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FROM A "CHELI" IN NEPAL TO A "KHADAMA" IN THE ARABIAN GULF COUNTRIES: THE LOCAL-GLOBAL ENTANGLEMENTS AND GENDERED LABOUR MIGRATION GOVERNANCE

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FROM A "CHELI" IN NEPAL TO A "KHADAMA" IN THE ARABIAN GULF COUNTRIES: THE LOCAL-GLOBAL ENTANGLEMENTS AND GENDERED LABOUR MIGRATION GOVERNANCE

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ABSTRACT

This dissertation explores: In what ways does gender operate as a governing code in Nepal's labour migration governance? This question is answered in three specific ways. First, it explores how the gender codes in the Nepali society conjoin global forces to create structural conditions for women's transnational labour migration. Second, it examines how the Nepali state – within the regional/global geopolitics – embraces the gendered labour migration policy to produce, reproduce, and perpetuate the gender codes. Third, it explicates the ways in which women migrating for domestic work in the Arabian Gulf countries resist and subvert the gender codes while being implicated in the entangled precarity. The research also deliberates on the migrant rights politics and activism that attend to the entangled precarity faced by the Nepali women migrant domestic workers. The dissertation proposes the 'gendered local-global entanglements' as a conceptual framework to explore the ways in which the local and global forces and processes are deeply enmeshed and embedded in: 1) women's transnational labour migration; 2) the gender discriminatory labour migration policy; and 3) the production of entangled precarity faced by women migrant domestic workers.

First, the dissertation explicates women's transnational labour migration for domestic work in the light of four-pronged sociocultural and economic processes and their gendered implications, intersecting with multiple other axes of oppression. Further, the dissertation describes Nepal as a gendered migration state while embracing an "exception to neoliberalism" labour migration policy toward women migrant workers. Such a policy is embedded in the notion of a 'masculine sovereignty' which emanates from the patriarchy that conceives women as vulnerable. In contrast to women's vulnerability, this research unmasks the vulnerability of the Nepali state, as reflected through its 'sandwiched sovereignty' that refers to a fragile geopolitical position, resulting from a concurrent pressure from and complicity with global forces and its debilitating bargaining power. Finally, the dissertation explores the ways in which the gendered labour systems and patriarchal ideologies in Nepal and the Arabian states are enmeshed in producing the entangled precarity. These findings are based on roughly five months of ethnographic fieldwork in Nepal, Qatar, Kuwait and the United Arab Emirates and engagements with women migrant domestic workers, including state and non-state actors.

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AED	Emirati Dirham
AMKAS	Aprabasi Mahila Kamdar Samuha
ANWA	All Nepal Women's Association
BBC	British Broadcasting Corporation
BLA	Bilateral Labour Agreement
BLMA	Bilateral Labour Migration Agreement
CEDAW	Convention on the Elimination of Domestic Violence Against Women
CIAA	Commission for Investigation of Abuse of Authority
CPN	Communist Party of Nepal
CSO	Civil Society Organization
DCM	Deputy Commissioner for Mission
DFID	Department for International Development
DOFE	Department of Foreign Employment
EMB	Embassy
FAO	Food and Agriculture Organization
FEA	Foreign Employment Act
FEPB	Foreign Employment Promotion Board
G2G	Government to Government
GAATW	Global Alliance Against Traffic in Women
GC	General Convention
GCC	Gulf Cooperation Council
GCM	Global Compact on Migration
GDP	Gross Domestic Product
GEFONT	General Federation of Nepal Trade Unions
GOV	Government
ICIMOD	International Centre for Integrated Mountain Development
IDRC	International Development Research Centre
IDWF	International Domestic Workers Federation
ILO	International Labour Organization
IMRC	International Migration Research Centre

IOM	International Organization for Migration
ITUC	International Trade Union Confederation
KTUF	Kuwait Trade Union Federation
KWD	Kuwaiti Dinar
LGBTQI+	Lesbian, Gay, Bisexual, Transsexual, Queer plus
MFA	Migrant Forum in Asia
MLESW	Ministry of Labour, Employment and Social Welfare
MOFA	Ministry of Foreign Affairs
MOU	Memorandum of Understanding
NGO	Non-Governmental Organization
NRNA	Non-Residential Nepalese Organization
NNSM	National Network for Safe Migration
NRS	Nepalese Rupees
OGS	Ontario Graduate Scholarship
PNCC	Pravasi Nepali Coordination Committee
SAARC	South Asian Association for Regional Cooperation
SaMi	Safer Migration
SAP	Structural Development Program
SDG	Sustainable Development Goals
SKDWA	Sandigan Kuwait Domestic Workers Association
SSHRC	Social Sciences and Humanities Research Council
UAE	United Arab Emirates
UML	United Marxist Leninist
UN	United Nations
UNDP	United Nations Development Program
UNODC	United Nations Organization on Drugs and Crimes
US	Untied States
VDC	Village Development Committee
WMW	Women Migrant Worker
WOREC	Women's Rehabilitation Centre Nepal
WTO	World Trade Organization

CHAPTER 1: INTRODUCTION

My positionality and the genesis of this research

Being identified as someone from a "visible minority" group was a profoundly transformational

experience for me after I emigrated to Canada from Nepal in 2011. The newly designated

identity of a "racialized" person and the subsequent systemic subtle and non-subtle racial

discriminations I experienced marked an important shift in my social position which was

previously constructed around what Connell (2005) describes as the "patriarchal dividend" and

the other privileges I enjoyed as an educated person, a university teacher, and as someone

belonging to the so-called upper echelon in the Nepali society's caste hierarchy.[1] And what is

more, being relegated from a full-fledged "citizen" in Nepal to a disenfranchised "permanent

resident" in Canada with defined and circumscribed rights and duties was indeed a rupture.

Canada's constitution embraces "multiculturalism" as an integral part of the Canadian social

fabric. However, as Dayal (1996) argues, the rhetoric of multiculturalism often "wears its facile

plurality on its sleeve" by paradoxically effacing "difference" while simultaneously celebrating it

alongside and permitting continuation of the subtle coercive marginalization of the "Others"

under the façade of multicultural diversity (p. 50). Moreover, being a member of the small

Nepali diaspora placed me even further down the ladder of the South Asian "visible minority"

that, as Walton-Roberts (2013) observes, mainly refers to the Indian diaspora in Canada. Largely

subsumed into the homogenized "South Asian" category, I was – like many other Nepali

Canadian immigrants – confronted with the dual role of simultaneously resisting the effacement

of my Nepali meta-identity and acting in solidarity and complicity with the larger "South Asian"

category to seek social and cultural power. In addition, during my post-immigration

transitioning, the struggles to find a "survival job" and pursue the often elusive "Canadian

experience" were not only distressing but also diminished my sense of self-worth and self-

esteem. My master's degree obtained from a Nepali university which was counted as such to

determine my eligibility to apply under Canada's "Skilled Immigration" program was deemed

equivalent to a Canadian Bachelor's degree. Karki (2020) powerfully describes this as the

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[1] In the Hindu caste system, I belong to the "Chhetri" category which is second from the top in the hierarchy where the Brahmins belong to the upper level of the caste hierarchy, the other groups being the Chhetris, Baishyas and Sudras in order of their place within the hierarchy. Such a hierarchical caste system is linked with the Hindu *varna bewastha* which classifies people into these four categories based on the roles assigned to them: Brahmins (priestly people), the Kshatriyas (warriors and rulers), the Vaishyas (merchants and tradesmen), and Shudras (labouring classes). The caste system in Nepal is largely similar to that of the Indian society, but some variations exist (see N.E Levine's (1987) "Caste, State, and Ethnic Boundaries in Nepal").

"deskilling" of the "skilled minoritized immigrants" in Canada. Let alone yielding a job commensurate with my qualifications, my credentials were not initially considered credible enough to get me accepted into another master's program in Canada.

The shifts in my social position following my immigration to Canada as well as what I experienced as a racialized person were simultaneously traumatic and transformative. They were traumatic in that I at times felt deeply dispossessed, infantilized, alienated, and dislocated. At other times, I experienced diametrically contradictory thoughts and emotions: the sense of compunction and complacency, loss and gain, triumphs and failures, guilt and pride and myriads of other subtle emotions in-between that are too complex to be translated into syntax. Such ambivalences haunted me then and have continued to do so ever since. As Homi K. Bhabha in *The Location of Culture* (1994) insightfully characterizes the diasporic subjectivity as a liminal "in-between" space that always remains divided and fractured. On the one hand, there was a feeling of pride and the privilege of simultaneously straddling and embracing two identities and cultures along with all the concomitant niceties. On the other hand, there was always this constant acutely felt feeling of being estranged, uprooted, and alienated, inhabiting in a sort of a psychological imbroglio. Such a reality was much akin to what Du Bois (1903) – in the context of African American people in the United States – calls the "double consciousness" referring to the feeling of belonging and alienation and "the sense of always looking at one's self through the eyes of others" (p. 38). Based on ten years of my diasporic existence in Canada, I surmise that the diasporic subjectivity is bound to confront such dualities and contradictions which do not, however, remain static and stagnant; just like Du Bois (1903) claimed, the diasporic self – instead of being entrapped in passivity and inaction – goes through a dynamic process of change along with the passage of time. Succinctly put, what I felt as an immigrant largely resembles how Werbner (2013) portrays the diasporic subjectivity as being implicated in "simultaneity" which is, however, not an entire truth, though the "illusion of simultaneity" remains a powerful experiential force (p.108).

My reconfigured subjectivity and the shifts in my positionality provided me with a new lens through which I could gauge not only the migratory lineage of my own family – especially of my father who had migrated to India and served in the Indian army – but also revisit and reflect on

numerous other nonchalant previously taken-for-granted systemic issues of inequities, injustices and discriminatory practices − be they based on gender, caste, class, sex, age, widowhood, dis/ability and marital status − some of which I had witnessed and observed while the others I had experienced myself in Nepal. At the BBC Media Action[2] in Nepal, in course of producing a radio drama,[3] I had the opportunity to engage with women migrant returnees who had worked as domestic workers in the Arabian Gulf countries. That was indeed the first time I had become aware of the geopolitical, economic, and sociocultural dimensions and implications of women's labour migration, though the culture of *"lahur jane"*[4] (migration to India) in my rural village in Gulmi – located in the western hilly region – was a living reality for many people. By the latter part of my high school years though, such migratory trends had started shifting to Malaysia and the Arabian Gulf countries. At the BBC Media Action, the women migrant returnees with whom I engaged were at the time living in a shelter provided by a non-governmental organization (NGO) called Maiti Nepal,[5] since they were not, due to social stigmas, accepted back into their families and communities. The genesis of this research is thus linked with my own lived and work experiences, and particularly inspired by the complex life stories and trajectories of the women migrant domestic workers: the harrowing stories of abuse and exploitation they suffered inside Nepal, on transits and during their work abroad, as well as the quotidian but daring acts of agency and resistance that these women exercised within the structural constraints of their lives and specific contexts.

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[2] At the BBC Media Action, formerly known as the BBC World Service Trust, which is the BBC radio's international development charity, I worked as part of production teams across different programs: *Katha Mitho Sarangiko* (a radio drama), *Sarangiko Bhalakusari* (tete-a-tete with sarangi) and *Sajha Sawal* (a discussion program).

[3] The weekly radio drama titled "*Katha Mitho Sarangiko*" can be literally translated as the *"Sweet Tales of the Sarangi."* The sarangi, mentioned in the title, is a traditional Nepali stringed instrument made from bamboo. The narrator of the drama was a sarangi player from a so-called "untouchable" caste called the Gandharba, one of the Dalits, traditionally associated with music. The drama was entirely improvised and recorded on location, mainly in rural communities in Nepal, and it comprised a series of tales that the narrator told as he went about his singing trips around villages. The drama, which was broadcast in 2008 continued until 2012, and it addressed the issues of gender-based violence, women's empowerment, and the changing gender relationships in the contemporary Nepali society.

[4] The phrase "lahur jane" is commonly used to refer to the practice of migrating to India for work. It is widely believed that the term "lahur" is derived from the city of Lahore (present Pakistan) and thus linked with the history of migration that goes back to the period when the King of Lahore (then in India) recruited some Nepali men in his army. (See, for example, Sunam, 2014; Thieme and Wyss, 2005).

[5] Maiti Nepal is a non-profit organization involved in the anti-trafficking movement in Nepal, and it operates a rehabilitation centre in Kathmandu and transit homes at different Nepal-India border points. The founder, Anuradha Koirala, was featured on Oprah talk show and it received international attention after Prince Charles initiated a fund-raising campaign by sending an open letter to the Sun appealing for funds by selling his limited edition of watercolors. The word "maiti" means the natal home of a married girl in the Nepali society.

However, in the national policy circles and academic research, let alone the political and interstate bilateral relations, the lived experiences of women migrant domestic workers, their voices and views remain largely absent, ignored, and distorted. Such erasures and obfuscations of the lived realities of Nepali women migrating to the Arabian Gulf countries for domestic work[6] exists even at the global level as reflected through what a migration policy expert affiliated with an international organization commented about them: "If you don't know the exact number, that means not many Nepali women work as housemaids in the Gulf" (interview with an IO official). As Dingwerth and Pattberg (2006) point out, power politics is involved in constructing some issues as being worthy subjects of global governance[7] while others are considered unworthy for public and political concerns. Since women migrant domestic workers in general can yield little political power as a social group, their issues are made invisible consequently falling through the cracks. In the context of Nepal's geopolitical positioning, the Nepali women migrant domestic workers' experiences and voices remain further marginalized and erased. What remain particularly invisibilized and silenced are the challenges faced by Nepali women who – due to the policy bans and restrictions imposed by the Nepali state – have resorted to extremely perilous paths and channels to migrate to the Arabian Gulf countries for work under the structural conditions created by the patriarchal unjust and discriminatory systems and neoliberal global capitalism of which Nepal has become an important part. Though women's transnational labour migration is structurally conditioned and constituted, I avoid using the structural conditions in a deterministic sense, as if they are factors that propel all women on set paths. In alignment with what Butler (1995) states about the "constitution" of the "subject" which does not, however, mean that "it is determined; contrary, the constituted character of the subject is the very precondition of its agency" (p. 46). Nepali women's decisions to migrate for domestic work, despite the state's gender discriminatory bans and restrictions, are not merely the deterministic responses to the structural forces but their agentic acts of resistance for survival and livelihoods.

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[6] ILO Convention No. 189 defines domestic work as "work performed in or for a household or households" and domestic worker as "any person engaged in domestic work within an employment relationship" (Article 1 a & b).

[7] In this dissertation, "governance" broadly refers to the involvement of state institutions and informal, nonstate actors in policymaking "whereby those persons and organisations within its purview move ahead, satisfy their needs, and fulfill their wants" (Rosenau 1992, p. 4).

In this research, I attempted to place at the centre the voices and lived experiences of Nepali women migrant domestic workers which have been – discursively, instrumentally, and structurally – obscured, silenced and wrongly portrayed to the extent that they are constructed as "victims" in need of state protection and the subjects to be controlled and contained. Feminist scholars (e.g., Alexander and Mohanty, 2012; Haraway, 1988; Harding, 1986) reject a "neutral" view and the objectivity of knowledge, contending that our socially constructed positionalities – distinctively marked with gender, class, race, and culture – inform how we understand and interpret realities. Thus, my social position and subjectivity have influenced the entire research process, from framing the research questions, conducting ethnographic fieldwork and data collection, and interpreting the data, which I discuss in detail in Chapter 3. Spivak (1988) vehemently argues that it is impossible for academic researchers to "give voice" to the subaltern whose voices become already co-opted in the process. Slightly differently, Shuman (2005) asserts that telling the stories of the "others" is "always fraught with representational and ethical landmines" though telling and engaging with the "untold stories" enables us to learn something new (p.162). Like Spivak and Shuman, I am cognizant of the dangers and representational and ethical challenges of "giving voice" to the marginalized people. I have therefore attended to the ways in which my social position has influenced my engagements with my research participants as well as the framing of my research questions, data analysis, and the rendering of their meanings to an academic audience. Nonetheless, I refrain from considering positionality and subjectivity as static notions and as being completely dissociated from each other; subjectivities are largely configured and reconfigured within the dynamics of the researcher's shifting positionalities in the field. Further, I consider that telling the stories of the Nepali women migrant domestic workers, meaning-makings and interpretations of their experiences cannot remain immune to my social location and positionality as a researcher. My attempt, in this research, has been to bring the largely ignored, distorted, and marginalized experiences and voices of the Nepali women migrant domestic workers to the epistemological table, albeit through my own prism.

Gender, geopolitics, and labour migration in Nepal

In this section, I provide an overview of my research against the backdrop of Nepal's geopolitical position within the existing regional and global politics, labour migration in the country's political and historical context, and the transnational labour migration of women by

situating it within the shifting geopolitical and economic changes brought about by globalization

and global capitalism. This section is divided into four subsections. The first subsection briefly

discusses Nepal's geopolitics and its implications in relation to the cross-border labour migration

in the past and present. The second subsection considers Nepal's cross-border labour migration

in the light of globalization, global capitalism and the country's neoliberal economic policy

accelerated following the political change in 1990.[8] The subsequent subsection assesses gender

and power relations within the Nepali patriarchal society and the gendered state alongside its

masculine nationhood. The final subsection focuses on the transnational labour migration of

women in the context of globalization and the state's gendered labour migration policy.

Nepal's geopolitical and economic position

Nepal is not technically a "postcolonial" country in that it was not directly colonized[9] by Britain

even when the rest of South Asia was colonized. However, following the Treaty of Sugauli[10] in

1815 with British-India, Nepal lost a huge portion of its territory. Whelpton (2005) writes,

> Negotiations for a general settlement produced a draft which was initialled at
> Sagauli in Bihar in December 1815 and required Nepal to give up all territories
> west and east of its present-day borders, to surrender the entire Tarai and to accept
> a permanent British representative (or 'resident') in Kathmandu. The Nepalese
> government initially balked at these terms, but agreed to ratify them in March
> 1816 after Ochterloney occupied the Makwanpur Valley only thirty miles from
> the capital. (p. 42)

The Rana regime[11] which started in 1846 almost 30 years after the Treaty ruled Nepal as a proxy

of the British colony (Burghart, 1984). The Rana rulers, rather than escalating hostilities with

British-India, adopted the policy of strengthening their autocratic regime by appeasing British-

India. Liechty (2020) notes that the Ranas adopted the policy of "selective exclusion" that refers

to seeking the "political and symbolic power of the British rulers in India while simultaneously

trying to keep them out of the hands of their political subordinates" (p. 41). The Ranas can thus

be called the quasi-colonized rulers. Herzfeld (2002) describes such a geopolitical state as

"crypto-colonialism" which refers to the "political independence at the expense of massive

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[8] In 1990, Nepal went through a political movement, popularly known as "*Jana Andolan"* (People's Movement).
This movement was successful to end the party-less Panchayat regime of the king and ushered the country into a
liberal multiparty democratic system with constitutional monarchy.

[9] Nepal fought several wars with Britain and lost a huge portion of its territory. Among them, the Anglo-Nepal war
(1 November 1814 – 4 March 1816) was a decisive one which ended with the signing of the Treaty of Sugauli in
1816 that ceded a sizable portion of Nepal's territory to the East India Company.

[10] This treaty was signed on 2 December 1815 and ratified by both sides on 4 March 1816.

[11] The period between 1846–1951 is the period of the Rana regime in Nepal which was started by Jang Bahadur
Rana (1817–77) who declared himself the Prime Minister of Nepal after seizing power from the king. The Rana
rulers were able to strengthen their rule with the support of British-India. With the end of British colony in India in
1947, the king and the people were united to protest the Ranas in 1950. In 1951, the then King of Nepal (Tribhuvan
Bir Bikram Shah) fled from the palace and took refuge in India.

economic dependence" (p. 901). Such a geopolitical position also meant that the British colony

had a political sway over Nepal and exploited its resources without any external responsibility[12]

(Nkrumah, 1967, p. xi). Nepal thus – despite its history of not being directly colonized –

remained deeply entangled with the British colonization in South Asia (Mukherjee, 2006).

Following the Indian independence in 1947, the Indian rulers inherited the British colonial

legacies through political and economic interferences in Nepal. Against this backdrop, the

contemporary geopolitics which largely revolves around the colonizer-colonized debates, Nepal

remains what Michael (2014) calls a "neglected third space" (p. 9). However, the Nepali ruling

elites have continued to underscore the discourse of Nepal's "exceptionalism" as a non-colonized

state which portrays Nepal only as the country of the "*bir*"[13] Gurkhas of the "martial race"

(Tamang, 2014), and as "a bounded uncolonized island with little or no connections to a wider

sea of islands" (Michael, 2014). Though such a discourse holds true on some empirical grounds

(Tamang, 2014), it conceals the subordination, repression, and exploitation that Nepal and its

people experienced, both internally and externally, in its political history. Further, such

narratives are foregrounded at the expense of Nepal's "crypto-colonial" history which challenges

the masculine Nepali state and its masculinized nationhood (Tamang, 2014).

Further, the Treaty of Sugauli[14] provided a clause that reciprocally allowed free movements of

peoples across the border between Nepal and British-India without any passports and visas while

granting the citizens of both countries the rights to stay, own property, and run businesses with

same reciprocal privileges. Even the India-Nepal Treaty of Peace and Friendship[15] which was

signed in 1950 following the Indian independence provided a clause of maintaining an open

border between the two countries while providing the same reciprocal privileges to each other's

nationals in terms of economic activity, employment, residency, and property ownership. The

1950 Treaty, which is still in effect, goes beyond the conventional bilateral relations between two

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[12] Such a state was evident from the ways in which Nepal's resources were exploited by British colony without any responsibility. Ramesh Sivanpillai (2015) in his book *Biological and Environmental Hazards, Risks, and Disasters* provides details about how Nepal's natural resources were extracted by the British colony.

[13] It literally means "brave", and it was the British colony that popularized the phrase "bir Gurkha" perceiving the Nepalis as a brave clan.

[14] Article 7 of the Treaty of Sugauli stated that the "governments of India and Nepal agree to grant, on reciprocal basis, to the nationals of one country in the territories of the other the same privileges in the matter of residence, ownership of property, participation in trade and commerce, movement and other privileges of a similar nature."

[15] Officially, the Treaty of Peace and Friendship Between the Government of India and Government of Nepal was a bilateral treaty between Nepal and India establishing a close strategic relationship. The treaty was signed by the then Nepali Prime Minister Mohan Shumsher Jang Bahadur Rana (on behalf of Nepal) and Chadreshwar Narayan Singh (the then Indian ambassador to Nepal). The Treaty allows free movement of people and goods between the two nations and a close relationship and collaboration on matters of defense and foreign policy.

sovereign states in that it not only provides clauses that ensure free movement and residency of peoples in each other's territories but also reciprocally protects their rights to conduct economic activities, own properties with the privileges and be treated on an equal footing (Subedi, 1994). This Treaty has, however, been strongly criticized for undermining Nepal's sovereignty and independence, particularly in pursuing a free defense and foreign policy[16] (Adhikari, 2018). Adhikari (2018) asserts that this Treaty was a desperate attempt of the Rana rulers to lengthen the life of their autocratic regime in the context of the internal movement of Nepali people for democracy and political uprisings in South Asia. The Rana regime, however, could not withstand the people's movement and ended with a reinstatement of the monarchy with a democratic political system. Shakya (2008), however, describes the post-Rana period as a "postcolonial" democracy which fell into the hands of the Hindu Shah kings in the 1960s.

As the map in Figure 1 below demonstrates, Nepal borders with India in three directions along the vast stretch of the Terai flatlands, making the cross-border movement of people easy. But such transnational mobilities of people are not as easy with China due to the difficult geographical terrains of the Himalayan range running along the northern border with China.

Figure 1: Political and geographical map of Nepal[17]

Source: http://ncthakur.itgo.com/map15.htm

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[16] The 1950 "peace and friendship treaty" has been criticized for interfering with Nepal's independence. After the treaty came into effect, an Indian representative would be present in the cabinet meeting of the government of Nepal in addition to the posting of Indian security agencies in the Northern border of Nepal. Strong resentment exists among the Nepali public against the words and spirit of the treaty. Please also see S.D. Muni's 2016 article titled "Foreign Policy of Nepal" and M. Brown's 1971 book *The Diplomatic Development of Nepal*.

[17] Nepal is a landlocked country located in South Asia with China in the north and India in the south, east, and west. This is a new map of Nepal which was released by the government of Nepal on 20 May 2020 including its territory which Nepal claims was encroached by India spanning an area of 335 square kilometres including Kalapani,

The geopolitical location and position of Nepal between India and China also have implications for how the Nepali state has defined the conceptions of nationhood and citizenship. Richardson et al. (2016) argue that Nepal's geopolitical location between India and China is at the centre of defining and redefining citizenship in Nepal. Similarly, Shneiderman (2013) contends that Nepal should therefore be actively always constructing and reconstructing the border between the two countries to maintain a separation.

In addition, in the context where Nepal has blocked regular migration pathways by imposing legal bans and restrictions on those migrating for domestic work in the Arabian Gulf countries, the women willing to migrate for domestic work in the Arabian Gulf countries have resorted to the mediators (popularly known as *dalals*) who help them cross the Indian border and then make their way to their destinations. The transnational labour migration of women in Nepal has thus brought to the fore the roles of individual brokers and private recruitment agencies. On the one hand, these intermediaries who take advantage of the Nepal-India open border and help women to cross the Indian border to migrate to the Gulf countries abuse and exploit them inside Nepal and on transits and place them at heightened risks and precarities in the destinations. On the other hand, such clandestinely operating unofficial brokers support women not only to paradoxically defy and circumvent the state's gender discriminatory legal bans and restrictions to migrate but also escape varied forms of patriarchal oppression at home and seek alternative livelihoods in the face of the structural constraints exacerbated by the forces of neoliberal globalization with which the Nepali state has been complicit.

