 21.1](#), for each of those positions incorporates extensive values and responsibilities with global scope.

Of central significance for our purposes, by contrast, is that like all the standpoints in social philosophy that we have mentioned so far these discourses are not explicitly gendered. The emphases in human security thinking on human bodies, subjectivities, and human relationships make it a welcoming partner for gender analysis; but while fully relevant to women, there is no special emphasis on the distinctive pressures, discriminations and disadvantages faced by many women, especially women migrants, and how they serve as social and economic ‘shock absorbers’ (Gasper/Truong 2005).<sup>7</sup> Yet Kusakabe and Pearson

(chapter 4), for example, recount how the overwhelmingly female Burmese work force in the Thai border factories they studied face peculiarly harsh workplace conditions and must also struggle and improvise to fulfil the needs of social reproduction (material, generational, cultural), including care work, cooking, economic support of a wider family, and especially the bearing and upbringing of small children. Support from the state (whether Thai or Burmese) and from employers is almost entirely absent. Kusakabe (2013) notes with irony how employers recurrently used the phrase ‘We treat workers like family’, as an attempted justification for employees’ lack of enforceable formal rights and being always on call for more work rather than having fixed maximum working hours. The women improvise responses using community groups, hired services, and family members, in addition to their own efforts; for example, paying a ‘baby agent’ who transfers a batch of sedated babies back to their mothers’ home places in Burma. None of these means is highly satisfactory, stable and sustainable, so the methods of coping change frequently.

Women’s relative invisibility within discussions of international relations and social justice is unacceptable. This volume and its predecessor (Truong/Gasper 2011b) attempt to contribute in countering lack of gender awareness in regard to migration. They try to describe, explain and evaluate the gendered structures of intra- and especially inter-national migration and to identify directions for countering the major injustices, both those common to all migrants and those especially affecting women. While many of women migrants’ problems and needs are the same as men’s, some are distinctive, though those too can be fruitfully addressed if we harness and enrich the human discourses in order to advance women’s rights, security and development, rather than seek to build separate approaches.

For decades, the framework for international migration studies (as well as that of refugee studies) has reflected mainly the experiences of men of productive age, while the framework of human trafficking has predominated in representations of the experience of young and unmarried women. In recent years, especially around and since the High-Level Dialogue on International Migration and Development initiated by former UN Secretary-General Kofi Annan (2006), there has been growing recognition of the increased presence of women in migration streams – now at parity with men’s – and of the factors behind it. We must go further though, to undo biased assumptions linked to gender that have been built into research concepts

<sup>7</sup> Even an authoritative collection by human rights lawyers on *Human Security and Non-Citizens*, edited by Alice Edwards and Carla Ferstman, has little to say on women. The 26-page index has no entries for ‘women’ or ‘gender’.

and methods of data collection and interpretation. The biases have important consequences for policy choices in matters related to migration. Invisibility, misrecognition, and inappropriate framing of gender concerns are key issues for research on and advocacy for social justice in migration.

The *Migration, Gender and Social Justice* (MGSJ) research project from which this book emerged has adapted Collins's four-facetted 'matrix of domination' designed for Black studies to provide a framework for studying the relations of gender subordination in migration (Collins 2000: 277; Truong/Gasper 2011a: 4). The four facets, or levels, are as follows. First, the hegemonic level consists of entrenched ruling ideas, including the dominant idea of the bounded nation-state that has enforceable borders and a relatively clear set of norms and rules to determine membership. Cross-border migration has typically been understood in terms of a series of dichotomies: 'economic migrants' versus 'refugees', 'free choice' versus 'force', men as 'autonomous migrants' versus women as 'dependants'. These dichotomies give legitimacy to practices that have consequences for (un)fair treatment. They also fail to show the cumulative effects of intersectionality and the spiral of discrimination caused by multiple inequalities based on gender, ethnicity, and migrant status. Second, the bureaucratic level concerns state structures and the articulation and application of regulations, norms, standards, and procedures for specific groups of migrants, including the use of surveillance practices.<sup>8</sup> Third, the institutional level concerns how migration institutions (organizations of the state, migrant recruiting agencies, etc.) interact with each other in gendered ways that can (re-)produce the series of dichotomous classifications of people on the move (skilled-unskilled, legal-illegal, autonomous-dependent, etc.) with consequences for the subordination of women as a group of migrants. Fourth, the interpersonal level concerns how the

three facets above interface and are acted out in everyday social interactions in specific contexts: among and between the migrants, the local communities, support groups, and bureaucracies. The framework helps to bring out the practical challenges for advocacy for inclusive citizenship, due to the intersecting forms of subordination and of legal liminality.