Labour migration, neoliberal capitalism, and the Nepali state

The cross-border labor migration in Nepal started from the 1816 Treaty of Sugauli that established the first Gurkha regiment[18] within the British-India army (ILO-DFID, 2002). Some scholars (e.g., Sunam, 2014; Thieme and Wyss, 2005) claim that the history of formal migration in Nepal goes even further back to the period when the King of Lahore in India recruited some

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Lipulekh and Limpiyadhura in the far western part of Nepal. With the added portion of the land, Nepal's total area is now 147,516 square kilometres from 147,181 square kilometres.

[18] The history of recruiting Nepalis into the British army goes back as far as 1815, and this practice has continued even to this day. The Nepalis recruited into the British army retain their Nepali citizenship even after their recruitment. Though the Gurkhas as they are popularly portrayed as by Britain have been engaged in struggles to be treated equal with their British counterparts in terms of pensions plans and benefits after retirement.

Nepali men in his army. The term "Gurkha"[19] and its association with the discourse of "martial race" were constructed within the Western imagination by the British empire (Caplan, 1995; Streets, 2004), and the naming and the discourse associated with it was internalized by the Nepalis as well (Des Chene, 1991). Scholars (e.g., Enloe, 1981; Killingray, 1999) argue that the British empire initially employed the logic of the martial race as a strategy to have control over India, but the strategy was later used to create reliable soldiers to sustain the colonial system. Even after the end of British colonization in India in 1947, the Gurkha regiments were split between independent India and Britain by signing a tripartite agreement according to which six units of the Gurkha regiment were annexed with the new Indian army while four units were transferred to the British army (Sharma and Thapa, 2013).

Labour migration in Nepal is not thus a new phenomenon, and for many people, it has served as the livelihood strategies, but it was mainly limited to India and Britain. However, the state-regulated labour migration started only after Nepal introduced the Foreign Employment Act in 1985. Labour migration destinations diversified along with the 1990s political change that enabled people to easily obtain passports which were not as easy during the king's regime (Sailesh and Bhattarai, 2011). The pace of labour migration further intensified after Nepal embraced economic liberalization, the marketization of the economy and deregulation of the labor market, and the free trade liberal economic policy following the political change in 1990 (Athukorala and Kishor, 2005; Dugar, 2014; ILO, 2014, 2018; Seo and Skelton, 2017). As a result of this and the adoption of the Structural Adjustment Program (SAP) in 1988, Nepal's economy was opened up to the forces of globalization and global capitalism which the democratically elected new government in 1992 spearheaded through further neoliberalization (Khatiwada, 2005; Pyakurel et al., 2005; Rankin, 1999; Shakya, 2008). In 1994, the UML (United Marxist and Leninist) government also continued economic neoliberalization by privatizing public enterprises and promoting trade liberalization, financial reformation, and cuts in subsidies (Gellner, 2015; Hachhethu, 2002). However, embracing the SAP program without developing a new and sustainable development strategy dismantled the old national development plans but failed to replace them with the new ones (Khanal and Bracarense, 2021).

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[19] Etymologically, the word "Gurkha" was coined by the British empire, but it originated from the word "Gorkha" which is one of the 76 districts of Nepal.

Along with the economic liberalization and engagement with international financial institutions, Nepal intensified its bureaucratic and industrial reforms and reversed the policy of economic protectionism (Athukorala and Kishor, 2005; Shakya, 2008). As Hennebry (2016) observes, when states liberalize their markets at the behest of international organizations, the forces of globalization erode the state borders, forcing the poorer countries of the Global South to open up their borders for labour migration. Temporary labour migration has served as an appealing "safety valve" for governments of developing countries faced with high unemployment and poor terms of trade: sending workers abroad masks job shortages at home (often associated with the decline of traditional livelihoods), while amassing vital foreign exchange receipts by way of remittances (Piper et al., 2016). Peripheral nations are simultaneously exploited by, and dependent on, core nations, having been subjected to global capitalist forces that destroyed their indigenous economies (Weiner, 2018). At the roots of the increasing trends of labour migration are thus the neoliberal economic policies adopted by the Nepali state (Shakya, 2018), coupled with the rapidly increasing labour demand in the Gulf and Middle East countries following the oil and gas boom (ILO, 2014).

Further, the neoliberal policy of the state also meant that the national markets were flooded by imported commodities of the multinational corporations, and the costs of which not only undercut the locally produced goods but also promoted consumerism. When Nepal embraced the neoliberal policy, industrialization contributed only about 8 percent of the country's national GDP which meant that the national economy was flooded with commodities of multinational companies (Chandrasekhar, 2017). Liechty (2020) observes that the economic "open door" policy of Nepal in the wake of the 1990s led to unregulated commodity imports and an influx of foreign goods as well as the "shifting registers of social value and prestige." The agricultural economy failed to sustain people creating structural conditions to seek non-farm jobs not only in India but beyond (Bohra and Douglas, 2009). Consequently, the goods formerly produced could not sustain the economy while people's traditional livelihoods systems failed to cater to the changing needs, desires, and aspirations of the people, especially those living on margins. Ahuti (2020) makes an incisive analysis of how global capitalism has transformed Nepal into "a mere

labour-exporting and consumerist society."[20] As McCarthy (2021) argues, people's traditional sustenance farming has come under threat due to the changes in climate and rainfall patterns, playing a catalyst role in accelerating labour emigration from Nepal. Some studies (e.g., Bohle and Adhikari, 1998; Tiwari and Bhagwati, 2015) demonstrate that the repercussions of climate change in the forms of unpredictable climate conditions, altered precipitation and hydrological disruptions and deforestation have severely affected agricultural productivity and food security, and such calamities have particularly affected the Nepali women disproportionately (Chindarkar, 2012; Terry, 2009; Tiwari and Bhagwati, 2015; UNFCCC, 2014).

In addition, the Maoist armed insurgency that started in 1996 and ended in 2006 along with a prolonged political transition thereafter also catalyzed a massive scale outmigration from Nepal (ILO, 2014; Lohani-Chase, 2008). Nightingale et al. (2018) contend that the immediate post-2006 "political transition" was awash with "ethnic tensions, violence, strikes, and a bewildering kaleidoscope of leaders gaining political leverage, only to be marginalized again" (p. 850). Even after the end of the insurgency, Nepal has undergone several major political changes that include the erstwhile king's political coup, reinstatement of democracy, the establishment of a republican political system, and the elections of the Constituent Assembly twice (Lawoti, 2014), as well as the writing of the federal Constitution of Nepal in 2015 which describes the state as an "inclusive, democratic, socialism-oriented, federal democratic republican state" (Article 4).

Further, given the crypto-colonial history of Nepal as discussed earlier, it is crucial to examine labour migration within the longue durée of the broader colonial legacies and relations. As Quijano (2007) contends, the economic, political, and social relations rooted in colonialism are largely present in the contemporary relations not only between people but also states. Neoliberal capitalism has unsettled national boundaries to the extent of transcending the authority of sovereign nation-states and reconfiguring their functions (Mendoza, 2002). The neoliberal development model through structural adjustment programs has invited an unprecedented degree of foreign intervention in Nepal's national planning process (Rankin, 1999). Further, Nepal considerably depends on foreign aid through international institutions that champion and

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[20] Ahuti expresses this view in his article titled "Sankatko Garva Bebasthama Chha" (The crisis remains embedded in the polity) which was published on *Ekantipur*, December 26, 2020 and available from https://ekantipur.com/opinion/2020/12/26/160899074158394683.html.

promote neoliberalism which are "often at odds with some of the stated socialist reforms favoured by the political centre in Nepal" (Nightingale and Rankin, 2014, p. 107). Such contradictions between the political ideology of elected governments and their neoliberal economic policies it promulgates suggests a "recolonization" of the periphery as global forms of regulation replace national development projects (Rankin, 2004, p. 45).

The state is understood and driven by globalization as much as being driven by external pressures (McNevin, 2011). Especially in democratic political systems, as Mishra (2014) notes, the elected representatives of the people are expected to make rules of the "capitalist game" and implement those rules to govern capitalist structures, institutions, and norms. However, In Nepal's case, such rules of the "capitalist game" are made in the interest of the elites. The Nepali state, instead of mediating the global and the local in shaping globalization processes, it has become complicit with neoliberal capitalism. Ahuti (2020) describes Nepal's political economy as based on what he calls "*dalal pujibaad*" (crony capitalism) referring to the rise of a few wealthy class through accumulations of capital through brokering global capitalism, rather than through the exploitation of labouring classes in the capitalist production processes. Nepal became an import-dependent economy but lacked export-oriented production. Nepal's engagement with global capitalism is thus not through production, but by transforming itself into a labour-exporting and consumerist society. Nepal has adhered to the neoliberal global mantra which, as Gellner (2015) observes, deems that the state should privatize industries and instead set legal frameworks and encourage its citizens to make money. Shakya (2018) argues that the countries like Nepal with "little agency in global politics" fall victim to the "double jeopardy of subaltern voicelessness and elite policy denial" (p. 94).

Against this backdrop, the only export for Nepal has thus become people and their labour. Nepal has established policy and institutional infrastructure to promote labour migration. The Nepali state promotes labour migration to serve a twofold purpose: the import-based economy receives foreign capital through remittances sent home by migrant workers while it provides a safety valve to address the challenges of widespread employment inside the country (ILO, 2015; Sijapati, 2012). This indicates the government's failure to regulate imports and the market, and to invest in human capital, social protection, and retraining, and shifts to income diversification,

particularly in rural areas. As a result, the local spaces are left open to the global forces with differential impacts on people depending on their social, cultural, and economic contexts. Urbanization, a rapid democratization of the political sphere, and an expansion of proletarianization have precipitated enormous shifts in Nepal's social organization, including how women from diverse caste and ethnic backgrounds participate in the newly monetized economy as labourers and consumers (Grossman-Thompson, 2016). Following Nepal's membership with the World Trade Organization (WTO) in 2004, the quota obtained through the WTO Agreement on Textile and Clothing for garments and woolen carpets industries in Nepal which provided employment to many women was removed in 2005 with disproportionate negative impacts on women's employment (Shakya, 2008). Citing the decline of the Nepali garment industry which had employed many women, Shakya (2017) describes this as the failures of neoliberalism in Nepal.

To look at the contemporary labour migration trends in Nepal, 500 Nepalis on an average leave the country for employment daily, and almost two-thirds of them go to the Gulf countries, mainly Qatar, Saudi Arabia, and the UAE (Agbola and Acupan, 2010; Rajauriya, 2015). Bossavie and Denisova (2018) divide Nepal's migration into three categories in terms of destinations: internal migration (e.g., rural-urban and hills-plains), migration to India, and the external migration, mainly in the Gulf and Southeast Asian countries. Almost 85% of the international labour migration between 2008 and 2015 from Nepal occurred in the Gulf countries, such as Qatar, Saudi Arabia, the UAE, and Kuwait (Kapri and Ghimire, 2020). The Gulf countries have comparatively more liberal immigration policies but migrant workers there are structurally discriminated against (de Hass et al., 2019). Ruhs (2013) describes this as a tradeoff between the numbers of migrants allowed to enter and work by the states and the rights granted. As Figure 2 below shows, Nepal's agriculture-based economy has shifted into a remittance-dependent economy.

Figure 2: Contributions of Nepali migrants' remittances (in percentage) to Gross Domestic Product (GDP)
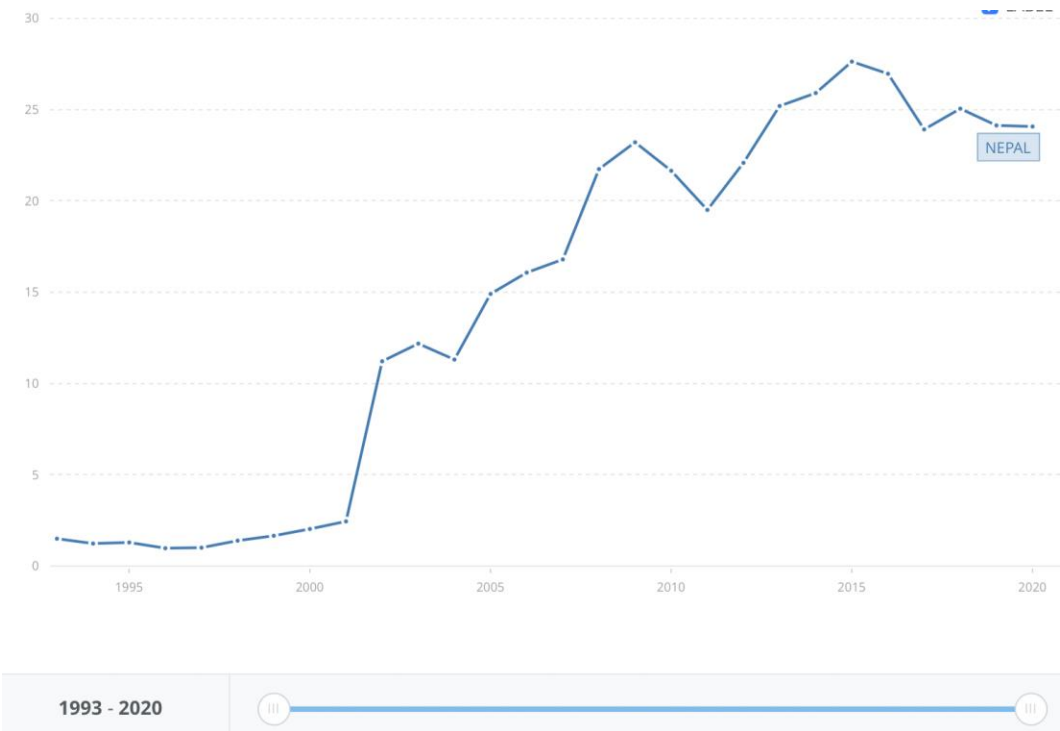
As the Figure shows, the personal remittances[21] sent home by migrant workers comprise a considerable portion of the country's GDP. Only in 2016, Nepal received 29.7% of its GDP from remittances.[22] Likewise, during the Fiscal Year 2018–2019, Nepal received US$8.79 billion, which accounted for 28% of the national GDP. The remittances of women migrants comprised 11% of the total contributions from remittances in 2016 (Simkhada et al., 2018).

In addition to providing a lifeline to the state's economy, the money earned from labour migration has been a means of empowerment for marginalized people in Nepal for long. Ahuti (2020) argues that tradition of going to *muglan*[23] enabled some people from Dalit[24] communities in the past to buy some land for agriculture so that their livelihoods that entirely depended on the *bali pratha*[25] for centuries providing hardly enough means to meet their ends meet. He therefore

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[21] Personal remittances comprise personal transfers and compensation of employees. Personal transfers consist of all current transfers in cash or in kind made or received by resident households to or from nonresident households.

[22] According to the World Bank, Nepal was the top remittance receiving country in terms of percentage of the national GDP. (Please see this link: http://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?locations=NP)

[23] The word literally means "foreign" but it is in common parlance used to refer to India which is where many Nepalis have traditionally migrated for work.

[24] Among the four main groups in Nepal's caste hierarchy, Dalits are considered to be part of the Sudras followed by Brahmins, Chhetris and Baishyas. They are considered a so-called untouchable group of people and deprived from even entering the houses of the other so-called high-caste peoples as well as forbidden from entering temples, public wells, and taps, including other public places.

[25] This phrase means that people from so-called Dalit communities, the labouring class, make their living with the little amount of food grains they receive on a yearly basis from the *bistaman* which refers to the so-called upper caste people for whom they work all the year around. In particular, two subgroups of the Dalit, Darji and Bishwokarma, who are respectively assigned with the tasks of sewing clothes and preparing farming equipment for the upper-caste people make their livelihoods based on this system which still exists in many parts of the country, though the caste-based occupational boundaries in the recent past have changed to a large extent, especially in cities.

claims that migration brought about some fundamental changes to the feudalistic charater of the

Nepali society in that some Dalits could engage themselves in subsistence farming apart from

performing their traditionally ascribed roles in the caste system. As Lopez (2010) argues, in

many origin countries in the Global South, migration results from the increasing internal

inequalities forcing its own disadvanged citizens to seek opportunities abroad as a low-priced

and disposable labour force. Gurung (2005) states that "untouchability" in the Hindu caste

system which considers certain sections of people "untouchable" based on their birth and

discriminates them is a form of racial discrimination.

When I started my fieldwork in Nepal, the first elections in all three levels of government as per

the new federal 2015 constitution were in the offing with much optimism in the air. In their

elections manifestoes, the political parties had pledged to materialize the often-hyped slogan

"*Singha durbar gaugauma*"[26] during the process of writing the new constitution. The notion that

undergirded the slogan was that the country, under the federal republican set up, would devolve

its centralized political power to the local governments and to the grassroots people for that

matter. My field observations, however, revealed that the state power which remained

centralized in the "Singha Durbar" had remained intact. For instance, the Singha Durbar which

housed 24 key ministries and other important state apparatuses, including the Ministry of

Labour, Employment and Social Welfare (MLESW), was still the power centre not easily

accessible to general people.[27] The chambers of the ministers and high-ranking bureaucrats

inside the Singh Durbar though were thronged particularly by *bichaulia*[28] and the cadres of

political parties who could have easy access to people in power and bureaucracy.[29] As per the

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[26] It was a widely popularized slogan during the process of writing the 2015 federal constitution of Nepal and state restructuring. The phrase literally means "accessing the Singh Durbar in villages" and the "Singh Durbar" here stands for centralization of political power. This sloganeering therefore implies that people living in the rural far-flung places of the country who were previously deprived of having easy access to administrative services provided by the state would now be able to easily access. This slogan thus became a symbol of good governance.

[27] The barriers to having access to the Singh Durbar were evident during my fieldwork in Nepal. When I was waiting at the gate of the Singh Durbar, I met a young man, holding some loose folios in his hands, was venting his ire when the other person on the phone presumably denied him a "pass": "I just need to drop off my documents, sir … it's urgent. I'm right at the gate…" There were a couple of baffled looking young men who were seeking information about employment opportunities abroad, walked up to me and asked: "Do they let you in with a citizenship certificate?" When I said that they would require you to produce a "pass", they whispered something in each other's ears and walked away in silence. When the Secretary refused to see him, a middle-aged man said: "Singha Durbar is no different to America… Italy for us, sir."

[28] The word "bichaulia" in the Nepali language means a person who plays an intermediary role in any sorts of business transactions, but in the public discourse, it refers to those people who live on commissions and profits they gain from working as middlepersons in any formal or informal transactions or agreements or tenders.

[29] These reflections on my fieldwork were published as an op-ed under the title "An encounter with the State (at Singha Durbar)" on Nepal's daily "The Annapurna Post", and the article is available from https://theannapurnaexpress.com/news/an-encounter-with-the-state-945.

2015 federal republican constitution that proclaimed Nepal as a "socialism-oriented"[30] country,

the first overwhelmingly elected government of the Communist Party of Nepal (CPN) stressed

on the rhetoric of creating employment in the country to mitigate outmigration. However, the

CPN split asunder, leaving not only its professed policy in complete disarray, but also the long-

cherished dreams and aspirations of people for decent work, development, and social protections.

The road ahead for Nepal therefore is paved by the global and regional political and economic

systems within the context of its own historical past (Mishra, 2014). Mishra (2014) points out

that this does not, however, imply that the paths for Nepal are given in that the country cannot

use its agency to reshape its economy, polity, and culture (Mishra, 2014). The sharp

discrepancies and contradictions between *kathani-karani*[31] have led to disillusionment in young

people resulting in the continued surge in labour migration, particularly for those people who

remained on the margins of society.

Gender, masculine nationhood, and the gendered state

Gender remains a deeply engrained code of the Nepali state, though gender is fluid and

constantly changeable in all aspects of social, cultural, emotional, physical, intimate,

reproductive, spatial, and institutional life. In her book *Dangerous Wives and Sacred Sisters:*

Social and Symbolic Roles of High-Caste Women in Nepal, Lynn Bennett (1983) presents an

incisive analysis of the ways in which women in the Hindu-dominated Nepali society are

perceived "as a series of oppositions that echo and reinforce one another to reveal a deep

ambivalence toward women and what they represent in the dominant patrimonial ideology" (p.

309). Women's public visibility was discouraged in relation to attending schools, participating in

politics, since they signaled potential sexual impropriety (Bennett, 1983). As Pessar and Mahler

(2001) argue, gender is not a static construct but "an on-going process that is experienced

through an array of social institutions from family to the state" (p. 442). The Nepali society has –

since the publication of Bennett's book – massively changed in terms of gender norms and

patriarchal ideologies, especially as reflected through legal instruments that at least in theory

provide equal rights to women in many areas. Nonetheless, in both social and cultural institutions

and practices as well as the imaginary of the state, women in the Nepali society are still

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[30] Article 4 of the 2015 constitution of Nepal describes the state of Nepal as "an independent, indivisible, sovereign, secular, inclusive, democratic, socialism-oriented, federal democratic republican state."
[31] The phrase refers to the discrepancies between words and deeds.

dominantly perceived as the "*cheli*"[32] – mothers, daughters, sisters, and in-laws – which carries a deeply equivocal meaning. On the one hand, referring women as the "*cheli*" seems to give a special place connoting love and respect, and on the other hand, the term implies the patriarchal patronization of women (Pandey, 2016). Pandey (2016) argues that such ambivalences that simultaneously portray women in antithetical terms are evident even in the Manusmriti[33] from where the foundational code of conduct for Hindu women emanates. On the one hand, this scripture states that God would be happy where women are respected, and on the other hand, it portrays women as subservient to men and stresses on need to always keep them under male control– by fathers prior to marriage, husbands in youth, and sons in older age. Such portrayals of women appear contradictory on the surface, but it is the same masculine desire to control women's bodies that underlies these seeming ambivalences. The identities of women within the state are constructed around the notion of perceiving women as the "*cheli"* (Joshi, 2001). As patriarchy constructs citizenship "in the male image" (Lister, 2003; Pateman, 1988), the Nepali nationhood and citizenship is constructed on the discourse of the "*cheli*" which is reflected even in the 2015 constitution – let alone all the more regressive constitutions of the past – despite its progressivism on the gender front. Even the political parties of all ideological hues and cries, despite their ideological differences and professed political commitments, stand united on the agenda of not treating women on an equal basis concerning citizenship rights, claiming that doing so would jeopardize the Nepali state's sovereignty.[34]

Although the roots of systemic discriminations against women and their marginalization can partly be traced to the inception of Nepal as a Hindu kingdom in 1769 (Richardson et al., 2016, 2017), the successive state instruments and institutions have produced and reproduced the gendered and sexualized norms and practices. The first of such gendered state codes was the Muluki Ain,[35] the civil code, which was introduced in 1854. Prior to this civil code, the Hindu

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[32] In common parlance, the word "*cheli*" in the Nepali language means a daughter, a sister, or a woman in general, which is not considered to carry an offensive meaning. A similar word "chela" also exists for males, bit it is rarely used to refer to them as such.

[33] The Manusmṛiti is believed to be the first ancient texts in Hindu religion that lays out the codes for people including men and women.

[34] In an interview that appeared on Sep 23, 2015, writer Manjushree Thapa expresses her views on the position of women in the Nepali society and the state, which is available from https://scroll.in/article/757210/nepalese-writer-manjushree-thapa-explains-why-she-burned-her-countrys-new-constitution.

[35] Muluki Ain which can literally be translated as the Nation's Code is a single comprehensive code in Nepal that lays out criminal and civil rules of the country. This Ain categorized people into five major caste groups: Tagadhari (those wearing the sacred thread called Janai across their torso), Masinay Matuwali (those who can be enslaved and drink liquor), Namasine Matuwali (those who cannot be enslaved but drink liquor), Pani Nachalne Chhoichhito Halnu Naparne (impure but touchable), and Pani Nachalne Chhoi Chhito Halnu Parne (impure and untouchable).

Rana rulers (discussed above) arbitrarily appropriated power from the monarchy. The Muluki Ain, Tamang (2000) claims, was the first step taken by the state toward embedding the patriarchal ideologies into the legal system. Its gendered legacies have lingered on informing all the subsequent constitutions of Nepal. Thapa (2015) asserts that even the 2015 constitution defines women's identities in relation to men and notes that "we [women] have no essence, no identity, of our own" and that "Nepal's civil code has been guided by Hindu law, which sees women as the property of either their fathers or husbands."[36]

In theory, however, the 2015 constitution of Nepal guarantees women's rights as fundamental rights, including the rights to employment, equal pay, social security, reproductive health, education, and the ownership of property as well as their inclusion in all state bodies. The 2015 constitution claims that "[t]he State shall not discriminate against citizens on the grounds of religion, race, sex, caste, tribe, or ideological conviction" (Article 18). Therefore, the new constitution, as Malagodi (2018) states, has crafted gender equality and the rights of Nepali women as an integral part of Nepal's constitutional identity in a context-sensitive way. Similarly, Gellner (2019) contends that the new constitution has moved from a deeply hierarchical society that took discriminations for granted to embrace differences and human rights. The preceding 1990 constitution had homogenized Nepal's multiple ethnic, caste, religious, and regional groups into a single collective identity under the façade of "unity in diversity" and consolidated the monolithic Nepali nation dominated by upper-caste Hindu males (Malagodi, 2018). Further, the 1990 constitution had considered only sons as the rightful inheritors of parental property and carriers of the family lineage while women were entitled to parental property only if they stayed unmarried until the age of thirty-five (Joshi, 2001; Laczo, 2003). Moreover, it had denied women's rights to transfer citizenship to their children stating that "a person who is born after the commencement of this Constitution and whose father is a citizen of Nepal at the birth of the child shall be a citizen of Nepal by descent" (Article 9).

The Dalits mentioned earlier in this dissertation belong to the last category. In case someone from the Dalit caste group touches a person from the so-called upper castes, the person being touched would be considered impure and needed to be purified by sprinkling *sunpani* that literally means the gold-dipped water. Though this practice has died out in some parts, the system of untouchability continues to remain deeply rooted. In principle, Muluki Ain is no longer in effect in Nepal after it was replaced by the Muluki Criminal Code and Code of Procedures and the Muluki Civil Code and Code of Procedures on August 17, 2018. The caste categories in Nepal differed from the varna bewastha as inscribed in the Vedas. (See: Harka Gurung's 2005 article "The Dalit Context").

[36] In an interview that appeared on Sep 23, 2015, writer Manjushree Thapa expresses her views on the position of women in the Nepali society and the state, which is available from https://scroll.in/article/757210/nepalese-writer-manjushree-thapa-explains-why-she-burned-her-countrys-new-constitution.

The 2015 constitution of Nepal states that women "shall have equal lineage right without gender-based discrimination" and also describes Nepal as a "socialism-oriented" country, but the state is torn between continuing with neoliberalization or the pursuing its constitutionally stated socialist goals (Bhattarai and Subedi, 2021). The 2015 constitution of Nepal also provides clauses on gender equality, including the provision of 33 percent reservation for women in federal and provincial parliaments, criminalization of gender-based violence, equal rights on the parental property, as well as the rights of people to choose non-binary gender in their citizenship. However, such a discursive politics of representation, as Mohanty (2013) claims, conceals the state's reluctance to give an equal status to women by delinking it with the political and economic power. The politics of representation in Nepal – though a positive change – has also pushed the deeply rooted issues of gender injustice and discrimination embedded in the patriarchal systems to the backburner. The Citizenship Act which is currently under consideration in Nepal's parliament is yet to be endorsed, but it treats women and men differently in relations to marrying foreign nationals.[37] Further, Article 5(2) of the proposed Citizenship Act states that a child born to a Nepali woman married to a foreign citizen and having permanent domicile in Nepal may be granted naturalized citizenship as prescribed, provided that the child has not acquired citizenship of the foreign country based on the citizenship of his/her father. Scholars (e.g., Grossman-Thompson and Dennis, 2017; Laurie et al., 2015; Richardson et al., 2016) claim that under the pretext of the geopolitical threats arising from Nepal's open border with India, the state intends to police its boundaries through policing the bodies of women through depriving them of transferring naturalized citizenship to their children.

More importantly, there remains a sharp contradiction between what the legal and policy documents provide and what is being implemented on the ground. Loomba (2012) describes such a double standard of the state as the appropriation of the feminist agendas in that the state uses the feminist vocabularies to blunt the critical edge of the feminist agendas. Such contradictions abound even in the development discourse in that the Nepali state's policy documents emphasize

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[37] Article 5. Acquisition of Citizenship by Naturalization: (1) "A foreign women married to a citizen of Nepal desiring to obtain citizenship of Nepal shall have to submit an application in the prescribed form to the designated officer. On submitting such application she has to produce the marriage relationship document with the citizen of Nepal and also evidence to show the initiation of procedure for renunciation of [one's own] foreign citizenship." Available from https://www.loc.gov/item/global-legal-monitor/2020-06-30/nepal-parliamentary-panel-approves-amendment-of-citizenship-act-regarding-naturalization-of-foreign-women/

the need for women to "modernize" through education and increased political and labour participation, but the patriarchal hegemonic norms promote and propel them to inculcate the feminine ideals which the state produces, reproduces, and perpetuates through discriminatory policies and practices (Brunson, 2013; Grossman-Thompson, 2016; Tamang, 2009). The gender-based discriminatory policies and practices have adversely impacted women with gendered implications. For example, the average literacy rates of Nepali women are significantly lower than those of men's while school drop-out rates among women are also much higher (FAO, 2019; UNDP, 2019), and their representation in leadership positions at all levels of government as well as the private sector is low (Bhattarai, 2017). In addition to gender, multiple other axes of marginalization and discriminations intersect with one another and with gender to produce differential impacts and outcomes for women. The gendered impacts and outcomes resulting from the gender discriminatory legal and policy provisions at the intersections and interactions with multiple other forms of marginalization are highly differential based on women's caste, class, dis/ability, marital status, widowhood, and even the geographic location. In theory, the 2015 constitution, however, embraces the principle of inclusion of the Dalits stating that,

> The Dalit shall have the right to participate in all bodies of the State on the basis of the principle of proportional inclusion. Special provisions shall be made by law for the empowerment, representation, and participation of the Dalit community in public services as well as other sectors of employment. (Article 40.1).

In particular, the impacts of discriminations perpetrated against women from the so-called "untouchable" Dalit communities are complex and compounding. When such patriarchal codes intersect with the other discriminatory systems and oppressive practices based on caste, ethnicity, age, and marital status, that leads to the exacerbation of the gendered impacts and outcomes (McCarthy, 2021; Richardson, 2016). Given the forces of global capitalism swiftly engulfing the lives of people in contemporary Nepal, along with the state's neoliberal economic policy, the women marginalized not only due to their gender but also multiple other axes of discrimination and exclusion, have been differentially and disproportionately impacted, paving the paths for transnational labour migration.

Gender, labour migration and migration governance in Nepal

Though women from Nepal have migrated to India, both as dependents and in independent capacities, for a long time, their labour migration beyond India accelerated in the 1990s.

Compared to male migrants, however, the low participation of women in transnational labour migration is attributed partly to patriarchal norms that excluded women from the market economy and limited their roles to the house and domestic care work while men were considered "true" migrants seeking economic betterment (Mahapatro, 2013; Marit and Aasland, 2015). Adhikari (2006) notes that patriarchal attitudes, coupled with a lack of reliable information, available networks, and the lack of funds to pay for their migratory journeys stood in the way to women's migration in independent capacities as migrant workers. So much so that even women travelling within the state territory in the past had to be accompanied by a male guardian (ILO, 2015; Rai, 2008), since their mobilities unaccompanied by male members would be associated with and elicit fears about sexual promiscuity, loss of innocence, chastity, and even prostitution (ILO, 2015; Mahapatro, 2013; O'Neill, 2001; Rai, 2008). The state would not even issue passports for women without a male guardian's consent and permission or a "gazetted" government officer (Mahapatro, 2013). The fact that Nepal's 2007 Foreign Employment Act employs the term "manpower agency" to refer to private recruitment agencies reflects a complete erasure of women migrant workers in and exclusion from the state's imagination. The archetypal image of the migrant for the Nepali state is assumed to be male.

In the recent past though, the number of women migrating for work beyond India has been on the rise. McCarthy (2021) attributes the increasing participation of Nepali women in transnational labour migration to multiple factors, including the global and regional structural shifts, changing gender and cultural values, increased access to resources, poverty, inequality, informalization of labour and low wages, urbanization, and the weak welfare systems of the Nepali state. Further, given the integration of Nepal's economy and society with global capitalism, the forces of globalization have exerted tremendous pressure on women's lives producing highly gendered impacts and outcomes in multiple ways. Against the backdrop of such transformations, the Nepali state has embraced labour migration as an alternative development strategy as stated in its Tenth Plan[38] (2002-2007) and opened the door to women's labour migration (Arya and Roy,

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[38] The Tenth Plan states, "The policy and programs need to be implemented include development of policy and acts for promoting women participation in the employment, provide training related to modern business and occupation for increase in women employment, enforcement of laws and policy against ill-treatment of sex at the work places, establishment of baby care centers, increase skills and capability of women for foreign employment, monitoring of women working abroad, require to enter into bilateral agreement on norms and standard relating to minimum facilities and security with the countries employing Nepalese labor force and also necessary to monitoring as well as evaluation of the companies dealing in overseas employment." Available from https://www.npc.gov.np/images/category/10th_eng.pdf

2006). Most Nepali women migrant workers have migrated to the Arabian Gulf and Middle East[39] countries where most of them work as "housemaids" in private homes.

Figure 3: Distribution of Nepali women migrant workers

2017/18   2018/19
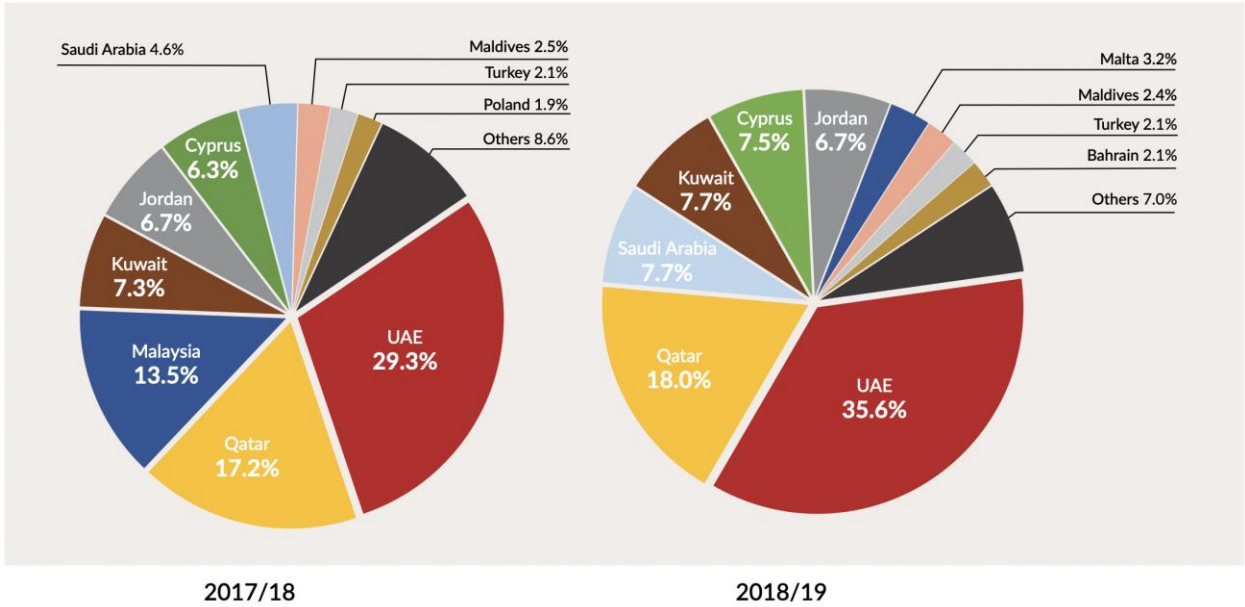
Source: Nepal Labour Migration Report, 2020

As the Figure shows, the overrepresentation of women migrants in domestic work in the Gulf countries is due to sex segmentation in labour markets in both Nepal and the destinations, gender inequalities in terms of accessing education and skills, including an unequal distribution of reproductive labour (McCarthy, 2021). Maids and babysitters are employed by most families regardless of whether mothers are employed outside the home (El-Haddad, 2003). A study conducted in Kuwait showed that 86% of interviewed women opposed the idea of doing away with the maid system while another study in Qatar showed that 90% of women preferred to maintain their dependence on domestic workers (El-Haddad, 2003). El-Haddad (2003) argues that these findings are indicative to the fact that the dependence of Gulf families on foreign domestic workers is not linked to gendered work division or the expansion of social services leading the society to seek the help of women in that sector. The dependence on foreign domestic workers has largely resulted from the rise in the urban culture made possible and desirable owing to increased wealth and economic abundance that gave rise to a culture that attributed great social significance to symbols of material differentiation (El-Haddad, 2003).

In the absence of systematic data production and collection, no precise figures exist on the magnitude of transnational women's labour migration from Nepal, but among over 4 million

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[39] I have often used the Middle East and Gulf countries/states interchangeably in this research. These terms are used to refer to the labour importing countries of West Asia, including both the oil producing countries of the Gulf Cooperation Council (GCC) and other countries such as Lebanon, Jordan and Israel.

labour permits issued by the Ministry of Labour, Employment and Social Welfare (2020) in the past decade, 3,888,035 were men and 211,891 women. According to Nepal's Central Bureau of Statistics (2012), women migrant workers occupy only 12.4 percent of the total Nepali migrant population in the Gulf countries. UN Women estimated in 2013 that of the approximately 3.2 million Nepali workers in countries other than India, half were undocumented. Of those, approximately 90 percent were women, and almost 80 percent of Nepal's total female migrant workers had migrated through unofficial channels. UN Women estimates that 15 percent of the migrant workers in Nepal are women, and if those working in India are included, their numbers could increase considerably, though tracking the number of migrants to India is complex due to the Nepal-India open border.

Figure 4: Distribution of male and female migrants in Nepal
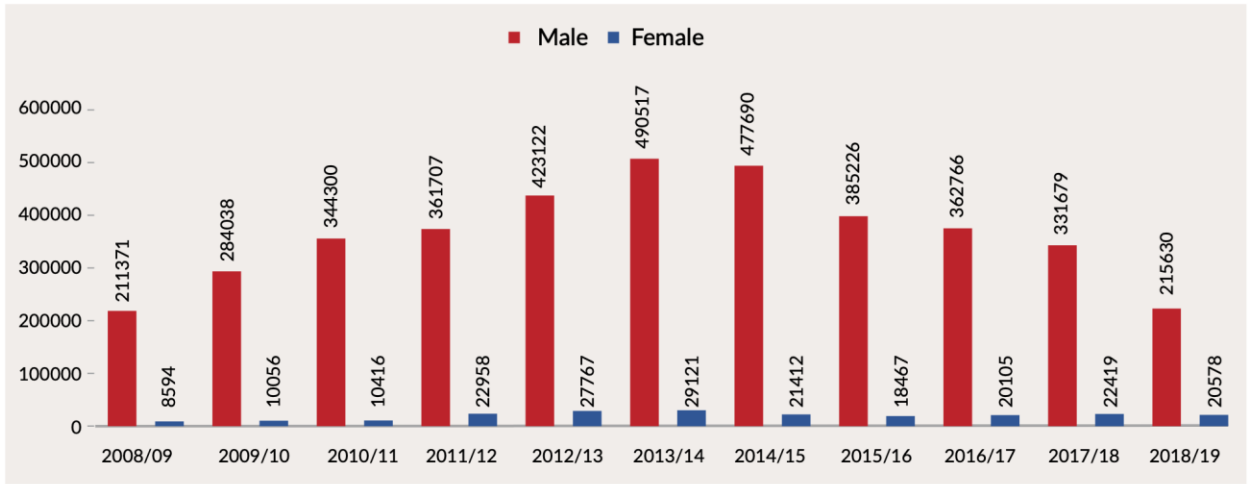
Source: Nepal Labour Migration Report, 2020

As Figure 4 shows, Nepali women migrant workers represent a small portion of all migrant workers. However, these data reflect only those migrant workers officially registered with the Department of Foreign Employment (DOFE). McCarthy (2021) notes that, given that most women migrate through informal channels to circumvent the state's bans and restrictions, the available data do not portray an accurate picture of women's labour migration from Nepal. Most women migrate through different Indian cities such as Delhi, Mumbai, or Chennai while some are reported to have used Bangladesh and Sri Lanka as transit points to make their way to the Gulf countries (ILO, 2015; IOM, 2019; Kharel, 2016; McCarthy, 2021; Pyakurel, 2018). According to a government source, the total number of women migrants in the Middle Eastern

countries has reached 400,000 of which around 90 per cent migrate through informal routes and channels.[40]

The number of Nepali women migrants is extremely underestimated in the state records, and their numbers were only 21, 421 in the Gulf countries (Asia Foundation Nepal Report, 2016; Kharel, 2016). Some studies (e.g., ILO, 2015; Kharel, 2016) show that the number of "undocumented" Nepali women migrants, particularly in the Gulf and the Middle East, is more than that of the documented. The 2020 Nepal Labour Migration Report estimates that approximately 2.5 million Nepali women are currently working as migrant workers, mostly in the Gulf countries. Some studies have estimated that women migrant workers in Nepal occupy 30 percent of the three million migrant workers abroad, with over 66% working as domestic workers (Adhikari and Gurung, 2011; Gurung and Khatiwada, 2013; Kern, 2015). If those women working in different Indian cities are included,[41] their numbers could be much higher than the above figures. Even much harder is the task of collecting sector-disaggregated data, given that a vast majority of women migrants migrate through informal routes and channels. Even in the global context, inconsistencies in data collection and the lack of data transparency and accountability as well as ethics are abiding issues concerning gender and migration data, let alone the production of gender-disaggregated migration data, particularly on intersectional experiences of women migrants (Hennebry and KC, 2021). The availability, reliability and systematic documentation of gender disaggregated data is a major challenge (Gartaula, 2009; Lohani-Chase, 2008). The statistical paucities and discrepancies that exist pertaining to Nepali women migrant workers illustrate not only the complexity of maintaining the data but also the utter indifference of the state to do so as Hemmings (2012) notes that "we have to feel differently" to be able to "know differently" (p. 150).

Moreover, Nepal has adopted a restrictive policy toward women migrating for domestic work in the Gulf countries in one form or another. Following the death of a Nepali woman migrant domestic worker in Saudi Arabia in 1998 and an alleged murder of another woman in Kuwait,

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[40] This was published on the Setopati online news portal and the title can be translated as "The number of Nepali women migrants has reached 400,000 despite the ban" which is available at https://www.setopati.com/kinmel/employment/274631

[41] In both Nepal government's official records and the public discourse, the migrants working in India are not even considered as migrant workers; they are popularly known as the "*lahure*" which in Nepal refers to someone who goes to India for employment. However, there are some regional variations in the meaning attached to the word.

the Nepal government imposed a complete ban (Gartaula, 2009; Gurung and Khatiwada, 2014).

Since then, the state has imposed, repealed, and reimposed different versions and modifications

of bans and restrictions on women migrant workers, and such restrictions and bans sometimes

apply to all women, or some women based on age bars, or just to those women seeking to

migrate for domestic work in the Middle East (Grossman-Thompson, 2016; McCarthy, 2021;

Taylor-Nicolson et al., 2014). The most recent bans were imposed following the directives given

to the government in April 2017 by the then Parliamentary Committee for International and

Labour Relations.[42] The directives also directed the state to negotiate bilateral agreements with

destination countries and ensure the protection of migrant workers working in the domestic

sector. The ban was partially lifted in 2003, and completely lifted in 2010. However, two years

later in August 2012, the government reinstated restrictions prohibiting women under 30 years of

age from working in the Gulf as domestic workers. The table below presents major labour

migration bans and/or restrictions imposed by the Nepali state between 1985-2021.[43]

Table 1: Nepal's labour migration policy toward women migrant workers in a timeline

Period	Policy
1985-1998	• Consent required from a male 'guardian' (parent, husband, or other relative) to migrate for work overseas
1998-2003	• Complete bans imposed on women migrant workers to Gulf countries
2003-2010	• Bans loosened allowing women to migrate only in formal sectors, but not in informal sectors such as domestic work
Jan-May 2009	• Complete ban on women migrant domestic workers to Lebanon
2012- May 2014	• Women under 30 years of age restricted to migrate for domestic work in Gulf countries
May 2014- Apr 2015	• Complete ban on women migrants for domestic work in Gulf countries
April 2015 onwards	• Restrictions continued on women under 25 years of age from migrating for domestic work in Gulf countries
	• Parliamentary committee directs the government to halt migration for domestic work in Gulf countries unless protections of migrants' rights are ensured through bilateral agreements
	• Cabinet decides a complete prohibition on migration (both men and women) for domestic work in Gulf countries
	• Government decides to allow women migrant domestic workers (who were visiting their families in Nepal on vacation) to return to work in Gulf countries

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[42] This committee is replaced by the Industry, Commerce, Labour and Consumer Interest that is currently responsible for overseeing labour related issues, including those of migrant workers.

[43] The non-binding 2006 Multilateral Framework on Labour Migration provides guidance on developing, designing implementing, and evaluating national, regional, and international labour migration policies and practices for improving the governance, promotion, and protection of migrant rights. Principle 9.8 of this document stresses on "adopting measures to ensure that national labour legislation and social laws and regulations cover all male and female migrant workers including domestic workers and other vulnerable groups..." while Principle 11.2 on "intensifying measures aimed at detecting and identifying abusive practices against migrant workers... particularly in those sectors... such as domestic work."

The Department of Foreign Employment, which is one of the main government bodies to manage labour migration and execute labour migration policies in Nepal, claims that the intent of the bans is to "protect women from many risks, including long working hours, sexual violence, physical abuse and economic exploitation." Amnesty International (2011) also interpreted the bans and restrictions as policy measures taken to respond to cases of human rights violations against Nepali migrant domestic workers in the Gulf countries. In sharp contrast to the claims made by the state, the bans and restrictions have further aggravated the situations of Nepali women migrant domestic workers in that they are forced to resort to unofficial routes and channels to migrate to their destinations. The state's policy has thus created risky migration paths and channels but also been complicit in producing highly gendered outcomes and implications for women abroad as well as at home.

In 2004, a feminist movement called "*Charitraheen Cheli*"[44] emerged clandestinely in Kathmandu, denouncing not only mobility restrictions on women but also the patriarchal system, gender-based discriminations, gender-based violence and the dowry system (Baral, 2021). The document made public by the group read,

> Which idiot would think women should have the permission of their fathers/ husbands/guardians to obtain passports, or to travel and work abroad? Having reached the age of 18, we exercise the right for complete freedom of movement. Instead of curbing this freedom, the state should fulfill its obligation to provide women with protection, via consulates, in the foreign countries in which we travel, work and reside.[45]

However, in the face of the backlashes against the group, the movement failed to gain momentum. As Baral (2021) notes, the group was also criticized for diverging from the original cause as stated in the declaration. The Nepali state has continued to maintain the restrictive policy in one form or another over the years, fluctuating from complete bans to partial bans, and restrictions based on age bars. In a most recent move made by the state following the completion of my fieldwork in the Gulf countries, the committee, in March 2020, sent a delegation to three Gulf countries – Oman, Saudi Arabia and the UAE – to reappraise the situation of Nepali

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[44] This can be literally translated into English as "women of bad character."

[45] They called themselves the *Charitraheen Cheli* and their manifesto was a "declaration of independence," denouncing dowry, gender-based violence and discrimination. (See: Sajana Baral's "Who were the charitraheen cheli?" (2021 March 8) which appeared in the *Nepali Times* and is available from https://www.nepalitimes.com/here-now/who-were-the-charitraheen-cheli/.

migrant domestic workers (McCarthy, 2021). Following the visits to these destination countries, the committee prepared and submitted a report to the government recommending the continuation of the bans on migrant domestic workers and repeal them only after entering into bilateral agreements with the destination countries (McCarthy, 2021).

The restrictive policy adopted by the Nepali state against migrant domestic workers should be examined within the state's broader labour migration policy and institutional regime. Labour migration in Nepal is governed by several Acts, Rules, Directives, and bilateral agreements pertaining directly to labour migration as well as a range of other national laws. To execute the policy and legal instruments, the state has in place institutional infrastructure. As per the 2007 Foreign Employment Act (FEA), the Department of Foreign Employment was established as the government agency responsible for "carrying out functions related to foreign employment" (Section 67). The Department issues licenses to private actors to undertake related business, approves recruitment agencies' applications to recruit workers for specific job orders, as well as the departure of migrant workers. It also has an investigations office tasked with receiving complaints against recruitment agencies and agents and for registering eligible cases at the Foreign Employment Tribunal. The Foreign Employment and Promotion Board (FEPB) is responsible for promoting foreign employment and protecting the "rights and interests of workers going for foreign employment and recruitment agencies." In principle, foreign employment from Nepal is managed by a combination of state and non-state actors within Nepal as well as abroad. Public institutions create and oversee the regulatory and administrative frameworks, while private businesses and individuals are primarily responsible for implementation.

Table 2: National labour migration governance instruments and institutional frameworks

Legal, policy and governance instruments	Other related Instruments	State agencies
Foreign Employment Act 2007	Constitution of Nepal 2015	Ministry of Labour, Employment and Social Welfare
Local Government Operation Act 2017	Non-resident Nepali Act 2008	Department of Foreign Employment
Labour Law 2017	Labour and Employment Policy 2005	Foreign Employment Board
Foreign Employment Rules 2008	Human Trafficking and Transportation Act 2007	Foreign Employment Tribunal
Foreign Employment Policy 2012	Passports Act 1967	Foreign Employment Promotion Board

Directives for Sending Domestic Workers for Foreign Employment 2015		Ministry of Foreign Affairs

As Table 2 shows, labour migration governance in Nepal is like the "cart before the horse" in that the state formulated the Foreign Employment Policy – the instrument which is supposed to lay out the state's broader vision of labour migration – only in 2012 while the Act was introduced first in 1985 which was fundamentally revised in 2007. The 1985 Act "aimed at regulating the foreign labour market and preventing an exodus of higher-skilled individuals" reflecting the state's policy to minimize the phenomenon of "brain drain." However, the 2007 Act clearly makes a fundamental departure laying out the neoliberal vision of the state,

> Whereas, it is expedient to amend and consolidate laws relating to foreign employment in order to make foreign employment business safe, managed and decent and protect the rights and interests of the workers who go for foreign employment and the foreign employment entrepreneurs, while promoting that business. (Preamble, Foreign Employment Act, 2007)

In alignment with the Nepali state's neoliberal free-market economic policy, the 2007 Act adheres to the neoliberal mantra of promoting labour migration as reflected through the government's commitment to promoting "foreign employment business" through privatizing labour migration governance bringing in the "manpower companies" at the helm of labour migration governance.