The framework helps us also in avoiding overgeneralizations about the relationship between gender and migration. It is essential to recognize the importance of contexts and their particularities, the layers of factors involved, and the interactions of gender with other social statuses (legal identity as migrants; class; race/ethnicity; age). Overgeneralizations hide the various ways in which institutional power dynamics circumscribe the space for women migrants to claim rights. Discussion of social justice in relation to migration needs to be informed by understanding of the locally specific dynamics of migration and of organizational practices and legal regulations. We need also to recognise, besides the material circumstances that drive migration, the patterns of differentiation among migrants, the sense of prestige that people attach to 'being mobile', and the role of social networks in the diffusion of images and norms regarding mobility within and across borders.

Through exploration of the contemporary forms of circular, temporary, and transient migration and their gendered features, the studies in this volume have revealed the multi-layered meanings of 'gender' and their intersectional expression in all stages of migration. The traditional framework for considering women's rights in terms of citizenship may be applicable specifically to immigration (migration for permanent settlement). In other migration forms, the transnational character of power relations as well as their local expressions and affiliated practices of gender-based discrimination need to be analysed as a series of interconnections between different institutions and systems (households, communities, market-based recruitment agencies, relations between sending and receiving states, work placement practices). A new approach to rights is necessary that recognizes the role of multiple actors in multiple locations and that can discern the different aspects of structural vulnerability at each point in the entire migration process and develop a corresponding picture of accountability. The model presented in chapter 2 (table 2.2) is relevant here in combination with the four-part framework just described.<sup>9</sup> They help us to examine the realities of migrants' lives.

8 Migrants are affected not only by the framework of classification of identities that separates them from nationals, but also by a hierarchy of identities within the population of foreigners (as we see in chapter 13 on Libya). Though the specific features of this hierarchy of identities may differ according to the particularities of geopolitical contexts, often the management of 'flows' (of people on the move) misframe some groups of migrants and their identities into a 'social problem' that supposedly requires a solution. This misframing can conceal the need to examine dysfunctional aspects of the management of migratory flows by the state and by non-state actors.

## 21.8 Invisibility and Re-Cognition of Women's Migration: Promoting Human Rights and Security

The 'invisibility' and misframing of 'migration', migrants, 'gender', and women's work have consequences for social justice, as seen throughout the book. There are great limits to what one can achieve by trying to reform policies, official rules, and actual practices that violate migrants' rights and human security, especially for women migrants, if one does not significantly alter the realm of cognitions about migration (including those we referred to above as 'sedentary bias' and 'the hegemonic level' or nation-centred perspective) and about masculinities and femininities (ideas about appropriate behaviours, roles, and rights for males and females).

The concept of 'invisibility' has arisen in several different ways:

- a) statistical invisibility, which leads to the invisibility of women migrants in the eyes of planners, and thus their exclusion from policy attention and from activities for social protection (for example, see chapter 7 on India);
- b) institutional invisibility (the fact of having no formal status, or an unauthorized status), which derives from the rigidity of tacit presumptions and institutional settings, and excludes some migrants from programmes that might benefit them (seen in most chapters);
- c) strategic invisibility, chosen by migrants in order to evade discriminatory practices by the state or abusive behaviours at inter-group level or both (see, for example, chapters 4, 6, 10);
- d) most importantly, invisibility in the sense of being outside the realm of cognition as formal knowledge and sometimes even as tacit knowledge; for example, chapter 14 showed that the girl companions of blind beggars in Senegal and Mali are socially invisible, simply not noticed; more widely, much of the work done by women in caring for dependants and in household management is not perceived as real work.

Cognitive invisibility is the most important, for it underlies statistical and institutional invisibility which

then motivate strategic invisibility. Attaining institutional recognition requires re-cognition.