Private recruitment agencies facilitate a massive portion of labour outmigration from Nepal limiting government-to-government agreements to less than 10 percent of the total migrant flows (ILO, 2015). Doherty et al. (2014) observe that these private recruitment agencies frequently evade the rules of the game set forth by the state, partaking in abusive practices that "create excessive costs for employers, put workers at risk of being trafficked and often trap migrants in debt with limited voice and bargaining power" (ILO, 2015).

In 2019, the 2007 Foreign Employment Act and the 2008 Foreign Employment Rules were revised introducing some important reforms relating to the decentralization of the labour migration related administration, regulations of recruitment agencies and agents and migrant workers' protection. The most recent reforms included the provisions of having labour demands attested by destination country-based Nepali embassies to avoid contract substitution and false representation, implementation of the Foreign Employment Information Management System to

provide online reentry permits and monitor and collect systematic data on outgoing and

incoming migrant workers (ILO, 2021). Nepal had also introduced a "free visa, free ticket"[46]

policy to reduce the costs of migration and malpractices of private agents (ILO, 2021), but the

government failed to implement it following an outright defiance from the private recruitment

agencies. Further, as per the federal restructuring of the state, the government has decentralized

its labour migration governance institutions by establishing offices in all seven provinces[47] (ILO,

2021). However, pertaining to the migration for domestic work which women predominate, such

policy reforms fail to address the challenges faced by women migrant domestic workers, since

they pertain only to people migrating through official channels unlike most women migrant

domestic workers resorting to intermediaries due to the continued bans and restrictions imposed

by the state.

Additionally, in most destination countries in the Arabian Gulf region, the immigration systems

and labour laws are extremely exclusionary, discriminatory, and gendered. Most migrant workers

in the Gulf countries are employed through the kafala,[48] which is sponsorship system that legally

binds migrants to specific employers (ITUC, 2014). Migrant workers cannot enter the country,

transfer employment, or return to the country of origin on any grounds without obtaining written

permits from the *kafil*[49] (ILO). Women migrant domestic workers are further discriminated

against owing to their gender and the feminized sector of domestic work which remains excluded

from the national labor laws in many Gulf countries (Rother, 2017). During the contract period,

domestic workers are prevented from changing their employers, and any rule breaches result in

contract termination and subsequent deportation (Advani, 2019). In most cases, the *kafil* and the

employer are the same person assuming absolute control over migrant domestic workers who

work as forced labourers with their passports confiscated and their freedom of movement

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[46] In July 2015, the government of Nepal had introduced this provision, as per which Nepali migrant workers would not be required to pay for their visa and flight tickets to work in seven major labour destinations (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, and Malaysia), but the policy has not been implemented on the ground. Available from https://kathmandupost.com/miscellaneous/2016/05/02/free-visa-free-ticket

[47] The branch offices are located at the capital cities of each province: Birendranagar, Tahachal, Pokhara, Biratnagar, Butwal, Janakpur and Dhangadi.

[48] The kafala system, in the Gulf Cooperation Council (GCC) countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates) as well as Jordan and Lebanon, regulates foreign migrant workers. The system requires them to be sponsored by their employers, who are responsible for migrants' visa and legal status. Thus, under the kafala system, the rights and obligations of the foreign migrant workers are determined and defined by their local employers at their own discretion. Some slight variations exist in terms of the laws and procedures of the kafala system within these countries, the system is essentially the same.

[49] It means the sponsor- employer.

restricted (Advani, 2019; ILO, 2015). Thus, the mobility of women from the origin country has ironically created their immobilities in the Arabian Gulf countries.

In the case of Nepali women migrant workers, gender is deeply embedded even into the bilateral labour migration agreements[50] (BLMA) that Nepal has signed with some Arabian Gulf countries in that these governance instruments do not provide any clauses in relation to the precarities that the Nepali women migrant domestic workers face. Given the position of Nepal within the regional geopolitical power spectrum, it lacks a bargaining capacity to sign the agreements in ways that respond to the specific issues and challenges of migrant workers and more so in the case of migrant domestic workers. Nor does Nepal have resourceful and robust diplomatic missions like some other Asian countries, such as the Philippines. Even if they have, due to the barrier of state sovereignty, and the informal nature of domestic work they are not allowed to monitor the workspaces (Tittensor and Mansouri, 2017). At the global level, the issues of women migrant workers have been the subject within the UN instruments as reflected in the 2030 Agenda for Sustainable Development Goals (SDG) and the Global Compact on Safe, Orderly and Regular Migration (GCM). Since the UN Fourth World Women's Conference in Beijing (1995), mainstreaming has been endorsed and adopted by many governments and organizations. There are also intra-regional state-led labour migration governance mechanisms in place, such as the Columbo Process[51] and Abu Dhabi Dialogue[52] which was created in 2008 as a forum for dialogue and cooperation between migrant sending and receiving countries in Asia. Of the two main regional consultative processes, the Abu-Dhabi Dialogue is focused exclusively on temporary labour migration and only explicitly considers gender in relation to its limited activities around domestic work. This is clearly highly problematic given the status of women migrants – primarily but not exclusively as domestic workers – within the kafala system in the Gulf countries (Fernandez, 2021). A recent report commissioned by the Dialogue Secretariat on the future of domestic work in the region provides a detailed analysis of the gendered nature of care work and the drivers of in-migration to the region, but the report has mainly focused on

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[50] I have used the term "bilateral labour migration agreement" to generically refer to both formal and legally binding bilateral agreements as well as informal and legally non-binding Memoranda of Understanding (MOU). For the more formal legally binding agreements, I have used the term "bilateral labour agreements" (BLA).

[51] The current membership of the Colombo Process includes 12 member states: Afghanistan, Bangladesh, Cambodia, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand, and Viet Nam.

[52] It consists of the twelve Member States of the Colombo Process (Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, and Vietnam), and seven countries of destination (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, and Malaysia).

addressing skills deficits with no discussion on the rights of workers (Tayah and Assaf, 2018). In contrast, the Colombo Process has included gender as one of four cross-cutting themes and the Ministerial Declaration in Kathmandu in 2018 committed those states involved to promoting gender equality for women migrant workers and mainstreaming a gender lens across all its working groups (Colombo Process Secretariat, 2018). However, as evidenced through the cases of human rights abuse and exploitation of migrant workers, particularly those working in informalized domestic sectors, these subregional mechanisms have failed to function as envisaged. Against this background, Nepali women migrant domestic workers are bearing the brunt of such governance dysfunctionalities and gender-biased systems. However, the masculine Nepali state is acting as if women migrant domestic workers – let alone the gendered challenges they confront – are either non-existent, or their issues not important enough to be addressed just like Robert's Browning's character Pippa who sings "God's in his heaven; all's right with the world!"[53] as she passes through the forest.

Reframing my research questions

When I embarked on my fieldwork in Nepal, I planned to include women migrant workers in general, both women migrating for domestic work and those employed in other "formal" sectors in the Arabian Gulf states. Thus, I aimed to comparatively examine the experiences and issues of women migrants working in "formal" and "informal" sectors. After I conducted the first focus group and interacted with women migrant returnees in Siyari Rural Municipality of Rupandehi District, located in Nepal's flatlands – one of the three main geographical regions known as the Terai – close to the southern border with India, three themes predominantly surfaced. First, all the returnee women migrants who attended the focus group had worked as domestic workers[54] in the Arabian Gulf countries, rather than any other "formal" sectors. Further, most participants – even prior to migration – were from the marginalized segments of the Nepali society due to gender and other multiple axes of intersecting inequities and discriminatory systems. Second, all the focus group participants had used unofficial means and channels, especially the *dalals* as they are popularly known as in Nepal, to navigate their way to the Gulf countries. The main reason behind resorting to such irregular and informal routes and channels of migration was the

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[53] These lines are from Robert Browning's poem *Pippa Passes* (1941) where Pippa, one of the characters, utters these lines while passing through the field.

[54] According to the International Labour Organization (ILO), migrant domestic workers "are any persons moving to another country or region to better their material or social conditions and improve the prospect for themselves or their family, engaged in a work relationship performing in or for a household or households."

continued gendered labour migration policy that imposed legal bans and restrictions on people

migrating to the Middle East countries for domestic work. My interactions with the returee

women migrants also revealed that these women, despite the legal bans and restrictions enforced

by the state, had chosen labour migration for domestic work in the Gulf countries in the face of

extremely adverse social, cultural, and economic realities exacerbated by various forces and

processes of globalization buffeting their lives. However, the lived realities of women migrant

domestic workers within such swiftly transforming social, economic, and cultural contexts

wrought by globalizing forces remained largely unnoticed and invisible. In addition, these

women's decisions to migrate exercising their agency and resilience – even amidst the callous

state and its legal bans and restrictions as well as the other multiple patriarchal constraints – were

interpreted through the lens of victimhood that the policymakers deployed to justify the

continuation of gender discriminatory bans under the discourse of protectionism. Against this

backdrop, I decided to place the lived experiences and narratives of women migrant domestic

workers themselves at the centre of analyzing the transnational labour migration and labour

migration governance, instead of deductively reducing all Nepali women migrant domestic

workers as "victims."

Additionally, though my initial plan was to carry this out only in Nepal, I decided to include the

destination countries – Qatar, Kuwait, and the United Arab Emirates – for my fieldwork sites.

From my interactions and engagements with women migrant returnees and civil society

organizations in Nepal, I observed that the local/national systems of gender oppression and the

gendered migration systems in the Arabian countries conjoin in producing the lived experiences

of women migrant domestic workers. The patriarchal order in Nepal that perceives all women as

the "*cheli*" and the feminized and gendered migration systems have intricately converged at

multiple scales, levels, and ways in producing the entangled precarities faced by the Nepali

women as the "*khadamas*"[55] in the destination countries in the Gulf. A nuanced understanding of

the ways in which gender operates in terms of distributing power is the first crucial step toward

deciding what needed to be transformed and the politics of bringing about those transformations

(Ryle, 2016). Thus, by using an ethnographic lens to examine gender as a governing code in

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[55] This is an Arabic word that literally means "to serve" but in common usage it refers to women migrant domestic workers in the Gulf countries and some other countries in the Middle East.

labour migration, I intended to explore the ways in which the Nepali state was imbricated in the production, reproduction, and perpetuation of the gendered power relations within the context of neoliberal globalization.

This dissertation explores the overarching question: In what ways does gender operate as a governing code in Nepal's labour migration governance? I answer this question by breaking it down into three sub-questions: 1) In the first place, how does the gender code intersect and interact with the global forces to create structural conditions for labour migration? 2) How does the masculine Nepali state – within the regional and global geopolitics – produce, reproduce, and perpetuate the gender code through its labour migration policy? 3) In what ways do women migrant domestic workers exercise their agency to resist the gendered labour migration policy?

Note on the COVID-19 pandemic

During the span of this research, the COVID-19 pandemic hit the world. The field work for this research was completed prior to the onset of the pandemic, but the transcriptions and analyses of the data as well as the writing of the dissertation were carried out amidst the pandemic that had deeply disproportionate impacts on women migrant domestic workers. In this section, I reflect on the pandemic as it relates to this research,[56] as well as to women migrant domestic workers in the context of various travel restrictions and bordering practices being enforced by states and the enduring implications of the pandemic. In the first place, as envisaged in my research proposal, I had planned to travel back to Nepal and conduct a debriefing with available and interested research participants upon the completion of data analyses and findings. However, the pandemic posed a challenge to implement the debriefing session as stipulated in the proposal.

Further, the pandemic has produced disproportionate short-and long-term impacts on and implications for labour migration, particularly women's migration for domestic work in the Gulf region. In the immediate aftermaths of the pandemic, xenophobic sentiments were on the rise in the Gulf countries as reflected in comments such as one made by Kuwaiti actor Hayat Al Fahd (March 31, 2020) who called migrant workers the "virus-infected" people who should be "put into the desert": "We are fed up. When we fall sick, there are no [enough] hospitals … How

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[56] Henceforth, I use the term "pandemic" to refer to the COVID-19 pandemic.

come their countries don't want them back while we keep them?" Chiming in with Hayat, an Emirati media person Tariq Al Mehyas defended her arguing that Hayat did only mean Asian migrant workers: "Do you expect that we…equate a Bengali worker with an Egyptian worker? God forbid!" Such hateful rhetoric in the immediate aftermaths of the pandemic certainly added to migrant workers' further stigmatization and exclusion, but the gender-disaggregated impacts, especially on migrant domestic workers, are bound to be pernicious.

Lockdowns, various mobility restrictions and quarantines enforced by countries around the world certainly produced highly disproportionate impacts on women migrant domestic workers in the Gulf region by heightening their risks to abuse and exploitation. Moreover, the pandemic also eliminated the possibility of women migrant domestic workers absconding their *kafil*s' atrocities and taking shelter in the embassies. The lockdowns also meant that women migrant domestic workers were be compelled to work additional hours while being deprived of their legally mandated day off in some Gulf countries, such as Kuwait and the United Arab Emirates. Reports (e.g., Kabeer et al., 2021) have shown that, especially in the Arabian Gulf countries where labour migration is governed by the kafala system, the inability to leave home due to the pandemic increased vulnerabilities and violations against women migrant domestic workers. In my engagements with Nepali women migrant domestic workers in field sites in the destination countries, most women migrant domestic workers shared that the most occurring forms of abuse and exploitation included having to work long hours, denial of resting time and weekends, non-payment of salaries, delayed payment, mobility restrictions and deprivations from contacting and communicating with families and friends, the pandemic further heightened such vulnerabilities.

Moreover, the pandemic has laid bare the inequities embedded in the international labour migration system that leads to exploitation for so many migrant workers, especially those involved in the "global care chains" (Ehrenreich and Hochschild, 2003; Parreñas, 2001). A recent report of the United Nations Office on Drugs and Crime (2021) revealed the ways in which the pandemic has not just exacerbated the outcomes of migration but also produced and increased drivers of migration, while debilitating the prospects of "regular" paths and channels of

migration,[57] through new surveillance and bordering practices. Here is what a Nepali woman commented about how the pandemic and its impacts intersect with other systemic issues: "My husband has been rendered jobless by the Covid-19 pandemic. Now he has taken to alcohol. He idles away at the village drunk and comes home and beats me… I have to live in poverty and violence. That's why I decided to go for foreign employment."[58] Women are joining the workforce not because of policies promoting gender equity but often as a measure to support their families in light of male unemployment. In such situations, human traffickers and smugglers target women who are already subject to multiple forms of vulnerabilities due to preexisting oppressive systems and the new challenges created by the pandemic. The pandemic is thus likely to increase the chances of women being trafficked and smuggled (UNODC, 2020). In addition, an ILO report has predicted the potential loss of 25 million jobs globally resulting from the pandemic, hitting women migrant workers the hardest.[59] It can only be assumed that the combined impact of the increased structural drivers and the measures taken for border control to curb the spread of the virus has increased the clandestine migration flows of women for domestic work while making such journeys even much riskier.

At the same time, during the period of crises, the pandemic has exposed the failure and dysfunctionality of the existing international, multilateral, and bilateral frameworks that are meant to protect migrant workers, let alone migrant domestic workers in the Gulf region where they are excluded even from the countries' national labour laws. The pandemic has also laid bare the failure and pitfalls of the existing migration governance institutions in protecting migrant workers, especially the gendered vulnerabilities of women migrant workers while exposing the role of the state. In some contexts, it was the states who at least provided some modicum of protection to migrant workers including women migrant domestic workers. For instance, the government of Nepal repatriated about thirty-five hundred undocumented Nepali migrant domestic workers who were placed in a shelter in Kuwait after they were given amnesty by the

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[57] The United Nations Office on Drugs and Crime (2021) in its report titled "Analysis of the impact that the availability of regular channels of migration has on reducing demand for the smuggling of migrants" makes these observations. (Available from https://www.unodc.org/documents/treaties/WG_SoM_2021/CTOC_COP_WG.7_2021_2/ctoc_cop_wg.7_2021_2_E.pdf).

[58] It was reported in *The Kathmandu Post* (January 9, 2021) and available from https://tkpo.st/2K17WCg.

[59] The ILO makes this prediction in a report titled "ILO Monitor: COVID-19 and the world of work" which was published on January 25, 2021 and is available from https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/briefingnote/wcms_767028.pdf.

Kuwaiti government. Especially in the migrant origin countries, as van Riemsdijka et al. (2021) observe, the lack of universal guidelines for return migration has created a governance void. Against this backdrop, there is the need of a capable state that can deliver public health, invest in and distribute vaccines and shore up communities and businesses (UN Women, 2021).

Structure of the dissertation

This dissertation is organized into 7 chapters. Chapter 1 introduces this research and discusses Nepal's geopolitical and economic position within the context of the regional geopolitics and globalization; cross-border labour migration in Nepal in its historical past and present; gender relations and women's place within the patriarchal order; and women's transnational labour migration and the state's labour migration policy. Chapter 2 provides epistemological and theoretical discussions and develops the theoretical framework by building on some key concepts of transnational and Third World[60] feminist theories. In this chapter, I also propose a conceptual framework which I call the "gendered local-global entanglements" to explore the embeddedness of local and global forces and processes in: 1) the transnational labour migration of Nepali women; 2) the state's gendered labour migration policy; and 3) the politics and activism for the rights of Nepali women migrant domestic workers. Chapter 3 provides methodological discussions where I discuss my ethnographic fieldwork, involving what I refer to as multi-sited global ethnographies carried out in Nepal, Qatar, Kuwait, and the United Arab Emirates. This chapter also discusses the tools and methods used in data collection, as well as my reflections on the ethical considerations in the field, as well as the ways in which I operationalized and embedded reflexivity into my research, focusing on three key issues in feminist research: power and exploitability, positionality and subjectivity, and representation and knowledge production.

Chapters 4, 5 and 6 are thematic chapters which answer the overarching research question as to how gender operates as a governing code in Nepal's labour migration governance by breaking it down in three sub-questions. Chapter 4 explores the ways in which the local/national gender code and all the concomitant gender discriminatory systems and other axes of oppression

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[60] In this dissertation, I have used the term "Third World" in two senses. First, it is used as a conceptual category to refer to the marginalization and exploitation of peoples in the process of neoliberal globalization which is not a neutral process and has impacted people differently and to different degrees in diverse locations. The other use of the term, as in this context, refers to the Third World feminist theories as they emerged against the backdrop of the universalizing feminist theories of the West.

intersect and interact with the forces of globalization in creating structurally conducive conditions for women's transnational labour migration. In Chapter 5, I examine the ways in which the Nepali state – within the regional and global geopolitics – produces, reproduces, and perpetuates the gender code through a gendered labour migration policy. Chapter 6 explicates the ways in which women migrant domestic workers – in the face of the gendered structural conditions created by the local-global forces and processes – exercise their agency and resist the gender codes. Finally, Chapter 7 concludes by presenting the key findings of the research and proposes a feminist migrant rights activism and politics that simultaneously attend to the local and global agendas and issues in relation to Nepali women migrant domestic workers in the Arabian Gulf countries.

CHAPTER 2: EPISTEMOLOGICAL-THEORETICAL DISCUSSIONS AND THE CONCEPTUAL FRAMEWORK

Since feminist philosophy is not a single epistemology, and nor is it a single socially and politically aligned movement (Diez, 2003), treating it as such entails the risk of obscuring the context-specific intersectional differences. This chapter therefore discusses the key feminist theoretical concepts that underpin this research and proposes a conceptual framework that provides an analytical and organizational structure of the dissertation. Despite the heterogeneity of feminist epistemologies and theories, at the core of feminist research is the rejection of "objectivity" in research and the "disembodied" viewpoints in knowledge production by dissociating the researcher's viewpoints from social location (Harding, 1986; Haraway, 1988, 1991; Hesse-Biber, 2012; Sparke, 2000). Therefore, feminist scholars (i.e., England, 2010; Harding, 1986; Haraway, 1991; Rose, 1997; Warren, 1988) emphasize that "truths" and "knowledge" invariably bear the marks of those who create them due to the situatedness of the creators themselves in terms of their gender, class, race, and culture. Haraway (1991) claims that the epistemology itself is "embodied" in that "there is no independent position from which one can freely and fully observe the world in all its complex particulars" (p. 193). The researcher cannot simultaneously "be in all, or wholly in any, of the privileged (subjugated) positions

structured by gender, race, nation, and class" (Haraway, 1991, p.193). This means that knowing

and being are closely interlinked, and how the researcher views and what s/he produces is

situated (England, 2010; Nagar, 2014). Since no one exists in the world unembedded (Haraway,

1990; Narayan, 1989), this research is informed by the fundamental feminist epistemologies:

situatedness of the researcher, inextricability between knowing and being, and "partial" nature of

knowledge. Additionally, feminist theorizing posits a subject, identifies a problem, and then

explicates the aims and means of transforming the relations of domination and oppression (Dietz,

2003). Further, as Wilkinson (1996) asserts, feminist research attends to the ways in which

women and their issues and voices are marginalized and silenced in both the social-political

domain as well as knowledge production (cited in Boonzaier and Shefer, 2006), this research

places the experiences and issues of Nepali women migrant domestic workers at the centre in

examining women's transnational labour migration and the state's gendered labour migration

policy. Rather than simply collecting data from research participants, this research attempted to

engage with the participants listening to their stories, thoughts and experiences from pre-

migration stages (in some cases) to the entire migration cycle from decision-making phase to

preparing documentation, transits, destinations as well as return. In addition, as Ackerly and True

(2008) claim that one of the quintessential foci of feminist research is to explore the absences

and silences, this research investigates where and in what ways such silencing, marginalizing,

and subduing have been enacted and the gendered representations and discourses constructed

about Nepali women migrant domestic workers.

This chapter has two sections. Building on the transnational and Third World feminist theories,

the first section develops what I describe as the 'decolonial transnational and Third World

feminist theoretical framework' to explore the lived experiences of Nepali women migrant

domestic workers in the Arabian Gulf countries. This theoretical framework is based on my

contention that both Third World and transnational theoretical approaches can offer useful

insights into the phenomena of Nepali women's transnational labour migration, as well as the

politics and activisms that attend to their lived experiences and challenges. However, there

remains a danger for the transnational feminist theoretical approach to be delinked from the

"local" contexts while the Third World feminist theorizing entails the risk of downplaying the

transnational macro processes and their deeply gendered impacts and outcomes in relation to

Nepali women within the context of globalization. I contend that only an integrated theoretical framework that builds on the key concepts of transnational and Third World feminist theories can explicate the broader realities within which they migrate and locate the sites of migrant rights politics and organizing that can simultaneously attend to their precarities produced by the intersecting local/national and global forces and structures. Informed by the proposed theoretical framework, the second section develops a conceptual framework which I describe as the "gendered local-global entanglements" which provides the analytical and organizational structure to this dissertation.

The decolonial transnational-Third World feminist theoretical framework

Given the heterogeneity even within transnational and Third World feminist theories, I discuss some key theoretical concepts and their relevance to this research but contend for the need to decolonize these theoretical approaches. Herr (2014) claims that transnational and Third World feminist theories converge on two common grounds: first, both theories are concerned about the effects of globalization and capitalism on diverse groups of women across the world, and second, both theories attend to Third World women's agency and voices. Feminist scholars (e.g., Mohanty, 1992; Spelman, 1990) have questioned the notion of a shared experience of women as the basis of feminist politics. Mohanty (1992) argues that Third World women's oppressions are diverse, depending on specific contexts and how various other categories, such as race, class, ethnicity, and nation intersect. Mohanty (2013) analyzes the local/national relations and processes within the context of global forces and processes of the global political economy. In a similar vein, Grewal and Kaplan (1994) critique the Western feminism for constructing a universal hegemonic gender oppression and such a concept downplays the diversity of women's oppression and their agency.

However, as Conway (2017) argues, there exists a conceptual divide within transnational feminist theoretical approaches between those that look at it as an analytic and methodological approach in feminist knowledge production and those that look at it as an empirical referent to feminist transnational solidarity and activism. Transnational feminist research displaces the centrality of both Western epistemologies and nationalist ideologies embedded therein (Hundle et al., 2019). Transnational feminist theories are opposed to both national and neocolonial power structures and are concerned about gender inequalities as they manifest differently in diverse geographic and historical contexts (Alexander and Mohanty, 1997; Grewal and Kaplan, 1994;

Hundle et al., 2019; Mason, 2017; Mohanty et al., 1991). Transnational feminists focus on investigating the diverse experiences of women living their lives within, between, and in the peripheries of the states (Mann, 2012; Zerbe Enns et al., 2020). Doing this is crucial because globalization has produced heterogeneous impacts on women depending on their specific contexts (Grewal et al., 1999; Rubin, 2009), as well as on the states. Transnational feminists therefore stress on transcending nation-state boundaries and focusing on the interacting diverse forces and processes that produce gendered impacts, gender power relations and experiences within their specific geopolitical contexts (Hannerz, 1998; Mann, 2012; Mendoza, 2002; Zerbe Enns et al., 2020). Further, Hyndman (2004) argues for the need to develop a new understanding of the "transnational" which not only looks at "relations that traverse political borders, but as scales of analysis both coarser and finer than the nation-state scales" while attending to the body as the subject and object of geopolitics (p. 316). My analytical approach is based on feminist geopolitics that focus on the local-global relations at multiple scales and sites without assuming them not as pre-given units of analysis (Hyndman, 2004; Hyndman and Mountz, 2006; Pratt and Rosner, 2006).