The multiple layers of invisibility have implications for migrants' economic and sociocultural security in their daily lives and in their relationship with agents of the state. Invisibility (including the non-recognition of migrants' diplomas) and misframing (e.g. misuse of the notion of 'family' to license unlimited calls on others' labour) are functional for powerful groups. We are dealing here with social fields of power, not just cognitive error. The struggles for rethinking are not just cognitive struggles.

The social invisibility or scant recognition of much of women's work within a country makes it hard for that country to make credible claims in support of its own women emigrants who do such work - if the country perceives and values their work at all. Countries which treat domestic workers within their borders as not 'workers' have little credibility when seeking to defend such workers against abusive conditions abroad. Indonesia's Domestic Workers Protection Bill, for example, remains unadopted, after years of discussion of the issue. Similarly, countries which treat in-migrants (and their own women workers) badly have less clout when seeking to defend their own out-migrant citizens (especially outmigrant women workers). Cholewinski (2010) identifies the feminization of migration (meaning here the increased proportion of women) as one reason why migrant rights have not been taken seriously by the governments of in-migration countries, nor sometimes by the countries of out-migration.

Invisibility, screening-out, is an extreme example of misframing. Discussions about domestic labour and domestic workers frequently involve other forms of misframing, such as failure to connect the mass migration of women domestic workers to the ongoing transformation in the organization of social reproduction for affluent groups, especially in rich countries. Persistent misframing can contribute to eventual crisis, which may then provide opportunity for reframing, recognition, and affirmation of certain categories of migrants whose presence and contributions to society have been left invisible.

Invisibility and misframing in terms of systems of classification of work, workers and migrants must be taken on board as issues of social justice. The systems must not be taken as given. They are based on specific knowledge frames which are time-bound and vulnerable to errors and to institutional rigidity. Similarly, the inherited legal approach to women's rights in migration is partly embedded in a dated framework of

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9 The model in chapter 2 can be seen as an elaboration for migration of the questions raised by the 'Institutional Responsibility Matrix' developed by Geof Wood; see, for example, Gough and Wood (2004).

group rights built on the rationale of protecting minority groups and minors.

More widely, tacit social constructions of ‘masculinities’ and ‘femininities’ affect subjectivities as well as codified practices, and exercise great influence both on how women, men, and young people become involved in migration processes, and on how policies of social protection are designed. The role frequently accorded to women is that of the human shock absorber, the nurturing human environment for the activities of others. Like shock absorbers and the physical environment they are taken for granted.

The frameworks of human rights – for women, for migrants, and for all persons – are nowadays elaborate and quite clear; but they are not self-enforcing, and their adoption and implementation is highly discretionary and very frequently absent (see, for example, the reviews by Cholewinski 2010 and Lester 2010 for migrant rights). Application of the frameworks to cases of international migration depends on collaboration between nation-states, and thus also on the perceptions of and pressures from the public in those states. Hierarchical relations between nation-states, economic and political agendas, and rigidity in administration make this collaboration ineffective. Parts of civil society play an important role in the defence of migrant rights, but civic actors too are embedded in the national sphere of politics that is influenced by nationalist sentiments that often do not favour such rights. A large number of studies in this volume have documented social processes of ‘racialization’ or other types of social construction that present migrant workers as inferior (and dangerous) beings. Countering such processes is an essential task for increasing the likelihood of the implementation of legal declarations of migrants’ rights. Chapter 20 by Sandoval-Garcia, in particular, describes several relevant avenues for this work.

Cholewinski (2010) lists, over very many pages, the years of meetings and reports on migrant rights, but can unfortunately provide little evidence of impact. Oberoi (2010) and Lester (2010) fear that the meetings are another form of theatre, for the more general conventions on human rights, if taken more seriously, would already accord major protection to migrants. Apart from the power of groups that benefit from the invisibility of migrant workers, Oberoi notes another explanation, another type of invisibility which is produced by the absence of migrant representation. The meetings and negotiations are conducted in closed chambers, with migrants’ own representatives excluded. Thus ‘in inter-state discussions

the world over, agreement is reached that it is the migrant who is to blame for the chaotic state of contemporary migration, it is the migrant who is a terrorist, a queue jumper, a criminal; he or she is barred from the rooms in which migration policy is being discussed’ and where rules are established and reinforced that render people on the move marginal and illegal (Oberoi 2010: 272).