Mohanty (2013) argues that politics and economics of capitalism as a far more urgent locus of struggle for feminist theorizing since it is women who bear the brunt of globalization around the world. The transnational feminist theoretical approach has replaced the notion of placing the nation-states as the main foci of analysis, however, as Mohanty (2002) contends, it does not lose sight of the local which is considered an important domain for feminist research in that only through investigating the lived experiences of Third World women within their own specific local/national contexts, the transnational feminist researchers can "de-mystify capitalism as a system of debilitating sexism and racism and envision anticapitalistic resistance" (p. 514). However, Grewal and Kaplan (1994) use the concept "transnational" "to problematize a purely locational politics of global-local or center-periphery in favor of ... the lines cutting across them" (p. 13). They employ the concept of the "scattered hegemonies" to describe the "global economic structures, patriarchal nationalisms, 'authentic' forms of tradition, local structures of domination, and legal-juridical oppression on multiple levels" (Grewal and Kaplan, 1994, p. 17). They characterize the contemporary world as postmodernity that refers to the socio-politico-economic condition in the age of neoliberal capitalist globalization (Grewal and Kaplan, 1994). Under such

conditions, the power is no longer centered in the metropole but scattered around the globe since

the capital is dispersed along with the mobilities of some multinational corporations (Grewal and

Kaplan, 1994). Grewal and Kaplan (1994) argue for the importance of a transnational

perspective in feminist theory and politics and write,

> We need to articulate the relationship of gender to scattered hegemonies such as global economic structures, patriarchal nationalisms, 'authentic' forms of tradition, local structures of domination, and legal-juridical oppression on multiple levels … transnational feminist practices require this kind of comparative work rather than the relativistic linking of 'differences' undertaken by proponents of 'global feminism'; that is, to compare multiple, overlapping, and discrete oppressions rather than to construct a theory of hegemonic oppression under a unified theory of gender. (p. 18)

What transnational and Third World feminisms diverge on is on their sites and foci of

investigation; the transnational feminists concentrate on the transnational level while Third

World feminism focuses on the local and national contexts (Herr, 2014). Herr (2018) contends

that the transnational perspective cannot properly address transnational capitalism's deleterious

effects on marginalized women of the Third World by completely rejecting nationalism. Since

the nation-states and nationalism are relevant for feminist activisms, using a feminist analytic

that holds an ambiguous view of the nation-state and nationalism entails the danger of

undermining the interests of the Third World women (Herr, 2014). Thus, the transnational lens

risks celebrating the consciousness of relatively privileged people as representing the

"transnational" era and tends to reintroduce a false universalism and its harmful effects on those

left behind (Herr, 2018; Khagram and Levitt, 2007). Reich (1991) asserts that the transnational

consciousness of a privileged class of postcolonial intellectuals does not represent the oppressed

and marginalized people at the grassroots and may end up operating from the same hegemonic

and imperialist networks which they intend to critique. Similarly, Conway (2017) claims that the

transnational analytical framework, given the current global unequal structures, entails the

danger of being reduced to "placeless cosmopolitanism that perpetuates race, class, and

neocolonialism on a global scale" while failing to seriously consider the place-based differences

(p. 219).

My contention is that since the transnational feminist analytical framework lies in the

transnational mobilities and flows, such a focus, if delinked with the local, might belittle the

local whereas the Third World feminist theories underscore the local/national contexts as the

main sites of feminist struggle at the risk of not sufficiently taking into cognizance the global

forces and processes and the transnational mobilities and flows against the backdrop of

globalization. As Piper and Withers (2018) claim, a focus on transnationalism has shifted the

empirical attention beyond the nation-state, but it has also exaggerated the agency of migrants

and downplayed the role and relevance of the state power. They argue that backgrounding of the

state power as subordinate to migrant transnationalism reflects the ontological departure from

state-centric analysis that essentializes transnationalism as a paradigm. In addition, placing

primacy on the "transnational" obscures the work of the nation (Briggs, 2016). I argue that

decentring the state should not obscure its salience and role in shaping migration politics and

governance that remain central to the experiences of migrants, particularly women migrant

workers. Further, as Herr (2018) contends, the Third World neoliberal nation states provide

micro-structures for the neoliberal forces and macro structures. Global capitalism is instrumental

to most of the global inequalities, it is the nation-states that indeed produce and reproduce

structures of global capitalism, and they should thus constitute an important part of analysis

(Herr, 2018).

In this research that pertains to Nepali women migrant domestic workers, I argue for the need to

decolonize both the transnational and Third World feminist theoretical approaches. I propose that

a decolonized transnational and Third World feminist theoretical approach is crucial to

investigage the concerns and influence of global capitalism on Nepali women on the one hand,

and on the other hand, to locate a feminist politics and activism for their rights from a gender

justice perspective. Such decolonizing refers to what Mendoza (2016) calls countering "the

epistemic backlash" and rejuvenating "the critical edge of the anticolonial theories which are

being "subjected to recolonization" their critical edge disappearing or appearing blunt (p. 24). As

McLaren (2017) writes,

> …attention to both micro-and macro-political structures; a sense of historical
> consciousness and specificity; a commitment to liberatory practices and values;
> and an awareness of the effects of colonization on consciousness, theories,
> research practices, epistemological frameworks, and ways of knowing. (p. 4)

Further, the decolonial feminist theoretical framework, as Lugones (2010) states, should circulate

counter-hegemonic narratives about the mobilities of women of color to highlight the

multiplicity of their oppressions and experiences, including their resistance and possibilities of

creating coalitions to overcome inequality and exclusion. For me, the decolonial approach therefore refers to placing the voices, experiences, and struggles of women migrant domestic workers at the centre of my research.

Additionally, states are in the process of reconstituting their own relations with the global political economy that are deeply embedded in what scholars (e.g., Bhambra, 2017; Grosfoguel, 2011) call "the coloniality" existing even after the end of political colonization and impacting people's lives from the Global South countries to this day. Although some transnational feminists have produced nuanced analyses of Third World women's relations to nation-states and nationalism (Basarudin, 2010; Jamal, 2005), nation-states and nationalism are mostly deemed to be devoid of feminist utility (e.g., Grewal and Kaplan, 1994; Kaplan et al., 1999). The nation-state continues to be the focus for resistance against local and global injustices rooted in the coloniality (Tambiah, 2002). The figure below provides what I call the 'decolonial transnational-Third World feminist theoretical framework' that underpins this research.

Figure 5: The decolonial transnational-Third World feminist theoretical framework
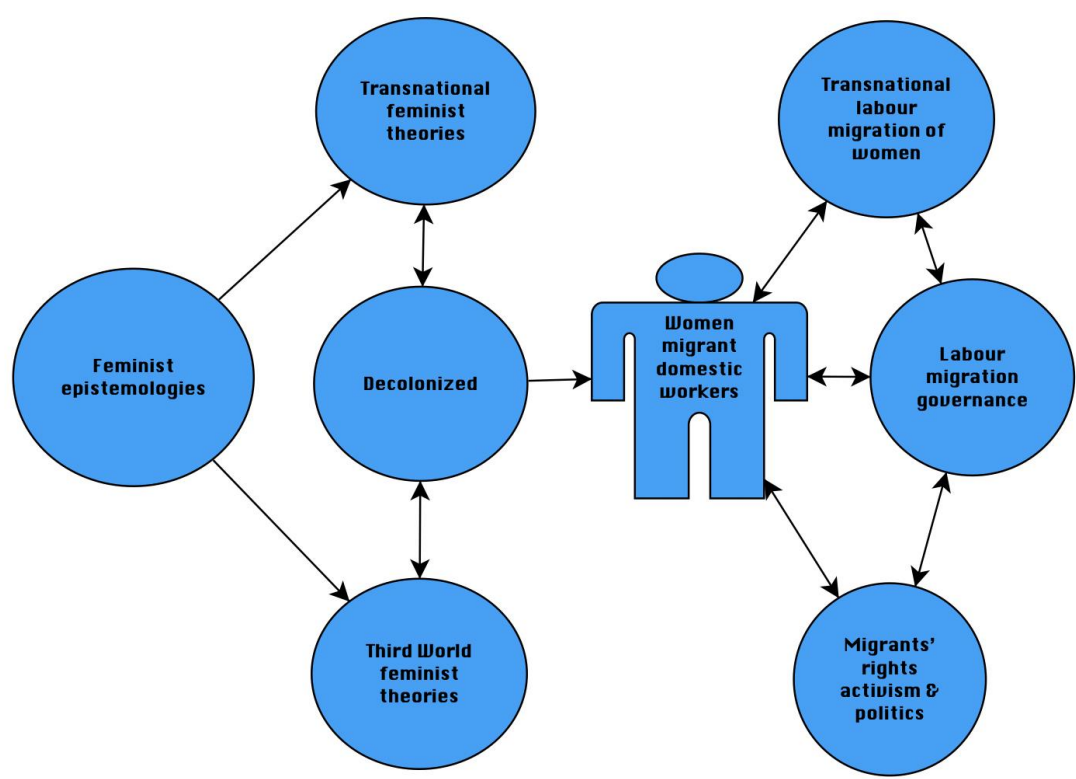
Figure by author

Informed by this theoretical framework, in the following three subsections, I provide a review of the extant literature that respectively deals with the transnational labour migration of women, labour migration governance and migrant rights activism and politics through a gender lens. The scholarship I engage with in these subsections have subsequently informed the analyses of the

data presented in the thematic chapters 4, 5 and 6. The scholarship I engage with comes from multiple disciplines, including sociology, international relations, global political economy, political anthropology, and feminist geography so that they could complement each other in a productive manner. Limiting research within certain disciplinary boundaries validates only certain questions and data in knowledge production (Ackerly and True, 2008). Among the three subsections that follow, the first subsection engages with existing research and scholarship that focuses on gender and women's transnational labour migration in the context of globalization. The next subsection reviews the governance of migration from a gender lens with a focus on migrant sending states. In the third subsection, I examine the precarities of women migrant workers through a gender lens as well as migrant rights politics and organizing in the context of globalization.

Gender, transnational labour migration, and globalization

Women's transnational labour migration is often linked with globalization[61] which refers to social and economic processes that entail intensified global interconnectedness and the concomitant shifting political, economic, and sociocultural structures and relations catalyzed by the mobilities and flows of people and goods, images and ideologies, capital and culture, information, and technology, including production and resistance (Gunewardena and Kingsolver, 2007; Naples, 2002; Panizzon, 2011). As a result of such multi-faceted and dense transnational interlinkages, women migrants, once framed as "associational migrants" or "trailing wives" following their spouses, have massively moved across the borders in independent capacities as workers (Bastia and Piper, 2019; Piper and Roces, 2003). The increasing flows of women's transnational migration is often described as the "feminization of migration" that refers to the increasing migration trends of women from the Global South in independent capacity looking for work as nannies, nurses, maids, or sex workers, and not as "dependents" of their husbands (Alexander and Steidl, 2012; Mahon, 2021; Oishi, 2005; Piper, 2005, 2010; Piper and Withers, 2018; Verschuur, 2013). Castles and Miller (1998) describe the feminization of migration as one of the five key trends of the new "age of migration."[62] Other migration scholars (e.g., Donato et

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[61] My understanding of globalization aligns with how Held et al. (1999) conceptualize globalization as the "widening, deepening, and speeding up of worldwide interconnectedness in all aspects of contemporary social life, cultural, financial, and spiritual" (p. 2).

[62] In the latest edition of the book *The Age of Migration* (2020), Castles and Miller describe the feminization of migration as one of the dominant characteristics of the contemporary migration, the other features being its globalization in that a far greater number of countries affected by migratory movements; its acceleration reflected

al., 2011; Morokvasic, 2008; Piya and Donato, 2013; Schrover, 2013) argue that the feminization of migration,[63] instead of being a contemporary phenomenon, has always existed and it is neither a universal trend, but the visibility of women migrants only indicates their longstanding absence from migration research. Bastia and Piper (2019) therefore state that the concept of the feminization of migration can partly be attributed to feminist activisms that made policymakers attend to gender disaggregated migrant flows and other data.

Some scholars (e.g., Donato et al., 2011; Gabaccia and Zanoni, 2012), however, look at the feminization not in terms of linearity and universality but as complex and dynamic trends and shifts in the mobilities of women worldwide. Other migration scholars (e.g., Chant 2013; Chant and Beetham, 2015) describe the feminization of labour migration in terms of women migrants' highly precarious situations characterized by their concentration in temporary labour migration, likelihoods to migrate through irregular routes and channels, their predominance in the low-wage and low-status job of domestic work, and the intersecting forms of discriminations and abuse that they confront during their migration cycle. These women migrant workers were underpaid, and their work undervalued and exploited (Mason, 2017), and thus subjected to the dictates of "neoliberal governmentality" that exploited them through the "feminization," "flexibilization", and "informalization" of work (Oksala, 2013; Peterson, 2012; Wolkowitz et al., 2013; Wright, 2006).

Sassen (2000) employs the term "feminization of survival" – rather than the feminization of migration – to refer to the conditions where the survival of not only women but also the entire households, communities, governments, and private sectors depends on women's money sent home from abroad. The "feminization of survival" began in the 1980s after the Structural Adjustment Programs promoted the neoliberal agendas of privatization, liberalization of domestic economies, and the decline in state welfarism (Sassen, 2000). It is against this background that women from the Global South started being funneled across borders through the "counter-geographies of globalization" that refer to the "circuits" of migratory channels and

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through increased volumes of migrants; its differentiation as evident through the ethnic and national diversity of migrants; its politicization (domestic policies, bilateral and regional relations and national security policies of States are being increasingly affected by concerns about risks of international migration and vice-versa).

[63] As an ILO report emphasized in 1996, the feminization of international labour migration is "one of the most striking economic and social phenomena of recent times."

networks (Sassen, 2000). Such transnational circuits overlap with many features of globalization that include the formation of global markets, dense transnational and translocal networks and the communication technologies (Sassen, 2000, 2003). Sassen (2003) states,

> These circuits are enormously diverse but share one feature: they are profit- or revenue-making circuits developed on the backs of the truly disadvantaged. They include the illegal trafficking in people for the sex industry and for various types of formal and informal labor markets as well as other cross border migrations, both documented and not, which have become an important source of hard currency for governments in home countries. The formation and strengthening of these circuits is in good part a consequence of broader structural conditions… (p. 59)

The early work (e.g., Mies, 1986; Sassen, 2010) explored the ways in which women migrants from Third World countries participated in global assembly lines as new subservient and docile industrial workers with "typical feminine qualities" typified by part-time jobs with extended and odd hours. At the turn of the twentieth century, feminist research on women's labour migration focused on the "global care chains" that referred to the process of linking women's labour across the world through transnational exchanges of domestic services (Ehrenreich and Hochschild, 2003; England, 2007; Hondagneu-Sotelo, 2001; Hochschild, 2000; Parreñas, 2001). This body of work theorized the "global care chains" focusing on the processes under which women from the "peripheral" countries of the Global South migrated to undertake child and elder care in rich countries of the Global North facing care deficits resulting from increasing numbers of middle-class women entering the workforce, coupled with massive reductions in welfare benefits and gender-based unequal distribution of caring responsibilities (Arat- Koc, 2006; Beneria et al., 2012; Parrenas, 2001; Peterson, 2013). The "global care chain" was variously described as the "female underside of globalization" (Ehrenreich and Hochschild, 2003), the "servants of globalization" (Parreñas, 2001) and the "conditions of neoslavery" (Ong, 2006). Yeates (2004) argues that the "global care chains" were the outcomes of neoliberal globalization that commodified, privatized and marketized the care work.

Global care chains are also dominant features of South-South labour migration, albeit with distinct characteristics (Bastia and Piper, 2019; Hennebry et al., 2016). The increasing migration trends from poor South to the richer South indicate a massive change in the global political geography indicating the demise of the traditional South-North divide in that globalization and global capitalism has created a "global middle class" in both the South and the North (S.A.,

2016; Sachs, 2013). The global "South has formed a thin layer of society that is fully integrated into the economic North" (Cox, 1996, p. 531), creating the "winners" and "losers" of globalization separated not by nationality but class (Goedde, 2014) and the as disposable bodies and their unprotected flexible labour sustains the transnational economic circuits (Ong, 2006). Castells (2009) argues that those people who are fully integrated into what he calls the "spaces of flows" hold power while those living in the "spaces of places" are left behind (p. 30). Domestic labour migration is much akin to "colonial encounters" constituting "interior frontiers" that are "built within the national frontier and in the intimate spheres of marriage and domesticity" (Lan, 2008, p. 835). The inter-region and intra-region care chains in the Global South have markedly distinct features characterized by most women using informal routes and channels, leading to their precarious legal status and employment in unregulated informalized (Hennebry et al., 2016; Kofman and Raghuram, 2010). The South-south feminized labour migration regimes promote distinctly gendered values and norms, as well as the gendered subjectivity and agency (Truong et al., 2014) and are characterized by precarities in the destination countries (Armano et al., 2017; Strauss, 2017; Yeoh et al., 2017).

In Asia, research on women's migration (e.g., Mahdavi, 2013; Malhotra et al., 2016; Nisrane et al., 2020; Setién and Acosta, 2013; Silvey and Parreñas, 2020) has looked at gender, race and ethnicity in relation to women migrants' concentration on domestic work in Asian Gulf countries where the work they do is often low-paid, unregulated and potentially dangerous. These women from poorer countries of the Global South working as domestic workers in the Arabian Gulf countries have taken over the reproductive labour of middle-class women giving rise to the critical sites of global production, power, and capital (Kilkey, 2013; Ong, 2002; Parreñas, 2001). Transnationalism in the South-South context involves precarity across borders, with migrant workers living and working in precarious and often deleterious conditions (Claudia and Piper, 2021) while in the western countries, such a lens may focus on the flows and movement of migrants and their "integration" and the sociocultural, political, and economic interlinkages between origin and destination countries. The ILO (2013) uses the term "genderisation of migration" to refer to the migration trends in Asia where men mainly migrate for construction work and women for domestic work (p. 28). Lutz (2018) uses the concept of "transnational

social inequality" to describe the contradictory positions of women migrants working in care sectors within the asymmetrically distributed resources in their global manifestation.

In the Gulf countries, there exists a high demand for domestic work due to changes in family structures and lifestyles and for the "maintenance of newly acquired social status" (Irianto and Truong, 2014, p. 33). Women migrant domestic workers also substitute the unpaid domestic labor of the middle-class women who get employed in paid work while being able to spend more leisure with their families (Fernandez and de Regt, 2014). However, woman migrant domestic workers are not equally treated by the migration and labour policies and laws and are structurally placed in vulnerable situations created and enabled by the Gulf states (Abrera-Mangahas, 1998; Chin, 1998). Thus, the women migrant domestic workers providing important care work in the Gulf countries are subject to conditions of vulnerability while their own children in the origin countries suffer separation from their mothers for an extended period. And, the care gaps resulting from their absence are replaced by other women at lower cost (in some cases) or by their female relatives or family members in most cases that goes unpaid or paid in kind in the forms of gifts, and the care chain continues to exist and be devalued transnationally. Some scholars (e.g., Ambrosius and Cuecuecha, 2013; Hildebrandt and McKenzie, 2005; Kittay, 2009) argue that such vulnerabilities are counterbalanced by significant gains in that the global care chains benefit women migrant domestic workers who can remit money to their families and origin countries while increasing women's public sphere involvement and labour participation. However, as Orozco and Hennebry (2017) argue, such benefits come at incredible social, emotional, and long-term economic costs.

The recent research has focused on the precarity and agency of women migrant domestic workers as simultaneous processes, rather than separate (Mansouri and Tittensor, 2017; Paret and Gleeson, 2016). Paret and Gleeson (2016) propose four forms of agency grounded on the experiences of women migrant domestic workers. The first pertains to the individual women's migration decisions that may be tied to family obligations or longstanding community expectations. The second is related to the ways in which women migrant workers use their individual agency to adopt and contest abuse and seek legal rights (Paret and Gleeson, 2016). The third involves with collective organizing as a strategy for addressing precarity through an

organized movement (e.g., traditional labor unions) or alternative worker centres. Thus, there are two dominant theoretical frameworks to look at the migration of women's care work; the first focuses on structural conditions of migration while the second brings to the fore the agency of women migrants. Mansouri and Tittensor (2017) claim that both these analytical frameworks are totalizing and insufficient to explain the complexities of women's migration, since the former looks only at the macro or global forces while the latter aggrandizes the micro and individual women migrants' agency even in the face of extreme coercive structures. Only an integrated approach, as Mansouri and Tittensor (2017) contend, can attend to the macro-micro aspects of women's migration by considering both structural drivers and individual women migrants' agency to act and negotiate within their immediate social networks and structural constraints.

Governing migration, gender, and the state

At the global level, migration governance remains incoherent, poorly understood, and lacks an overarching vision (Betts, 2010). Migration scholars (e.g., Betts, 2011; Castles, 2014; Grugel and Piper, 2011; Hollifield, 2000; Koslowski, 2011; Lavenex and Panizzon, 2013; Newland, 2010) describe global migration governance as a "missing regime" which remains fragmented and incoherent compared to the transnational flows of goods and capital. Further, global migration governance is compartmentalized into multiple policy categories (e.g., low- and high-skilled, irregular migration, international travel, human trafficking and smuggling, asylum, and refugees), and each category is governed by a complex set of regional, inter-regional, bilateral, and multilateral agreements (Betts, 2011). Such fragmentation in global migration governance has resulted from the asymmetrical power between migrant origin and destination countries where the former seek multilateralism which the latter deny (Kainz and Betts, 2021). The emergence and involvement of multiple actors and the shifting sites of global migration governance is to the detriment of promoting "decent work" for migrant workers (Piper and Foley, 2021, p. 257). Moreover, given the structural inequalities in the global economy and institutional ineffectiveness, the governance of migration "is not matched by labour governance" (Piper et al., 2016, p. 93).

Many scholars (e.g., Grugel and Piper, 2008; Lahav and Lavenex, 2013; Mahon, 2021) observe that there are three main approaches to international migration – securitized, economistic and the

rights-based. The securitized approach to migration emphasizes tightening people's cross-border movement while the economistic approach, as reflected in the migration-development nexus, focuses on the economic contributions of migrant workers to both origin and destination countries. The convergence of these two approaches to international migration has given rise to the "migration management" approach which is being touted by most governments and the United Nations as a "triple win" approach that benefits the countries origin, destination, and migrants themselves. The third rights-based approach is mostly promoted by civil society and trade unions with the support of some international organizations (e.g., ILO and UN Women) and as Piper (2020) argues, this approach deems the global structural inequality and the lack of economic opportunities and discrimination being at the roots of labour migration.

In relation to women's transnational migration, Mahon (2021) argues, there are two policy variants of managed migration ("women as victims" and the "triple win"), but both are highly gendered projects (p. 272). The "migration management" approach tries to govern migration that indeed stems from "global capitalism, underdevelopment, or inequalities, without addressing these underlying factors" (Pécoud, 2018, p.1030). Grugel and Piper (2007) therefore describe the global governance of migration in terms of projects that,

> … are essentially strategic interventions or policies that aim to manage the stresses of global politics and globalization through global rule-making. They may be the work of politicians, global bureaucrats, international institutions, states, or other policy actors such as NGOs.... They take different institutional forms and have different normative underpinnings; different actors are caught up within them and different kinds of resources are exchanged within them. (p. 11).

Migrant domestic workers are often governed by what Raustiala and Victor (2004) call a "regime complex" that refers to "an array of partially overlapping and nonhierarchical institutions" (p. 279). Gómez-Mera (2015) argues that regime complexity gives states a leverage to have an upper hand in relation to governing migration. First, it allows states to engage in "forum shopping" that involves selecting the venues where they can obtain most favourable gains and outcomes (Gómez-Mera, 2015, p. 570). It also enables states to do what Gómez-Mera (2015) calls "regime shifting" which refers to moving negotiations and law-making activities from one venue to another to change the legal landscape and the constellation of actors involved in the decision-making process while selectively interpreting and implementing the rules to "circumvent costly obligations" (p. 570). Mahon (2021) claims that the "gendering of migration

governance" is reflected through the emerging rights-based alternative approach to migration governance which is based on the principle of "gender equality and women's empowerment" (Mahon, 2021, p. 273). However, as Silvey (2004) argues, it is not simple to translate migrant rights into broader political action by exerting the political pressure from the international to the national, local, and bodily scales.

There exist multiple actors, institutions, and relationships to "move" the laboring bodies across borders (Xiang et al., 2012), but the central actor is the state which is gendered with territorially distributed, negotiated, and renegotiated power resources (Sassen, 2006). In most cases, women's labour migration is regulated by bilateral agreements between origin and destination states and privatized recruitment agencies (Jones and Sha, 2020). Such interstate bilateral labour migration agreements (BLMA) serve as tools to manage "orderly and regular" migration pathways, which indeed fulfil a dual purpose of regulating borders and addressing labour demands in destination countries and unemployment pressures in origin countries. Piper and KC (forthcoming) contend that such a managerial approach to international migration curtails the rights of migrant workers by placing the states' interests at the forefront.[64] This is more so in the case of women migrants, since such instruments remain largely gender-blind in significant ways.[65] This means that states determine the rules of the game for governing migration from the vantage point of their interests that too centre around the benefits of rich migrant destination states which become policy "makers" while the sending countries are mere policy "takers" in the face of asymmetrical power relations (Betts, 2011; Hugo, 2013; Woods et al., 2013).

State sovereignty and gendered migration governance

Some scholars (e.g., Ong, 2000, 2006; Silvey, 2004; True, 2018) examine the gendered constructions of work and governance in the light of the changing contours of state sovereignty under economic neoliberalism. The changing geographies of state power, as Silvey (2004) states, are key to the gendered constructions and contestations of women's transnational labour migration. Scholars (e.g., Held, et al., 1999; Massey, 1994; Rosenau, 2003) argue that the

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[64] Nicola Piper and Hari KC make this argument in their chapter titled "Rethinking the Migrant Rights Agenda in Global Migration Governance: a Decolonizing Approach" to be published in the forthcoming book *Handbook on Migration and Development* which is jointly edited by Raul Delgado Wise, Ronaldo Munck, Carl-Ulrik Schierup, & Branka Likic-Brboric.

[65] Jenna Hennebry, Nicola Piper, Hari KC and Kira Williams make this argument in their forthcoming article "Global Interstate Bilateral Labour Migration Agreements (BLMA) as Migration Governance Tools: An Analysis from a Gender Lens" to be published in the *Theoretical Inquiries in Law*, The Buchmann Faculty of Law, Tel Aviv University.

transformations in the spatial organization of social relations and transactions within states lead to such reconfigurations of state sovereignty. What happens is that states become complicit with and promote capitalist markets and relinquish their own sovereign power, strengthening the freedoms of the rich and producing disproportionate impacts on people on margins, especially women (True, 2018). As Ong (2000) claims, in the context of East Asian countries, sovereignty has been respatialised and rescaled under the force of globalization on state power, and such reconfigurations imply that state sovereignty does not operate evenly over all the citizens even within a bounded state territory. Ong (2006) employs the concept of "graduated sovereignty" which refers to,

> the effects of a flexible management of sovereignty as the governments adjust political space to the dictates of global capital … graduated sovereignty is an effect of states moving from being administrators of a watertight national entity to regulators of diverse spaces and populations that link with global markets. (p. 78).

Such differential treatments of populations "differently insert them into the processes of global capitalism" (Ong, 2002, p. 237). This "flexible management of sovereignty" is typified by the creation of Special Economic Zones which "vary in their mix of legal protections, controls and repressive regimes" (Ong, 2006, p. 66). Ong (2002) asserts that such "gradations of governing may be in a continuum, but they overlap with pre-formed racial, religious and gender hierarchies" (p. 237) that further fragment citizenship and citizen rights. However, rather than the erosion of state sovereignty, other scholars (e.g., Sassen, 2006; Mezzadra and Neilson, 2013) employ the concept of an assemblage to argue that such governing technologies are linked with the historical transformation of state power rather than the erosion of sovereignty. Looking at the state through the assemblage lens means that it creates new meanings and forms, recontextualizes and reconstitutes its relations of power, both in terms of its citizens as well as the other states (Mezzadra and Neilson, 2013).

Adamson and Tsourapas (2020) develop a useful typology of nationalizing, developmental, and neoliberal migration management regimes in relation to labour migration governance from the sending states' perspectives. The "developmental state" actively promotes emigration using migration as an economic development strategy and pursing an export-oriented policy in partnership with the private sector (Adamson and Tsourapas, 2020, p. 867). As a key strategy, the developmental migration state uses migration management as a "safety valve" and

encourages the emigration of domestic labor, aiming to reduce surplus labor and ease the concomitant sociopolitical and economic pressures (Adamson and Tsourapas, 2020). Likewise, differing from the developmental migration state in subtle ways, the neoliberal migration state focuses its emigration policy on exporting labor and relieving domestic socioeconomic pressures with a more explicit strategy of monetizing the migration flows (Adamson and Tsourapas, 2020). Gamlen and Marsh (2011) describe this as the transnational mode of migration governance that has its "conceptual roots in the new migration and development optimism" and a "neoliberal assessment of the role of the state in regulating market mechanism such as migration" (p. ix). In contrast, the "nationalizing" migration states place primacy on the nation's identity, instead of formulating the neoliberal market-based migration policy (Adamson and Tsourapas, 2020). Such "nationalizing" migration states (Adamson and Tsourapas, 2020) end up embracing what Gunawardana (2018) describes as the "protection regimes" that purport to "protect workers" from vulnerabilities. However, such a protectionist migration regime further entrenches the gendered politics and state regimes.

Oishi (2005) describes most Asian countries' migration policies as the "value-driven emigration policies" that prioritize the social values over economic imperatives (p. 63). As an instance, many Asian countries (e.g., Bangladesh, Cambodia, India, Indonesia, Nepal, Sri Lanka, and the Philippines), at the turn of the twentieth century, imposed legal restrictions on women's transnational labour migration (Oishi, 2017; Tittensor and Mansouri, 2017), and some countries have continued such restrictive policies. Further, the gendered politics of migration in the first place entail state paternalism which often perceives women as the "symbolic property" of the nations whereby women become the sites of the states' "symbolic gender politics" (Oishi, 2017, p. 100). Since women are deemed the symbols of the nation state, its dignity and sovereignty, the public often become emotional when women migrants are abused and exploited by foreigners, despite the institutionalization of gender-based violence within their own countries (Oishi, 2017). In the South Asian context, Oishi (2005) uses the concept of "social legitimacy" to explain the gendered migration policies, referring to the "social norms that accept women's wage employment and geographical mobility and that establish an environment conducive to international female migration" (p. 34). Restrictive migration policy regimes have existed in varied forms, such as complete bans and restrictions, based on age, wage, specific sectors, and

destination countries. Piper and Withers (2018) observe that some migrant origin states adopt a contradictory stand in that they often perpetuate dominant patriarchal narratives and stigmatize women's transnational migration while depending on their remittances as the main source of foreign exchange.

Malit et al. (2018) provide two explanations for such restrictive emigration policies in the origin countries. First, they observe that some countries, as part of a strategy to ensure their decent working and labour conditions in the destinations, have unilaterally determined the minimum wages for their women migrant domestic workers. Second, such restrictive policies explain the paternalistic "protector" states which mainly resort to such policies to reaffirm their traditional gender norms (Malit et al., 2018). Even when the origin states adopt such restrictive policies as a diplomatic negotiating strategy with the destination countries, they have always heightened the vulnerabilities of domestic workers (Malit et al., 2018). However, such policies, they argue, have been to some extent effective in mitigating irregular migration and desired outcomes only when they are motivated by labour issues, rather than gender politics (Malit et al., 2018). Such strategies fail to achieve desired results, however, when, as Thiollet (2019) argues, the Arab states use retaliatory and coercive migration diplomacies with the origin states. Given the asymmetrical power relations, most migrant origin states lack the political and diplomatic clout to pressure for the rights of their women migrant workers (Elias, 2013; Oishi, 2005).

In the Asian context, the immobilites are as salient as the mobilities in that both origin and destination states, through various migration policies and surveillance systems, contain and constrain women's transnational labour migration, especially for domestic work. Alongside the increased movement and linkages across space and time resulting from the dynamics of globalization, new forms of exclusion, dislocation, immobility, segregation, and stratification are at work (Tazzioli, 2018). In this context, Chatterji (2017) emphasizes the centrality of immobility in analyzing globalization processes as the primary focus on inquiry, rather than taking it for granted as a "natural" state (p. 511). Belanger and Silvey (2020) use the term "im/mobility" to underscore the mutually constitutive relationship between the specific forms of mobilities and the governing strategies that contain those mobilities. The global care regime that predominantly

depends on low-paid foreign women migrants creates infrastructures of immobility to contain women's labour migration (Belanger and Silvey, 2020.

In contrast to the "mobilities turn" that underscores the themes of flows, movement, travel, transnationalism, cosmopolitanism, and diaspora, the "immobility turn" lays bare the simultaneous constraints, regulations, and limits placed on women's transnational mobilities at multiple scales (Cresswell and Merriman, 2011). Walia (2013) contends that, unlike the free transnational mobility of global capital, production and consumption, people's mobilities resulting from the impacts of neoliberal globalization are constructed as demographic threats and face obstructions. In the case of women migrants, despite their increasing transnational migration for domestic work, states have monitored, constrained, controlled, and blocked their mobilities at the intersections of gender, ethnicity, nationality, citizenship, race, sexuality, and socio-economic class (Xiang and Lindquist, 2014).

Gender and migration policymaking
Migration scholars (e.g., Abou-Chadi, 2016; Boswell et al., 2011; Cerna, 2016; Zaun et al., 2016) discuss three approaches to migration policy reforms: the ideational, institutional, and the interest-based. In ideational approach to migration policymaking, policy reforms are made based on the "policy narratives" that mainly draw from both global social phenomena, such as transnational human rights norms and domestic discourses (Boswell et al., 2011; Scholten, 2011). Political structures and ideological preferences of political parties are what largely determine migration policy reforms in the institutionalist approach (Abou-Chadi, 2016; Zaun et al., 2016). However, institutional configurations vary from country to country so that some political actors are more influential in some contexts than others (Béland, 2016). Thus, whether migration policy reforms are state-led "elite-driven" pursuits (Consterdine, 2015, p. 1433), or they are driven by civil society organizing, where policy decisions are largely influenced by the "demand that is articulated on which sectors of society prefer which policies" since the sectors with dominant political and economic power will sway over the subordinate sections (Freeman, 2002, p. 79). In the context of migrant receiving countries, Ellermann (2015) looks at migration policymaking and reforms within the parameters of historically grounded "national immigration ideologies" which can have both restricting or facilitating effects by providing opportunities for policy learning and innovation (p. 1238).

In the contemporary international migration systems, the states are key but not the sole actors, and it is crucial to consider the role of the "middle space" in both facilitating and constraining migration (Cranston et al., 2018; Lindquist et al., 2012). The "middle space" comprises profit-making private actors, inter-governmental service providing organizations and charitable organizations which are increasingly taking the central stage as the new managers of migration governance (Hennebry et al., 2016). In the South Asian context where most women migrate for feminized work under contractual schemes, the private recruitment agencies (brokers from licensed recruitment agencies to informal recruiters) play crucial roles in moving, matching, and placing domestic workers (Goh et al., 2017). There exist the interdependent dynamics between the state and non-state actors ranging from village-level recruiters to licensed multinational agencies in varying degrees of proximity to the state and migrants (Farbenblum, 2017; Lindquist et al., 2012). In particular, by bringing the profit-making private sectors to the governance of migration, the states devolve the risks to the individual migrant workers without any actor who could be held accountable for their rights (Chee, 2020). Within such complex migration systems, as Chee (2020) argues, the only way to mitigate the risks is through self-control since individual migrants cannot have full control over their situations. Through the production of self-disciplined migrants, the global migration systems keep perpetuating the exploitative global labour market (Chee, 2020). Migrant domestic workers are part of such a "resilient subject" produced by neoliberalism through training at various stages of migration such as recruitment, pre-departure, and deployment and their work abroad (Chee, 2020, p. 377). The strategy of devolving the risks to the migrant domestic workers themselves demonstrates the ways in which the states are both unable and reluctant to address flaws embedded in the migration systems (Chee, 2020).

Many states, despite their gendered approach to women's transnational labour migration, rely on their remittances and thus see the economic value of women's migration (Bélanger and Rahman, 2013; Chan, 2014). Gunawardana (2018) claims that elements of protection regimes can be found even within the regulation and brokerage migration regimes. Gunawardana (2018) uses the concept of the assemblage state to describe the ways in which Sri Lanka has three distinct but interrelated regimes – the regulatory, protective, and the brokerage – simultaneously operating. The assemblage state works through economic and political processes to advance both the security and economic interests through labor migration and capitalist accumulation (Elias and

Gunawardana, 2014; True, 2012). The assemblage state stretches across all strata of women's lives, from the household to training and national migration governance institutions as well as expands across national borders into transnational spaces making it the gendered postcolonial state (Gunawardana, 2018). In the case of women migrant domestic workers from Myanmar to Singapore, Deshinkar (2021) observes how the protection regimes end up benefitting the "inexperienced and uncouth" recruitment agencies who take advantage of the black economy created by the ban (p. 135). Deshinkar (2021) points out four different ways in which the bans on women migrants and recruitment have impacted: a sharp increase in migration costs, inadequate predeparture training, placement in forced and exploitative working conditions and the lack of support systems from Myanmar in the destination country.

Precarity, women migrant domestic workers, and migrant rights activism

The concept of "precarity" is open to a dual interpretation, pointing out two conceptual frameworks that refer to both universal and specific aspects of precariousness (Grossman-Thompson and Salmi, 2021). In the first place, precarity is seen as a human condition resulting from corporeal existence and intersubjective positioning in society, instead of an outcome of structural inequality (Gilson, 2014; Turner, 2006). Such a conceptualization of precarity looks at it as an ontological reality and foregrounds the modern existential human conditions and lives characterized by fragility and unpredictability (e.g., Butler, 2004). Other scholars (e.g., Paret and Gleeson, 2016; Parrenas, 2001; Silvey and Parrenas, 2019) locate precarity within the context of structural labour and work conditions that create insecurity and unpredictability of work as well as its informalization and flexibilization, combined with the material and psychological challenges faced by migrant workers. Parrenas (2003) investigates how the social processes of state regulation, familial separation and exploitative working conditions configure women migrant domestic workers as "dislocated" subjects that "cannot be removed from external forces that constitute the meanings of their existence" (p. 208). Similarly, Paret and Gleeson (2016) examine precarity of domestic workers at the intersections of micro and macro processes in specific historical and geographical contexts. Such a conceptualization of precarity foregrounds the vulnerabilities and risks associated with the living and working conditions which are compounded by the lack of legal status, threats, discrimination, loss of bargaining ability, or the

lack of access to social protection (Bélanger and Giang, 2013; Goldring et al., 2009; Hennebry et al., 2016).

Precarity faced by women migrant workers has been conceptualized in different ways depending on specific contexts and countries. In the context of women migrant domestic workers in the UAE, Parrenas et al. (2019) examine the emergence of "serial labor migration" which is characterized by "the multi-country, itinerant labor migration patterns of temporary low-skilled migrant workers" (p. 1230). Likewise, Banki (2013) underscores the "tightrope-like nature" of migrant life (p. 455). Wee et al. (2019) use the concept of "conditionality" in relation to Indonesian women migrant domestic workers in Singapore to analyze the pathways in and out of precarity and claim that precarity is contingent upon various formal and informal conditions, institutional actors, and the strategies and resources of the migrants themselves (p. 2672). In the context of Bangladeshi construction workers and Indonesian domestic workers in Singapore, Platt et al. (2017) examine the concept of "gender precarity" in relation to temporary labour migration and indebtedness that occurs along a spectrum that ranges from what they call "silently" incurred and "resonant" types of debt (p. 119).

The describe the conditions of vulnerabilities faced by women migrant domestic workers, different concepts such as "protracted precarity" (Piper and Withers, 2018), "negotiated precarity" (Jinnah, 2020) and "precarity chains" (Silvey and Parrenas, 2020) have been employed. Piper and Withers (2018) use the concept of "protracted precarity" for the conceptualization of "forced transnationalism" that refers to the "absence of meaningful agency" (p. 558). Jinnah (2020) describes the experiences of women migrant domestic workers in South Africa as a "form of negotiated precarity" that refers to the trade-offs whereby migration provides women the opportunities for survival while exposing them to multiple intersecting exclusions and vulnerabilities (p. 210). In the context of women migrant domestic workers from Southeast Asia working in the Middle East, Silvey and Parrenas (2020) propose the concept of the "precarity chains" that refers to the embeddedness of the precarities wherein the insecurities from the origin countries get transferred to the destination countries (p. 3457). The precarity chains also produce continued dependence and future precarity on women migrant domestic workers and their families, reproducing what they call "the relative poverty, persistent socio-

spatial precarity, and transnational subordination of domestic workers over the life-course"

(Silvey and Parrenas, 2020, p. 3457). Parrenas et al. (2020) also use the concept of "soft

violence" to refer to the "practice of cloaking the unequal relationship in domestic work"

simultaneously through "personalism" that augments the employers' control over domestic

workers (p. 4671). The "soft violence" creates a paradoxical situation that involves a process

where women migrant domestic workers' servitude is simultaneously relieved and amplified to

maximize labour (Parrenas et al., 2020, p. 4671).

Precarity is not a lonesome as migration scholars (e.g., Mansouri and Tittensor, 2017; Paret and

Gleeson, 2016) argue, precarity and agency are simultaneous and inseparable processes. Women

migrants, even in the face of structural conditions of vulnerability, demonstrate agency and

resilience through various ways. The structures that produce and perpetuate precarity cannot be

complete without engaging with the acts of agency that migrants use to navigate structures of

exploitation and inequality (Deshingkar, 2019; Paret, 2016). Paret and Gleeson (2016) argue that

migrant workers exercise four forms of agency during the migration cycle. In the first place,

migrant workers' agency manifests through their decisions to migrate that could have been

motivated by family obligations and societal expectations. Second, migrant workers' agency is

reflected through their strategies to resist abuse and seek legal justice in the case of exploitation.

Third, migrant workers display their agency through collective organizing such as joining trade

unions or other alternative groups in their efforts to address precarity. Forth, agency of migrant

workers lies in the act of dissociating the migrant experience from work while acknowledging

organizing in other spheres of social life. However, the research on the agency of individual

women migrant workers is critical in countering the discourse that perceives them as "victims" in

need of protection, such an approach tends to romanticize their resilience while downplaying the

gendered structural injustices and inequalities that produce the gendered drivers in the first place

and then the gendered challenges during the entire migration cycle.

Against the backdrop of states' failures and the lack of political will to address the precarities

faced by women migrants, civil society and migrant rights activist movements have advocated

for their human and labour rights in tandem with the emergence of global migration governance

(Piper, 2003). Weiss (2014) attributes the proliferation and activism of non-state actors in the

event of the states' inability and unwillingness to address the complex transnational issues. Migration scholars (e.g., Grugel and Piper, 2011; Piper, 2003; Rother, 2013; Schierup et al., 2015) contend that civil society organizations and transnational activist networks have played key roles in exerting pressure on states and policymakers for the rights of migrants. As previously noted, in global migration governance, the centrality of states in migration governance is still dominant (Grugel and Piper, 2011; Piper, 2003), since states have monopolized the authority over mobility (Geiger, 2013). However, Rother (2022) argues that civil society is instrumental to promoting migrant workers' rights as in the Philippines where civil society has advanced the country's migration policy through sustained engagement with the state at multiple levels.

The CSOs have taken an integrated rights-based approach to labour migration that combines the labour, human and economic rights which are anchored to the lived realities of migrant workers. In their activism and advocacy, the non-state actors invoke – either explicitly or implicitly – the labour and human rights, and economic justice of migrant workers, through programs and initiatives launched individually as well as collectively. In the Malaysian context, Elias (2008) points out both the possibilities and limitations that using the human rights discourse poses for organizations involved in migrant domestic worker issues. The civil society campaigns to protect migrant domestic workers' rights implicitly critique the public/private divide upon which mainstream human rights standards rest and the problematic relationship between rights and citizenship (Elias, 2008). Non-state actors can take advantage of regime overlaps to pursue "cooperative strategies" that have the potential to correct the consequences of states' non-cooperative behaviour within the regime complex (Gómez-Mera, 2015, p. 567).

Civil society organizations have emerged as crucial actors in global migration governance (Grugel and Piper, 2011; Piper, 2003), and states have, at least in principle, conceded space to the civil society when it comes to labour migration governance. Civil society organizations advocate for the rights of women migrant workers using the existing international human rights instruments (Claudia and Piper, 2021). Citing the ILO Convention 189 on Decent Work for Domestic Workers, some scholars (e.g., Fish, 2021; Mahon, 2021; Prügl et al., 2011) argue that

the Convention No. 189[66] is outcome of several years of concerted advocacy and alliances

between trade union and civil society organizations worldwide, particularly civil society

organizing from the Global South (Claudia and Piper, 2021; Fish, 2021; Mahon, 2021; Piper,

2015). The Convention 189 has been described as the Fish (2021) notes that this Convention

came into being as a result of domestic worker organizations gaining access to the ILO through

international organizations, global unions, and policy institutes. The Convention became a reality

resulting from what Grosser and McCarthy (2019) describe as the strategy of "engaging with

new political opportunities, mobilizing structures and strategic framing processes that emerge in

the context of increasingly neoliberal and privatized governance systems" (p. 1100). Some

scholars (e.g., Piper, 2009; Piper and Rother, 2011) use the concept of political remittances to

examine political activism through collective organizing that operates across borders.

Civil society, however, is not a homogeneous actor that represents the rights and interests of

migrant workers in general and women migrant workers in particular. There has been a marked

shift in the composition of "civil society" present at such processes, with the effect of narrowing

down the space left for human and labour rights activists (Hennebry and Piper, 2021). In some

cases, some civil society actors collude with or work in the interests of the states. It is evident

through the ways in which states have enabled private sector involvement in the governance of

labour migration by institutionalizing their role within migration governance regimes. Hennebry

and Piper (2021) observe that even in the processes of developing the GCM, private sector and

corporate actors were given the same space as the traditional civil society groups. The GCM

therefore is an important move towards multilateral cooperation in global migration governance,

but it has given rise to the role of private actors and privatization and marketization in governing

migration which can be described as "flexible governance" (Hennebry and Piper, 2021).

The conceptual framework: the gendered local-global entanglements
To answer my research questions, I propose the 'gendered local-global entanglements' as a

conceptual framework based on the concept that the local/national and the global systems and

structures[67] are deeply intertwined, pertaining to women's transnational labour migration in

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[66] Article 8 (1) of the Convention requires member states to ensure written contracts to be enforceable in the destination countries prior to traveling, though this is not applicable to migrant domestic workers who are already within the territory of the destination country. Likewise, Article 8 (4) requires states to specify the conditions under which domestic workers are entitled to repatriation at the end of their employment.

[67] Iris Marion Young (2003) defines structure as "a confluence of institutional rules and interactive routines, mobilization of resources, and physical structures; these constitute the historical givens in relation to which individuals act, and which are relatively stable over time" adding it also refers to "wider social outcomes that result

Nepal. The conceptual framework is informed by the theoretical framework (discussed above in this chapter) that draws on some key concepts of transnational and Third World feminist theories which, I contend, can offer useful insights into: 1) the phenomenon of Nepali women's transnational labour migration, the gendered labour migration policy of the Nepali state and the precarities of Nepali women migrant domestic workers going to the Arabian Gulf countries. Further, this conceptual framework can serve as a tool to frame the migrant rights politics and organizing that attend to the lived realities of women migrant domestic workers.

Mohanty (2003) argues that the local and the global should not defined in terms of "physical geography or territory" but as ones that "exist simultaneously and constitute each other" (p. 242). But I understand the "local" and the "global" to be more than "scalar" concepts. The "local" as it is used in this research refers to the embodied, felt, and lived experiences of individuals (women in this case) in specific places and times on the one hand, and on the other hand, it also refers to the national vis-à-vis the macro and global forces and processes. Similarly, as Buroway (2001) contends, the global is not an abstraction and it can only be studied in locality, "What we understand to be 'global' is itself constituted within the local; it emanates from very specific agencies, institutions, and organizations whose processes can be observed first-hand" (p. 150).

My understanding of the local and the global is in alignment with what Mountz and Hyndman (2006) describe them as discrete but fluid and permeable, as well as co-constitutive but not binary categories. To avoid the local/global binary and convey the co-constitutive nature of the local and the global, Mountz and Hyndman (2006) use the concept of the "global intimate." In keeping with transnational feminists (e.g., Grewal and Kaplan, 1994; Mountz and Hyndman, 2006; Naples, 2002) state, I eschew the binary conceptualization of the local and the global and argue that the local/national and the global forces and processes, in the context of Nepali women's labour emigration, are intricately embedded, mutually co-constituting one another. However, in the first place, my conceptualization of the local/national and the global goes beyond the notion of co-constitutive nature of the local and the global and proposes the concept of the entanglements to highlight the ways in which the local and global systems and forces not

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from the confluence of many individual actions within given institutional relations, whose collective consequences often do not bear the mark of any person or group's intention"

only co-constitute but also intersect and interact with each other in complex ways with gendered impacts, outcomes and implications across multiple scales and in multiple sites. Second, the conceptual framework aims to explore the politics and possibilities for action to attend to the entangled complexities. Johnston et al. (2002) claim that the local "may be buffeted by global forces, but they are not helpless victims with no coping strategies" and stresses on the "local-global dialectic, where local events constitute global structures which then impinge on local events in an iterative continuum" (p. 9). It is because the local is also a site of both agency and contradiction and those who inhabit this site simultaneously experience desire, benefit, and resistance (Ramamurthy, 2003).