Research and advocacy guided by a human security perspective can help expose what is kept invisible, and so help to strengthen the perceptual, affective, and political basis for giving serious attention to formal human rights. Ethnographic research can present migrants’ voices on their experiences of being invisible, of the multiple and interconnected layers of insecurity, and of negotiating recognition (such as successfully achieved by some of the Vietnamese brides in Korea and Taiwan seen in chapter 5). Direct testimony may counteract streams of misrepresentation and poison in parts of the mass media and ‘give a voice to some of the migrant women’, observe Pearson and Kusakabe (2012: 176), who themselves use the method to good effect.

These voices also direct attention to the ways in which the control of migrant workers is carried out. Studying migration means studying not only migrants’ everyday lives but the systems of creating and controlling borders (legal, social, economic, and cultural) that shape their life-worlds and restrict their agency. This can help to bridge the gap of understanding between a state-centric notion of ‘national security’ and a notion of how security is produced or undermined locally by social interactions.

Many people fear that the language of security is “a double-edged sword. ...it can label the subjects of this security discourse as threats to security, rather than being victims at risk of insecurity” (Edwards/Ferstman 2010: 40). A language of ‘human security’ in particular is sometimes adapted to serve forms of discipline and control over migrant populations. However, similar types of labelling and control have happened for centuries and are not generated by a human security perspective that specifically offers resistance to racialization and related forms of othering and scapegoating. Ensuring the rights of ‘people on the move’ requires as the first step addressing the forms of structural injustice they face. Human security analysis enters the life-worlds, constraints, opportunities, and subjectivities of all participants and considers how these are interlinked. As illustrated in this book, it can help shift thinking about ‘security’ from border control towards the notion of positive freedom for

those who migrate or return. Eve Lester argues thus that “the application of a human security lens to the social and economic rights framework...may serve as a counterweight to the forces of national security and sovereignty that have historically dominated legal and political discourse, often at the expense of justice” (Lester 2010: 317). Human security analysis is an essential partner to a human rights approach, not a diversion or competitor (Lester 2010).

The structures, institutional and mental, which we have identified and discussed are not subject to overnight change. Goldin, Cameron and Balarajan, as we saw, closed their book with a cosmopolitan clarion call in respect of free movement. But in terms of next steps they presented a more modest proposal: to create a global migration body that is divorced from the direct control of rich in-migration countries, and that can counter the policy patterns in which party politicians appear largely trapped. They consider that such an international lead agency can coordinate a long-run agenda for increased international migration, given its unavoidability. Reflecting its size and experience, the International Organization for Migration appears to them and to many as the logical choice, if converted into a United Nations agency and thus with an authority beyond the short-term political wishes of rich countries that fund it (Goldin/Cameron/Balarajan 2011: 282). This was the recommendation of the 2005 Global Commission on International Migration; it was blocked by in-migration countries.

The next best next step brokered by Kofi Annan in 2006 – the Global Forum for Migration and Development – is purely a non-binding discussion forum. But Annan framed and launched it within a longer-term perspective and with an attractive boldness of spirit. For Annan, the rationale of the Forum was to gradually build awareness of patterns of interconnectedness and progressively reduce the fears and misperceptions of in-migration countries and more generally.<sup>10</sup> While the Forum conducts its business in closed chambers it has become a prominent target of attention for civil

10 Annan’s ‘program logic’, as diagnosed by Gasper and Roldan (2011), was as follows: *We should go ahead with the Global Forum for Migration and Development, given that: 1. We must manage migration, 2. in a context where major disagreements exist, and a heritage of casual, non-thoughtful, non-constructive behaviour; 3. The alternatives are not feasible at present, whereas 4. GFMD is feasible and 5. can be fruitful since controversial emotive problems require calm, structured communication.* This underlying set of ideas is open to critical assessment and possible improvement.

society. Migrant organizations, social movements, and migration research bodies monitor, parallel, and lobby the Forum’s activities. The spirit is consistent with that in Sen’s approach to justice (2009): not a perfectionist model but focused on relevant ameliorations from real starting points. Within such a forum and similar channels, and partnered by pressure from civil society, progress is perhaps possible in some important areas.<sup>11</sup>

## 21.9 Next Steps

We conclude with an indication of some of the key areas for research and networking. Existing work could be deepened by using a human security perspective that incorporates a gender framework as suggested above.