Figure 6: The 'gendered local-global entanglements' as a conceptual framework
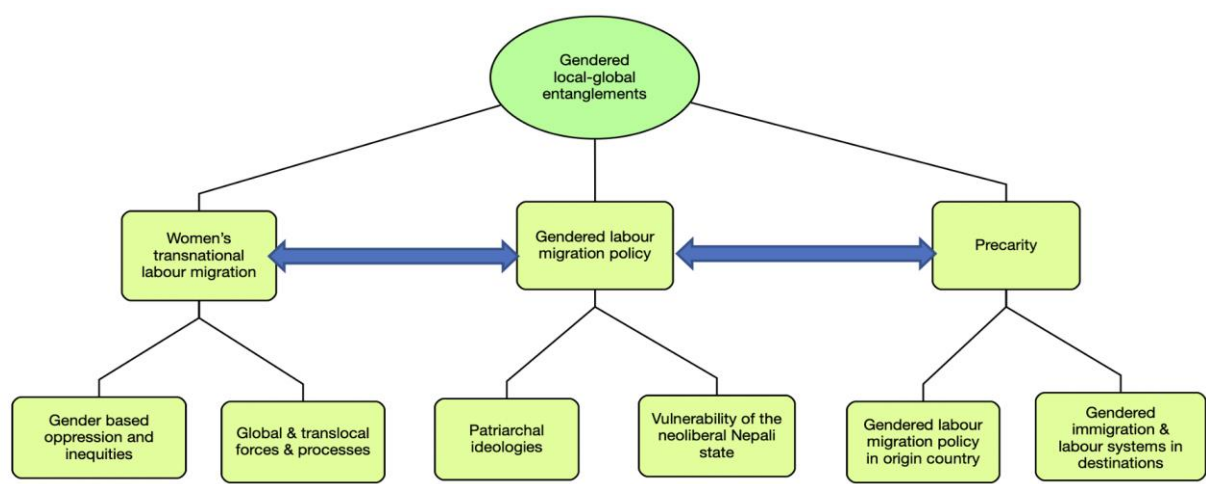
Figure by author

Since a bifurcated approach that either focuses on the local or the global cannot adequately theorize the scope of feminist activism in the context of Nepali women migrant domestic workers, only a syncretic feminist politics can locate the local/national and the transnational spaces as the main sites for their rights. Therefore, I argue for the need to integrate the transnational and Third World feminist theories; focusing on the former entails the danger of being delinked from the local/national contexts while the sole focus on the latter downplays the global macro processes.

Summary

This chapter has laid down the epistemological and theoretical foundation upon which this research is grounded and developed the "decolonial transnational-third world feminist theoretical framework" that provides the analytical and structural edifice to the research. In this chapter, I have provided the 'decolonial transnational-third world feminist theoretical framework' that integrates some key concepts of transnational and Third World feminist theories and argued for the need to decolonize it to attend to the lived experiences of Nepali women migrant domestic

workers produced at the intersections of and in interactions with the local and global forces and processes. This theoretical framework is based on my argument that only a decolonized and an integrated approach that builds on both transnational and third world feminist theories can provide both an appropriate lens to examining the cross-border labour migration of Nepali women and a lens to carve out the migrant rights politics and organizing that emanate from the lived experiences of women migrant domestic workers. Using the gendered local-global entanglements as a conceptual lens offers fresh insights into the ways in which these entanglements produce, reproduce, and perpetuate the transnational labour migration of women, the state's gendered approach to labour migration governance and the production of precarity of the Nepali women migrant domestic workers in the Arabian Gulf countries in the context of neoliberal globalization, albeit within Nepal's own specific geopolitical and historical contexts.

In the subsequent three sections, I have drawn on multiple disciplines in the spirit of interdisciplinarity, I have provided analytical reviews of the extant scholarship concentrating on the transnational labour migration of women within neoliberal globalization, labour migration governance in relation to women migrant domestic workers and the state, and the production of precarity and the migrant rights activism. I have engaged with three strands of scholarship on gender and migration – scholarship on gender and migration, labour migration governance and precarity and migrant rights politics and activism. The main purpose of doing this is to understand what has been studied and done and what gaps exist particularly when it comes to the labour migration of women in informalized sectors such as domestic work particularly in the intra-Asian context. The workings, impacts and implications of the gendered local-global entanglements can be discerned in three areas: 1) the transnational labour migration of women; 2) the state's gendered labour migration policy; and 3) the migrants' rights activism and gender justice for Nepali women migrant domestic workers. I argue that employing the gendered local-global entanglements as a conceptual tool to examine their gendered impacts, exclusion and outcomes is crucial in carving out a migrant rights politics that can simultaneously produce the counter narratives emanating from women migrant workers' lived experiences and navigate activism and organizing that speaks to the local, the interstitial and the global precarities.

CHAPTER 3: METHODOLOGICAL DISCUSSIONS

In this chapter, I discuss the rationale for selecting the ethnographic methodology for my research as well as the ways in which I integrated the theoretical framework (please see Chapter 2) in conducting the multi-sited ethnographies. Since an ethnographic methodology defies a deductive approach to and rejects "neutral" objectivity in research by emphasizing reflexivity and the researcher's engagements and interactions with research participants in the field (Haraway, 1997; Higate and Henry, 2009; Leander, 2013), this chapter provides discussions of the ways in which I engaged with my research participants and embedded reflexivity into the processes of the fieldwork, particularly focusing on three key questions of reflexivity in feminist research: positionality, power, knowledge production and representation, and these reflections are informed by feminist methodological discussions from multiple disciplines, such as sociology, feminist geography, international relations, and anthropology.

In the first place, as discussed above, ethnographic methodology is compatible with feminist research since it places at the centre the agency and context-specific lived experiences of the marginalized in knowledge production (Craven and Davis, 2013; Montsion, 2018; Skeggs, 2001). Since people's lived experiences are foregrounded and considered as a valid source of data and knowledge, ethnographic methodology in international relations can offer fresh insights into the ways in which global politics operate (Montsion, 2018). Ethnography documents experiences as they are lived by women at the intersections of gender, race, class, sexuality, and other axes of discriminations (Craven and Davis, 2013; Vives, 2012). An ethnographic approach helps break the silencing of the voices and issues of women migrant domestic workers since it places their experiences and narratives at the centre of studying migration politics and governance. Especially in the context of globalization and the interlinkages at other scales densely thickening, the ethnographic methodology is crucial in examining the local-global interconnections since it reduces the centrality of the state (Smith and Bakker, 2011; Vrasti, 2008). Lie (2013) also contends that the ethnographic methodology attends to the embodied actions and experiences, thereby critiquing international relations as a "static and state-centric discipline ill-suited for grasping the complexities of political life" (p. 202). Ethnography gives greater attention to agency and non-discursive practices and the potential of resistance to discourses otherwise seen as totalizing and reductionist to individual freedom (Lie, 2013).

However, some scholars (e.g., Reinharz, 1992; Visweswaran, 1997) claim that, rather than the ethnographic approach as such, it is the feminist theory and politics that makes an ethnography feminist. Skeggs (2001) stresses on the need to shift "ethnographies on women to ethnographies informed by feminist theory" (p. 429). If employed with the feminist research ethic and politics, ethnography can be an effective methodological tool to bring the mundane and largely ignored everyday lived experiences of women on margins to the epistemological table.

In feminist research, as Ackerly and True (2008) discuss, how the researcher inquires is as much of importance as what is being investigated and from whose perspective with a particular attention to the situatedness of the researcher as well as the researcher-researched relationships and their power differentials in the field. Feminist research processes embed and are informed by reflexivity by "taking stock of one's assumptions, values, standpoint, and social locations to assess how these might influence one's views of others" (Marecek, 2019, p. 190), I provide discussions on my reflexivity in the subsections of this chapter below. Reflexivity can be a strategy to eschew a false notion of neutrality and universality of knowledge production (Brandwein, 1986; Flick, 2014; Rose, 1997), it has also helped me situate my research and research processes within my positionality as a researcher.

I begin the first section of this chapter discussing what I call the 'multi-sited global ethnography' where I integrate some key concepts of the "multi-sited ethnography" (Marcus, 1995) and "global ethnography" (Buwawoy, 2000). In alignment with the feminist theoretical approach discussed above, this section also describes the appropriateness as well as limitations and challenges of conducting a multi-sited ethnographic with women migrant domestic workers who constitute my main research participants. Further, I present discussions on selections of field sites and the case of the Nepali women migrant domestic workers specifically, including the means accessing research participants and the methods of collecting data, in addition to some ethical dilemmas I confronted in the field. In the four sections that follow, I provide my reflections on four key areas of feminist research, as discussed in the previous subsection: positionality, insider-outsider dynamics, production of knowledge, representation, and data analysis. The final section reflects on the situated and reiterative and evolving processes of analyzing and interpreting qualitative data.

Multi-sited global ethnographies

Unlike a traditional ethnography where the researcher spends a considerable amount of time in the field immersing herself/himself in a single self-contained field site, multi-sited ethnography defies such a territorially bounded notion of the site contending that capturing the complexities of the contemporary globalized world and its multifarious interlinkages and transnational flows is not possible by using a single-sited ethnography (Eriksen, 2003; Lapegna, 2009; Vives, 2012; Wulff, 2007). The *multi-sited ethnography* (Marcus, 1995) and *global ethnography* (Burawoy, 2000) emphasize on extending the single-sited ethnography to multiple sites so that the wider forces, connections, and imaginations created by globalization could be studied and analyzed. Both ethnographic methodologies also defy the notion of dichotomizing the "local" and the "global" (Lapegna, 2009) and are thus particularly useful to study the contemporary phenomena and social processes, such as the transnational mobilities of people, ideas, objects, practices, and meanings in the increasingly interconnected world (Marcus,1995; Vives, 2012). The multi-sited ethnographic methodology enables the researcher to make sense of international politics by placing the subjugated lived experiences of marginalized peoples at the centre of knowledge production (Monstin, 2018).

In the multi-sited ethnography, as discussed by Marcus (1995), during the fieldwork, the researcher creates the sites, tracing and connecting links and associations through the text and arguments. The multi-sited research is thus "designed around chains, paths, threads, conjunctions, or juxtapositions of locations in which the researcher establishes some form of literal, physical presence, with an explicit, posited logic of association or connection among sites that in fact defines the argument of the ethnography" (Marcus, 1995, p. 105). The site does not necessarily need to be a physical space but rather a series of "shifting locations" which are connected through a common thread put together by the researcher's argument (Lapegna, 2009; Marcus, 1995). What differentiates global ethnography from other types of ethnography is not methodology as such but the scope of analysis (Tsuda et al., 2014). Burawoy et al. (2000) argue that global ethnography considers three axes of globalization: global forces, connections, and imaginations. What is emphasized is not only the conceptual connections between places, but also the historical connections between field sites that deepen the understanding of the research

participants and refine theory (Des Chene, 1997). The multi-sitedness in global ethnography entails not only the connections between sites but also how the "connections produce, reproduce, and destabilize hierarchies amidst historical change" (Lapegna, 2009).

In addition, in contrast to Marcus's approach to multi-sited ethnography, Burawoy (2000) stressed on the global ethnography to give importance to the local arguing that the different facets of globalization are grounded in the local. Further, unlike the multi-sited ethnography that undermined the role of the nation-state in constituting place and relations between places, global ethnography focused on studying the global processes with a simultaneous attention to the local meanings without losing sight of the mediating role of the nation-state and other impinging forces of global capitalism (Burawoy, 2000; Lapegna, 2009). Global ethnography contextualizes local peoples, communities, and practices within larger transnational processes and connections that operate across national borders and are part of globalization (Tsuda et al., 2014).

The global ethnographic approach uses ethnohistory as a strategy to provide a broader context to the bounded site (Lapegna, 2009). The use of ethnohistory enables the researcher to multiply both the "geographic" and the temporal sites of research (Lapegna, 2009). To elucidate the "broader context" of the global, global ethnography pays attention to the variations, resistances, opportunities, and accommodations of the global by focusing on the ways in which global capitalism and nation-states interact with the "local" actors (Lapegna, 2009). Burawoy (2005) focuses on grounding ethnographies in local historical contexts by turning "ethnographies in ethnohistories" (p. 5). In contrast, the Marcus' multi-sited ethnography eschews any ethnohistorical contexts since they are not "produced or given within the frame of ethnographic work itself but by the contextualizing discourses in which the ethnography comes to be embedded" (Marcus, 1998, p. 13). In the multi-sited ethnography, the dynamic processes in which sites are transformed by their translocal and transnational connections are undermined (Gille and Ó Riain, 2002; Lapegna, 2009). Thus, in this research, I have integrated some key features of both multi-sited ethnography (Marcus, 1995) and global ethnography (Burawoy, 2000) which I call a 'multi-sited global ethnography' and the way in which I have operationalized them is discussed in the subsection below.

In addition, theory constitutes a key element in global ethnography. Cox (1986) asserts that "[t]heory is always for someone and for some purpose" (p. 207). Bourdieu (1988) asserts that "theory without empirical research is empty, empirical research without theory is blind" (p. 74). Theory and data inform each other, and it is theory that makes data possible and gives its significance (Lapegna, 2009). In contrast, multi-sited ethnography eschews theory arguing that theoretical preconceptions constrain the researcher's fieldwork and theory should be "held in abeyance" (Marcus, 1998, p.19). Burawoy (2019) argues that a global ethnography can either be "empiricist" where "data speak for themselves and theory emerges tabula rasa" from observation, or it can be "theory-driven" in which case theory provides a lens to make sense of the site and data. Without a lens the world is a blur (Buwawoy, 2019). However, theory is key to the fieldwork since it enables the researcher "to know where to look, what to ask for or what field notes to take" (Lapegna, 2009, p.13). The researcher invariably observes and interacts with the research participants in the field with the help of a theory (Lapegna, 2009).

Operationalization of multi-sited ethnographies

In this research, I employed a global multi-sited ethnographic approach to my fieldwork for three main reasons. First, women migrant domestic workers who constitute the core of my research are transnational and multi-sited research "subjects" who cannot be holistically studied by being confined to a single territorially bounded site, be it Nepal where they originally come from, or the transit countries, or and the destinations in the Arabian Gulf. Boccagni and Schrooten (2018) observe transnational migration involves two or more national territories and multiple physical, social, and symbolic locations which cannot be "reduced to a closed, territorially based and fully controllable ethnographic field" (p. 209). Conducting the fieldwork in multiple sites allowed me to engage with research participants across multiple scales and sites and explore my research questions within a broader context given that my research questions demanded the consideration of multiple factors, such as gender and social norms in Nepal as well as the destinations, transnational channels and migration networks, and the broader geopolitics within which the migration governance and the labour system operate. That meant that I could study the links, connections, and associations within and between these different sites at multiple scales and levels. Second, my research questions demanded an interdisciplinary engagement, and since the multi-sited ethnography is quintessentially interdisciplinary (Falzon, 2009; Marcus, 1995), it was an appropriate methodology for my research. Third, as argued by Vives (2012), the multi-sited ethnography allowed more space and flexibility for me to negotiate *difference* with women

migrant domestic workers, and it was especially significant in this research since I shared many commonalities with my research participants in terms of culture, language, and ethnicity.

I encountered some limitations and challenges in the processes of operationalizing the multi-sited global ethnographic approach to my research. Pointing out the shortcomings of multi-sited fieldwork, some scholars argue that multiple sites stand in the way to building rapport and relationships of trust with research participants, since the researcher is never fully "here" but "[t]here ... and there ... and there!" (Hannerz, 2003, p. 202). Further, it is argued that conducting the fieldwork in multiple sites disperses the researcher too thinly across multiple sites, and such a dispersion undermines the depth of the data, although the essence of ethnography lies in the "thick descriptions" produced through in-depth, intensive, and long-term immersion into the field in a specific location (Tsuda et al., 2014). Producing the "thick" data as in traditional ethnography was a challenge for me since during about five months of my fieldwork, I travelled to four different countries and to multiple micro sites. I observed that, given the short span of time spent in each site, though I could to some extent mitigate this by connecting with gatekeeping organizations and individuals ahead of time who facilitated my ethnographic observations and the access to my research participants (e.g., Pourakhi in Nepal). Prior to embarking on the sites, I had already identified and established connections with organizations and individuals based in all the countries of my fieldwork. Some research participants with whom I engaged in the Gulf countries were personal acquittances of mine and some others were those whom I had interviewed during my fieldwork in Nepal. Due to all those prior connections, I was able to maximize my time spent in the field in engaging with my research participants. Further, I also argue that the notion of "thick descriptions" in ethnography is a relative concept in that the "thickness" and "thinness" of data are to a great extent determined by the researcher's social and cultural background, as well as by what prior knowledge s/he possesses on the research subjects to be studied. I concur with Falzon (2009) who asserts that the multi-sited ethnography produces an explanation of a phenomenon as part of a larger system, and the data conceived to be "shallow may itself be a form of depth" (p. 9). The multi-sited ethnographic approach allowed me to see how the women migrants' lived experiences inside Nepal and in their destinations are intricately linked with the wider broader structural forces.

Selection of the case

Nepal started imposing bans and restrictions on women migrating for domestic work in the Middle East and Arabian Gulf countries since 1998 following the death of a Nepali woman migrant domestic worker in Saudi Arabia. Since then, Nepal has, in form or another, continued adopting gender discriminatory policies, ranging from outright bans to limitations based on age (Lepp, 2002; Lohani-Chase, 2008), although curtailing women's freedom for work and mobilities is in sharp contradictions with the 2015 Constitution of Nepal as well as the Foreign Employment Act 2007.[68] Defending its gendered policy, the state has consistently maintained that the restrictive policies are not discriminatory but meant to "protect" women from their rights violations and vulnerabilities in the destination countries. Contrary to the state's claims, however, the gender-biased labour migration policies and institutional practices have created conditions where women have sought for alternative routes and channels of migration, mainly resorting to unofficial agents who funnel them to different Gulf countries through India with which Nepal shares a porous border. Thus, having to migrate clandestinely puts women at greater risks of abuse and exploitation during the entire migration cycle – within Nepal, on transits and in the destination countries (Tittensor and Mansouri, 2017). Gender incorporates power relations, structures, practices, identities, and cultural meanings and it is an organizing principle that permeates almost every aspect of social life (Baily, 2012). Gender codes permeate and dictate all aspects of social, cultural, economic, and political lives in explicit and implicit ways and in multiple sites and at multiple scales of the body, the family, the community, the state and even the trans-state levels. Patriarchal gender ideologies and norms are thus deeply embedded in Nepal's labour migration governance and gender as a governing code is in turn structured on the state-constructed vulnerability discourse of women abetted by the media and some non-governmental actors. The main objective of this research is therefore to examine Nepali women's transnational labour migration and labour migration governance from the perspectives and lived experiences of women migrant domestic workers themselves.

In the face of structural gender-based discriminations and violence intersecting with the gendered impacts resulting from various translocal and global forces and processes, many Nepali women,

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[68] United nations declaration of human rights also states that the right to move is a fundamental human right of men and women.

especially those marginalized under multiple axes of oppression have chosen migration as an alternative. Further, as McCarthy (2021) observes, the increasing trends of women's labour migration were catalyzed by a number of factors, such as changing gender and cultural perceptions and practices, increased resources to migrate and macro-structural shifts taking place in Nepal and elsewhere in South Asia at the time, including the informalization of labour, poverty and inequality, low wages, shortcomings in national welfare systems, urbanization, privatization, rapid industrialization, and globalization. Despite the legal bans and restrictions imposed by the state, many women have migrated to the Gulf countries for domestic work through informal routes and channels resorting to unauthorized private agents and employment agencies (Lohani-Chase, 2008). As discussed in the Introductory Chapter, the trends of women's labour migration in independent capacity accelerated following the political change in 1990 when Nepal embraced the free market economic policy.

Against this backdrop, Nepal is increasingly becoming a significant part of the feminized migratory corridors between South Asia and the Gulf countries where migrants from countries like Nepal, India, Pakistan, Sri Lanka, and Bangladesh make up high proportions of their total national populations.[69] According to 2020 World Migration Report, in 2019, just under 80 per cent of the 14 million international migrants in South Asia originated from other countries in the subregion. Domestic workers constitute 12.3 per cent of total employment in the Arabian countries, making it the region with the highest percentage of domestic workers as a share of total employment (ILO, 2021). The Gulf countries in turn host a significant portion of the migrant domestic worker population of the Asia-Pacific region where the largest portion of the global population of domestic workers work – 38.3 million domestic workers i.e., 50.6 per cent (ILO, 2021). The largest portion of women migrant domestic workers i.e., 27.4 percent, work in Arabian countries[70] (ILO, 2015). There are approximately 11.5 million migrant domestic workers across the globe, the majority – 8.45 million – being women (ILO, 2015). The Middle East has had a long history of migrant domestic workers and it is the largest magnet for international female migration flows in the world (Oishi, 2017; Tittensor and Mansouri, 2017).

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[69] According to ILO, in 2019, migrants accounted for 88 per cent of the population in United Arab Emirates; 72 per cent in Kuwait; nearly 79 per cent in Qatar; and 45 per cent in Bahrain.
[70] According to ILO (2021), 20 and 19.4 percentages work in Europe and Southeast Asia and the Pacific respectively.

Irregular migration both within and from the subregion is common in South Asia and is often aided by loose smuggling networks (World Migration Report, 2020).

The number of persons living outside their country of origin reached 281 million in 2020, with women and girls constituting just under half of all international migrants worldwide (UNDESA, 2020). Women migrant domestic workers constitute one of the largest contemporary migrant groups, yet their experiences remain marginal in current theorizations of gender and migration. Domestic work which is worldwide considered women's work is rendered invisible and devalued and thus remain least protected areas of employment (Toksoz, 2019), and even more so when migrant women perform this. In the case of Nepal, most women migrating for domestic work do so unofficially because of the bans and that exacerbates their precarities. The Nepali women migrant domestic workers belong to the extreme margins among the most marginalized global migrant population. In the case of many Nepali women migrant domestic workers, migration has become "cursed boon" in that on the one hand, transnational migration has enabled some women to gain economic freedom, escape violence and resist against the patriarchal ideologies, and on the other hand, they are caught in the webs of precarities which are largely produced by the state. However, what predominates the labour migration policy discourse is the "vulnerability" of women without paying attention to the voices and experiences of the women migrant domestic workers themselves. As Bochner and Riggs (2014) observe that the narratives place people's meaning and personal identity at the center, first and foremost I aimed to listen to the voices and lived experiences of the Nepali women migrant domestic workers and store them for my further interpretation and analysis. In addition, the local-global connection and interaction become perceptible through a methodological approach that focuses on narratives which authorize the voices of the local (Johnston, 2016). The case of Nepal and women migrant domestic workers can offer distinct and yet similar insights into the governance of labour migration and its gendered dimensions.

Sites for fieldwork
I conducted multi-sited ethnographies in Nepal and three Gulf countries, Qatar, Kuwait, and the United Arab Emirates, where most Nepali women migrate for domestic work. I began my fieldwork from Nepal where I carried out my fieldwork in three micro sites as shown in Nepal's map below.

Figure 7: Fieldwork sites in Nepal

Source: http://ncthakur.itgo.com/map15.htm

On the map above, the black pointers indicate the micro-sites of my fieldwork that included the districts of Rupandehi, Nawalpur and Kathmandu. Rupandehi and Nawalpur districts are situated in the southern plains bordering with India, whereas Kathmandu is the capital city that lies in the valley in the hilly region. I started the fieldwork from Rupandehi, where I conducted a focus group and interviews with women migrant returnees in Siyari Village Municipality at Lakhanchowk, a rapidly urbanizing town inhabited by diverse caste groups and mostly by people who had internally migrated from the hilly districts, such as Gulmi, Palpa, Arghakhachi, Baglung, Syanja, Gorkha, and Tanahu. Similarly, in Nawalpur, I interviewed and conducted ethnographic observations in two newly urbanizing towns, Arunkhola Bazar and Chormara Bazar, both located in Madhyabindu Municipality.[71] These towns through which the East-West Highway traverses were largely populated by people from diverse caste groups migrating from different hilly districts of Nepal.

Three districts – Rupandehi, Nawalpur and Kathmandu – were selected for my ethnographic fieldwork for a methodological reason. In Rupandehi and Nawalpur, which are both densely populated and rapidly urbanizing plains and major destinations for Nepal's internal migration from the mid-western and western hilly districts, were ideal spaces where I could interact and

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[71] Madhyabindu is a municipality that lies in the district of Nawalpur in Lumbini Zone, Nepal. This municipality came into being after the country was federally restructured as per the 2015 constitution by merging the then three Village Development Committees: Tamasariya, Narayani and Kolhuwa. According to the 2011 Nepal Census, it has a total population of 28,224. Chormara Bajar and Arun Khola which were the micro-sites of my fieldwork in Nepal are two sprawling towns located along the East-West Mahendra highway.

interview with women migrant returnees to observe how the global forces and processes were grounded in the local, producing gendered impacts and implications, since an ethnographic methodology – by ascending from the local to the global – allows an inductive study by eschewing the danger of assuming that "one can characterize changes of the whole without examining changes of the parts" (p. 343). On the other hand, in Kathmandu, the country's capital where most state agencies, as well as civil society and non-governmental organizations were centralized, I was able to engage with people in politics, policymaking, and policy execution, and these engagements enabled me not only to see how power operated within those spaces but also observe how the global forces were politically constructed. In Kathmandu, aside from the relative ease of accessing people from state agencies and non-governmental organizations, the women migrant returnees with whom I engaged also originated from Nepal's different geographic locations and represented diverse castes, backgrounds, and issues.

Based on my engagements and interactions with women migrant returnees as well as people from civil society and migrant rights organizations, I decided to extend my fieldwork to the destination countries in the Gulf: Qatar, Kuwait, and the United Arab Emirates. In the spirit of multi-sited ethnography that considers research "subjects" not as the "other" but as "para-ethnographers of their own conditions" (Marcus, 2011), I followed inputs from women migrant returnees "up" through institutional processes and governance practices, and all the way up to the national and transnational connections, factors, and dimensions. What linked all these national and transnational sites with each other was the ways in which the transnational migration of women and its governance was deeply embedded in the local-global entangled patriarchal gender codes and ideologies at multiple scales and levels and in multifarious ways and manifestations.