First, transformations of borders: borders are transforming in various ways: physically, the gatekeeping functions to control and exclude migrants are now dispersed across numerous locations, including within the routines of daily life in the countries of in-migration and even the countries of outmigration; legally, there are now huge grey zones of ‘legal liminality’; culturally and psychologically, borders of various sorts are being constructed and deconstructed. Illumination of the new meanings and practices of borders is a research priority, to update the conceptual apparatus that we bring to considering migration and mobil-

11 In terms of [table 21.1](#), different starting points and different potential paths can apply to, and within, different constituencies: businesspeople and workers, politicians and administrators, elites, marginal groups. Countries that are presently strongly marked by business-centred positions (6, 9) might gradually move towards positions 5 and 8, with growing recognition and acceptance of the necessity and appropriateness of various duties that cross national borders (and that apply within national borders too). Roughly speaking, an author like Scheffer (2007, 2011), reasoning within a world of nation-states and of local communities, proposes a gradual progression of global awareness and trust, moving thus across the top row in the diagram, from 3 to 2 to 1. He argues that only by the promotion of healthy local interactions, including a recognition of the historical and geographical strands that have contributed and continue to contribute to the cooperative life in a locality, is the required basis established for more trusting broader interaction. Mushakoji (2011) proposes a fuller trajectory, 3→2→1→4. He is at the same time strongly aware of the dangers residing in positions on the right side of the table, which can grow in reaction to premature attempts to fulfil a cosmopolitan ideal of position 7.

ity and thus to reorient subsequent research in a way that does fuller justice to contemporary and emerging systems. The emergence of new forms of female migration, temporary, circular, and transient, and how these forms can produce conditions of insecurity not experienced by settled migrants, needs research and policy attention. The implications of border transformation and female migration for, not least, children (as stay-behinds, or co-migrants, or born during migration, or as returnees) have been noted here in the chapters on Mexico, Mali, and Thailand. The existing group rights approaches (e.g. women's rights, children's rights, indigenous people's rights) to migration seem more applicable to the integration of settled migrants in the host society than to the increasing number of circular, temporary, and transient migrant communities.

Second, South-South migration has already become equal in scale to South-North migration (as conventionally measured) some years ago (UNDP 2009), and is likely to rapidly exceed it. Women are very prominent in such movements. The large majority of the component studies in the MGSJ project and in this book address South-South migration, though the original scheme of work was not formulated in these terms. This trend throws up new questions. However, because of the domination of research agendas by the concerns and perspectives of Northern funders, South-South migration remains relatively speaking less studied.

One of the largest components of especially South-South migration during the coming decades is likely to be induced by climate change, given the greater expected impacts of climate change in tropical and subtropical areas and in low-income countries, the economic dynamism in much of the South, and intensive anti-immigration policy regimes in much of the North (see, for example, McAdam and Saul 2010). The Bangladesh-India border is a likely example of a major locus of such migration. While there is

growing research on climate change and migration, relatively little has yet connected closely to the issues of differential impacts on men, women, children, family organization, etc.

Thirdly, for both South-South and South-North movements, and intra-national migration, portability of social protection is a key transformative reform needed to respect the human rights of the migrants whom the global economic system requires and generates. The theme emerges strongly from the case studies in this volume, for example those on China, the Gulf, the Philippines, and Thailand. They reveal the central tension between the mobility of labour and the non-mobility of entitlements for most migrants. For migrants whose movements are temporary, circular, or transient, social protection schemes that can be made portable are vital. For example, Indonesian migrant domestic workers pay for their health and social insurance before departure, but they cannot access this support when in need because of institutional rigidity in the administration of labour migration policy in Indonesia, as well as in the receiving country. Special attention needs to be paid to the particular situations and needs of various categories of women migrants, and to the role of organization of and by migrant workers themselves to engage in campaigns for portable protection and for acquisition and then implementation of accorded rights.

The experience of the MGSJ project and the character of these concluding suggestions underscore the need for the cross-fertilization of ideas between regional research networks, South-South-North. Promoting cooperation, in order to reduce duplication and to avoid research driven by purely theoretical or purely national policy interests without due consideration for gender transformation as an ongoing process integral to migration itself, can help to support a bottom-up strategy of rights-claiming that responds more directly to migrants' needs and aspirations.

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