Figure 8: Field sites in the Arabian Gulf countries
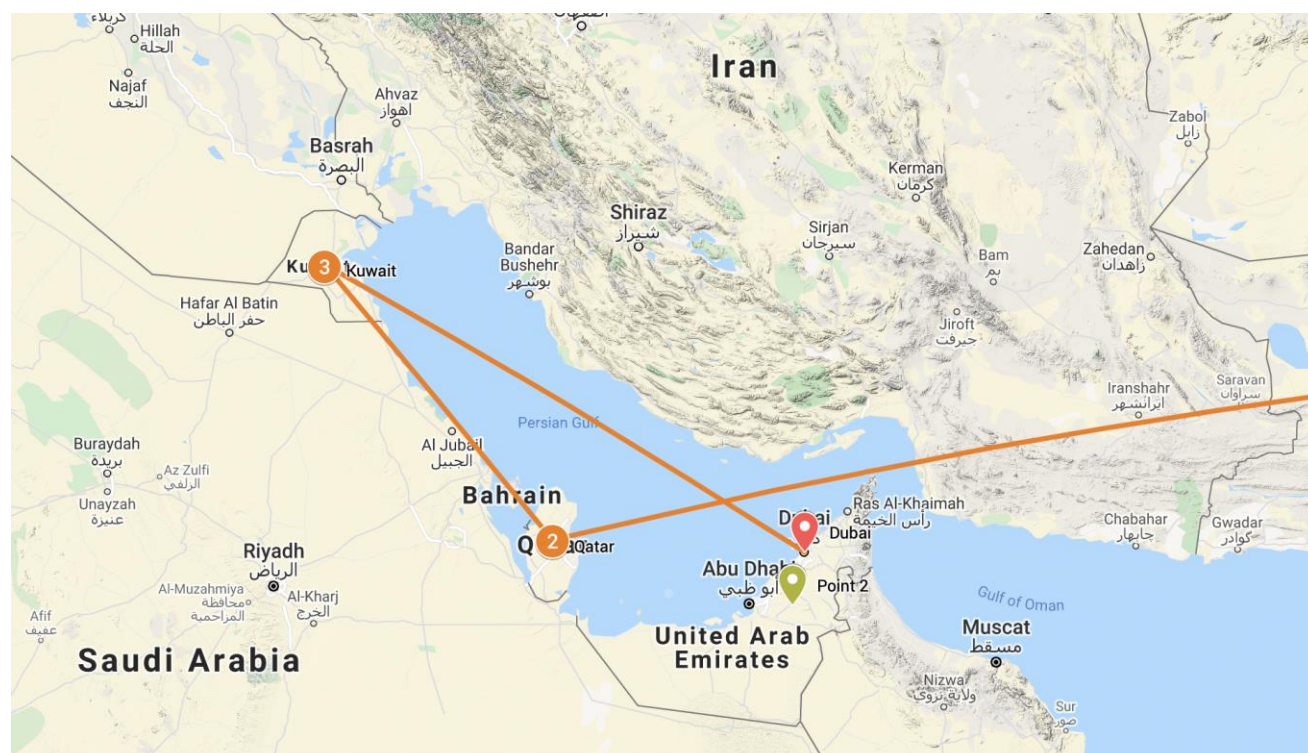
In each of these Gulf countries, I carried out ethnographic fieldwork in multiple micro-sites. The first field site in the Gulf region was Doha in Qatar where I conducted semi-structured interviews and observations in multiple locations: the Embassy of Nepal, Kava Cultura and other different venues, such as Nepali restaurants, parks, coffee shops. Upon my engagements and interactions with women migrants and people from Nepali community organizations in Doha, I decided to include Kuwait and the United Arab Emirates for my fieldwork. In the City of Kuwait, I was able to interview and interact with many women migrant domestic workers, embassy officials and members of different Nepali diaspora organizations in multiple locations, such as the Embassy of Nepal, different venues (e.g., restaurants, Indian school auditorium) where events, such as the Nepali New Year celebration and the welcoming program for the newly appointed Nepali ambassador were organized by NRNA and other community organizations. In the UAE, I conducted the fieldwork in two cities: Dubai and Abu Dhabi. In Abu Dhabi where the embassy of Nepali was located, I interviewed embassy officials and women migrant domestic workers living in the shelter provided by the embassy. In Dubai, I engaged and interacted with women migrant domestic workers and people from different Nepali community organizations in multiple micro-sites, such as Bur Dubai, Jumeirah, and Deira. In selecting the locations for my ethnographic data collection in the field, I included, both in Nepal and the Gulf countries, diverse settings, such as the shelters in embassies in the Gulf countries as well as those run by NGOs in Nepal, migrant returnees' homes in Nepal, public spaces such as parks, coffee shops and restaurants (mainly in Dubai, Doha, and Kuwait), cultural events (e.g.,

Nepali New Year celebration in Kuwait and Qatar). The reason behind diversifying the locations

to collect data that could capture the diverse experiences of women migrant domestic workers

without allowing the settings to prevent them from articulating their real experiences.

Accessing research participants

I spent about five months in the field altogether, including in Nepal and the destination countries

of Qatar, Kuwait, and the United Arab Emirates. The entire fieldwork was conducted in three

phases spending varying amounts of time in each site: I carried out the first two phases of my

fieldwork in Nepal followed by the third phase in the destination countries. Completing the

fieldwork in different phases had methodological benefits in that it allowed me adequate time to

reflect on the data collected as I moved on to the next phase of my fieldwork. The completion of

the fieldwork under phases also mitigated to some extent the practical problems of having to

balance family obligations, particularly in the case of my multi-sited fieldwork. In addition, the

time intervals enabled me to see the connections and disjunctions within the multiple sites of my

fieldwork. For instance, an Arabi woman who was a migrant rights activist and affiliated with

the Migrant-Rights.Org pointed out that in Qatar most initiatives are led by state agencies and

there is almost no civil society activism however in Kuwait there is a lot of civil society activism

and there is no objection of the state to such activities.

During my ethnographic fieldwork, I collected data from three main categories of research

participants: state actors, non-state actors,[72] and women migrant domestic workers. I was able to

engage with a total of 194 research participants, and the table below shows the breakdown of the

research participants in terms of their categories and the field sites.

Table 3: The breakdown of research participants in terms of their categories and field sites

Field sites	Women domestic workers/ returnees	State actors	Non-state actors	Total
Nepal	58	13	18	99
Qatar	5	5	10	20
Kuwait	18	6	13	37
UAE	22	6	13	41
Total	**103**	**29**	**54**	**186**

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[72] I have used the term "non-state actors" as a generic category to refer to people from civil society, NGOs, migrant rights organizations, recruiters and recruitment agencies, and everyone else who does not represent the state and government.

The state actors included people in government bureaucracy, including ministerial and departmental officials, embassy officials, members of parliament, politicians, and minister. The non-state actors broadly consisted of people from civil society, labour unions, NGOs, migrant rights organizations, particularly related to women's labour migration, independent experts, UN organizations, recruitment agencies, brokers, and the media. Women migrant domestic workers included both returnees as well as those who were at the time working as domestic workers in the Gulf countries of the field sites.

To access the research participants, I approached several state agencies and non-governmental organizations in Nepal who supported me not only to connect with research participants but also provided space to conduct interviews. In particular, the Safer Migration, Pourakhi Nepal, Pravasi Nepali Coordination Committee, General Federation of Nepalese Trade Unions, Apravasi Mahila Kamdar Samuha,[73] and Nabadurga Mahila Sahakari were instrumental to connecting me with women migrant returnees.

Table 4: Organizations/agencies approached to access research participants in Nepal

Location	Non-governmental organizations	State agencies
Kathmandu, Nepal	1. Pourakhi Nepal 2. Pravasi Nepali Coordination Committee (PNCC) 3. Helvetas (Safer Migration Project) 4. International Labour Organization (ILO) Nepal 5. People's Forum for Human Rights 6. General Federation of Nepalese Trade Unions (GEFONT) 7. Aprabasi Mahila Kamdar Samuha (AMKAS) Nepal 8. Asian Human Rights and Culture Development Forum (AHRCDF Migrants' Centre) 9. International Centre for Integrated Mountain Development (ICIMOD) 10. Nepal Association of Foreign Employment Agencies 11. Social Science Baha	1. Ministry of Labour, Employment and Social Welfare 2. Department of Foreign Employment 3. Foreign Employment Promotion Board 4. Ministry of Foreign Affairs 5. Department of Consular Services
Rupandehi, Nepal	12. Nabadurga Mahila Sahakari	
Nawalpur, Nepal	13. Safer Migration Project (field office)	

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[73] In English, this means "Foreign Employment Women's Group."

In the Gulf countries, I interviewed officials from the Nepali embassies and people affiliated with different Nepali community organizations and journalists based in the Gulf region as shown on the table below.

Table 5: Organizations/agencies interviewed and approached to access research participants in Gulf countries

Countries	State agencies	Non-state agencies	
Qatar	Embassy of Nepal, Doha, Qatar	1. Non-Residential Nepali Association (NRNA) 2. MigrantRights.Org	
Kuwait	Embassy of Nepal, Kuwait City, Kuwait	1. Sandigan 2. General Federation of Nepalese Trade Unions (GEFONT) Support Group 3. Non-Residential Nepalese Association (NRNA)	
United Arab Emirates	Embassy of Nepal, Abu Dhabi, UAE	4. Non-Residential Nepali Association (NRNA), UAE 5. Ekta Samaj	

The embassies of Nepal, people associated with the Non-Residential Nepali Association (NRNA) in all the three Gulf countries and GEFONT-Support Group in Kuwait were particularly instrumental to providing me with support in the field. These agencies and organizations also helped me connect with Nepali women migrant domestic workers in the Gulf countries. In addition, I also mobilized my personal connections of former colleagues and friends as well as relatives to access the state agencies in some cases and research participants as well.

Collection of data

As Falzon (2009) notes the multi-sited ethnographic methodology entails collecting data through the situational combination of field techniques, I used a variety of methods to collect qualitative data, such as focus group discussions, semi-structured interviews, participant and non-participant observations, fieldnotes and journals, audio recordings, photos, screenshots of news available on electronic media, including reflections that I had shared with my supervisor from the field that I have occasionally used as part of my data. Participant-observation, field notes, and the archival study enabled "spatial analysis and associated insights into power relations" (Billo and Mountz, 2016). I maintained detailed research journals with notes and reflections following each interview. These journals and reflections recorded the striking issues shared by participants, emerging themes and patterns, participants' nonverbal cues during the interview, and any other salient features and observations. I also used graphs and pictures to record the emerging themes

and concepts during my fieldwork. In addition, I drew upon policy analyses and ethnohistorical literature to develop a holistic account of the position of women in the Nepali society as well as Nepal's geopolitical position in the past and present political matrix. Though the techniques that I employed in collecting data were similar with those used in other types of ethnographic fieldwork, I tried to implement these tools informed by the feminist epistemological and methodological concepts, adhering to research ethics and engaging with and embedding reflexivity into all the research processes which I will discuss in the subsections below.

All the semi-structured interviews and focus groups were audio-recorded with the consent of the interviewees, except in some situations where the participants, especially the government officials, were not willing to be recorded. Since most participants were the native speakers of the Nepali language, I conducted all the interviews and focus groups in the Nepali language and transcribed and translated them into English upon completing my fieldwork. While the length of the interviews varied ranging from fifteen minutes to an hour, the focus groups were about two hours long. In addition to pre-scheduled interviews, I also engaged in casual conversations with my research participants, especially with women migrant workers and returnees, brokers, and people from recruitment agencies, and I captured such casual interactions in the forms of fieldnotes and reflections.

Focus groups

I conducted two focus groups during my fieldwork, both in Nepal. I conducted the first focus group among women migrant returnees in Siyari Rural Municipality in Rupandehi District, situated in southern plains of Nepal close to the Sunauli border with India. The focus group where a total of 15 women migrant returnees had participated had taken place in the meeting hall of the Nabadurga Mahila Sahakari – a cooperative run by women – at Kailashnagar. The women who participated in the discussion came from different age groups, castes, and marital status, but all of them were had returned from different Gulf countries, some on vacation and others had returned with "cancelled" visas.[74] Many participants were also from within their own extended families and the networks of relatives.

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[74] In common interactions, the phrase "visa cancel" was used to refer to their returns home with no intention to go back to the Gulf countries for work.

Figure 9: Focus group location at Nabadurga Mahila Sahakari, Siyari Village Municipality, Rupandehi, Nepal

Most participants had been participating in the circular labour migration to different Gulf countries travelling back and forth. Similarly, most women were married with children, except two participants who jokingly noted that they had decided to migrate to get married with "good" husbands.

I conducted the second focus group in Kathmandu at Pourakhi Nepal which is a non-governmental organization run by former women migrants themselves. Since its inception in 2003, the organization had been actively advocating for the rights and protection of Nepali migrant workers, with a specialized focus on women migrant workers. In both focus groups, I elicited the participants' responses on topics that revolved around a number of issues, such as the decisions for labour migration, experiences during the processes of migration from Nepal to the destinations and back, knowledge of and views about the government's discriminatory bans and restrictions, as well as those that they thought would have to be changed for their better migratory experiences.

In addition, on frequent occasions, both in Nepal and the Gulf countries, even the initially scheduled one-on-one interviews ended up in group conversations as additional women joined the interviews. As Mkandawire-Valhmu and Stevens (2010) claim that focus groups have a strong postcolonial feminist potential in building alliances and support among women participants, the women migrant returnees in both focus groups freely opened themselves up sharing their narratives and experiences both at home and abroad, and interacted, consented and dissented with one another, producing rich data infused with stories that simultaneously revealed

manifold dimensions of their transnational labour migration. Since group discussions partly

mitigate the power imbalance between the searcher and the researched (Barbour and Kitzinger,

1999; Wilkinson, 1998), I found the focus group participants more articulate in expressing their

experiences. At the same time, both focus groups and group conversations provided the spaces

for some sort of catharsis for their pent-up emotions and experiences that entailed the incidents

of abuse and exploitation, violence meted out by their employers in the destination countries, as

well as the inequities and discriminations against women within their families, communities, and

the state. Mountz (2017) refers to these exchanges as "affective eruptions" wherein "past erupts

into the present, rendering more visible the haunting of geopoliticized fields of power" (p. 75).

Further, the participants tended to express not only their grievances but also their acts of

resistance, albeit in mundane ways, against their perpetrators and abusers, and their fights for

justice, both within Nepal and in the destinations.

Interviews

I conducted a total of 47 semi-structured interviews with women migrant domestic workers and

returnees, 29 with government officials and 58 with people from non-governmental

organizations. In Nepal, I interviewed women migrant returnees in Rupandehi, Nawalpur and

Kathmandu. The women migrant domestic workers from the Musahar[75] community in

Arunkhola of Nawalpur district in Nepal were among the first group interviewed in Nepal.

Figure 10: Interview with women migrant returnees from Musahar community, Nawalpur, Nepal

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[75] The Musahars are considered one of the lowest of the Dalit groups in the Terai region of Nepal. Their name is derived from two words meaning "rat catcher" and is likely attributed to them for their tendency to eat rodents in times of dire need. They are short in stature with a long narrow head shape and broad nasal features. Land ownership is rare, and most will work as agricultural laborers, day laborers or forest and fishing. The women also work in agriculture or other unskilled labor such as stitching leaf-plates. They are considered untouchables and treated with disdain by all other sections of society.

I interviewed a total of 12 women from the Musahar community, individually and in groups, and most among the interviewees were middle-aged married women with children. The participants revealed that most women from among the total 32 families in the community had at least once migrated to the Gulf countries for domestic work abroad for had the experience of migration for domestic work in the Gulf countries. All the Musahar families had no land of their own and they were living on the land provided by the state after their houses were swept away by floods in the Narayani River a few years ago. There were still some thatched mud-built houses in the community, but with the remittances they had built new brick houses. One participant had invested some of her money earned in Saudi Arabia to run a small *kirana pasal* (convenience store). The interviews and ethnographic observation offered insights into the ways in which the Musahar women were marginalized under multiple axes of inequities and oppression and the transnational labour migration to the Middle East countries for domestic work had provided them with an alternative survival strategy.

In Kuwait, one of the venues where I interacted with and interviewed women migrant domestic workers was a cultural program[76] organized by a Nepali community organization at Indian Central School located at Jleeb in Kuwait City. With the support of the GEFONT-Kuwait Coordinator, I interviewed several women migrant domestic workers, among other people affiliated with the NRNA (Kuwait) and community organizations.

Figure 11: Interview and observation venue at a cultural event in Kuwait City, Kuwait

As shown in the picture, women migrant workers are attending the cultural event, and the interviews had taken place in a space outside the event venue. In the interviews, the questions I

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[76] Rajesh Payal Rai, who is a famous Nepali singer, was invited from Nepal to present his songs.

asked them mainly pertained to their migration pathways and experiences of working as domestic workers in Kuwait and sought their views on Nepal government's bans and restrictions on women's and what they thought were the major challenges and how they could be addressed. Since it was a Friday, the day when many domestic workers would get a day off in Kuwait, many women were rushing to return to their workplaces, so the interviews varied in length from person to person. In the hectic and fluid situations of the cultural event, I encountered some challenges pertaining to meeting the ethics standards as officially committed. Since the interviews toward the end had to be done in haste, I was only able to obtain oral consent to audio-record the interviews. Second, although I had planned to conduct one-on-one interviews initially, they ended up turning into group interviews since the participants who were waiting to be interviewed rushed into the venues since they all knew each other.

Similarly, I interviewed people from civil society and NGOs in Nepal and the Gulf countries who also stressed the utter apathy and indifference of the Nepal government to the situations of women migrant domestic workers. One key informant in Nepal described the state's policy on women's migration as the policy of "*dhoka banda garera jhyal khulla*"[77] referring to Nepal's geopolitical condition with the Indo-Nepal open border where imposing official bans and restrictions and blocking their regular migration pathways would mean facilitating women's cross-border migration through unofficial channels and routes. In interviews with the state authorities and policymakers, the questions focused on the state's policy towards women migrants, particularly domestic workers, reasons of having discriminatory labour migration polices between men and women, the rationale behind constant fluctuations in the state's policy, the implications of the restrictive policy and bans in the context of Nepal's geopolitics, the state's policy on labour relations as part of its international relations, inter-agency and inter-ministerial coordination in policymaking, implementation, Nepal's bilateral labour agreements from a gender perspective. In interviews with people in bureaucracy and politics in Nepal and the embassy officials (e.g., Ambassadors, Deputy Chiefs of Mission, Labour Attaches, and others), they interpreted the government's bans and restrictions on migration for domestic work as the state's proactive strategy to protect its citizens from being abused and exploited in the "foreign land." From the formal interviews and informal conversations, I observed the ways in which

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[77] It is a proverb in the Nepali language which literally means "close the door and leave the windows open."

various state actors working inside Nepal and abroad at different levels of governance were involved in the production, reproduction, and perpetuation of the gendered labour migration policies.

Participant and non-participant observation

Though the demarcations between participant and non-participant observations are hard to delineate, I conducted both types of observations in different field sites in Nepal and the Gulf countries. The ethnographic method is sensitive to the "performances, both inside and outside of the interview scene, reveals otherwise ignored survival strategies" (Bridgen, 2018, p. 114). Participant observation, as a key ethnographic technique, is placed to refine the theoretical understanding of migration as it invites the researcher to adopt the perspective of migrants themselves. As Billo and Mountz (2016) observe the time spent in the "inside" reveals much about how power operates within the institution while the time spent beyond the institution enables the researcher to look at the institutional effects, I intended to integrate "insider" and "outsider" perspectives to examine both the operation of power in the institution as well as what effects it produces on women migrant domestic workers. Since the bureaucratic system as a whole is too complex to navigate and more generally, the state represents a highly "closed group" as a site of study (Bryman and Teevan, 2005; Lie, 2013; Mountz and Ley, 2003), I was not able to access any one of the three state bodies – Ministry of Labour and Employment, Department of Foreign Employment, and Foreign Employment Promotion Board – directly responsible for the governance of labour migration in Nepal. Many government officials also expressed their reluctance to freely speak on the policy as Lie (2013) observes the state restricts not only access to the government officials but also on what they say since it has a political, bureaucratic, and formal character. An email I sent to my supervisor from the field in Nepal reflects this,

> The officer was adamant, and I knew that she was just doing what she was told to do as per *mathi ko aades* (decree from the above). This was my second experience of being prevented to enter a government office. Just the other day when I wanted to do a short video inside the premises of the Department of Foreign Employment for the 10th Anniversary of the Balsillie School, I was not allowed to go in. When I approached the gate, I was stopped by a police officer who sternly said that only those people holding forms and documents in their hands (which meant that those migrant workers who had to obtain work permits from the government) would be allowed to get in. (Thu, Aug 16, 2018)

Though I wanted to see how the power-patriarchy nexus operates within the state bureaucracy, I opted to observe this through a participant observation at an NGO called Pourakhi Nepal where I

stayed as a participant observer in its Paralegal Section for one month. Pourakhi was led and run by former women migrant workers themselves and that, on a daily basis, dealt with both women migrant returnees and the state machineries. The focus is now on the practices, state effects and processes that reproduce and manifest the idea of the state (Lie, 2013). The participant observation at Pourakhi was an important opportunity to see the gendered effects of the state's institutional practices and labour migration policies. During my observation period, I engaged and interacted with the staff members, observed the issues the organization was dealing with on the ground, and participated in several events on the International Labour Day, including a workshop on ratification of the ILO Convention 189 organized at Hotel Pagoda in Kathmandu.

I also conducted both participant and non-participant observation in Chormara and Arun Khola, both located in Nawalpur District in the mid plains on the foot of the Mahabharat range. It was the Safer Migration (SaMi)[78] project that connected me with the SaMi field staff in Kawasoti, the district headquarters of Nawalpur. The SaMi project, as per the project Team Leader, aimed to equip potential migrant workers, including women migrants, with the necessary information and skills to enhance their informed decision-making about migration while imparting psychosocial counselling and financial literacy to migrants' families staying back home. Under the SaMi project, there were Migration Resource Centres installed at the Offices of District Administration which issue passports in Nepal. With the support of two female SaMi volunteers who were migrant returnees, I participated in a meeting organized by the local Baidesik Rojgarbata Farkekako Samuha,[79] a group of returnee migrants working for the welfare and rights of migrant workers and their families at the grassroots, lobbying with the local government. I could see not only the effects and implications of the interacting local and global systems of gender oppression but also the ways in which those systems were being resisted and reconfigured as Boccagni (2018) notes the participant observation-based research allows the theorizations of the dynamics of power, agency, and politics to be theorized from below. As Buwawoy (2019) observes participant observation allows the researcher to enter the time and space of the research "subjects" and examine what people do and say, I could see the ways in which the engrained

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[78] The SaMi stands for the Safer Migrater project, which was being run by Helvetas, Swiss development organization, in coordination with Nepal's Ministry of Labour, Employment and Social Welfare.
[79] In English, the phrase literally means "Foreign Employment Returnees' Group." This was a semi-formal group of women and men migrant returnees formed with the support of the SaMi project in Nawalpur District.

patriarchal norms and ideologies – in the context of globalization – interacted with various global forces and processes creating gendered outcomes and conducive conditions for the migration of women.

From my interactions with people from different Nepali community organizations in the United Arab Emirates, I learned that Friday would be a good time to meet with women migrant domestic workers since many "housemaids" would get a day off and gather at a park which the Nepali migrants had jokingly nicknamed as the "Love Park" in Bur Dubai which was centrally located in downtown Dubai where there were many Nepali, Indian and other South Asian restaurants and stores. Bur Dubai was a popular rendezvous for Nepali migrants since they would meet, exchange news about and gifts from their families brought by those who had been home on vacation, and also share problems with one another. In particular, the Nepali women migrant domestic workers would spend their time together, talk about their shared stories of pain and sorrow as well as the small acts of generosity shown by their employers, and at the end of the day, return to their work rejuvenated. On three consecutive Fridays, I visited the Bur Dubai area where I mingled and interacted with many Nepali women migrant domestic workers in a nearby park, as well as with other members of the Nepali community, especially those running restaurants and travel and ticketing agencies as well as the agents. Although Friday was the only day when many "housemaids" would get a day off and get to leave their employers, not every migrant domestic worker would be "lucky" enough to enjoy the day off, since some domestic workers would be given a day off only every other weekend, and many others would not have any off time at all. On one such Friday, I noticed a group of women engaged in a lively conversation in the park. With some feeling of guilt for interrupting their private times together, I approached them politely and explained the purpose and my intent to talk to them. As the lively conversation continued at the other end, I interacted with some women who were quite vocal in sharing their experiences of working as housemaids in the UAE as well as their views on the Nepal government's discriminatory bans and restrictions. Most women noted that despite the hardships that working in private homes would entail, their experiences had been overall good, though they also pointed out that generalizing the experiences of Nepali women migrant domestic workers in the UAE was difficult. What all of them unanimously emphasized was that due to the continued bans imposed by the state, they found themselves in the state of limbo in the

"foreign land" since they were not able to visit their families in Nepal on vacation because if they did so, they would not be allowed to return to work which they could not afford to abandon. In both formal interviews and informal interactions, women migrant domestic workers in the United Arab Emirates vented their anger and frustrations toward the limping all domestic workers into a single basket of a vulnerable group. A woman migrant domestic worker interviewed in the United Arab Emirates noted,

> There are thousands of women working as housemaids. They have formed committees and organizations in Bur Dubai. It's the centre. There are lots of Nepali restaurants, there are shops. On Friday they all come here, they have fun and go back to work after the weekend. There are people from different parts of the country and they have their own organizations and they get together occasionally, and they mostly meet their friends. (WMW5-Interview, Dubai, UAE)

In addition, I attended a meeting in Qatar which was organized by Migrant-Rights.Org, a non-governmental organization that advocates for and advances the rights of migrant workers in the Gulf countries. In an interview, an activist affiliated with the organization noted that the organization's focus was to work at the grassroots igniting local discussions and educating the sponsors to change their mindsets and practices for respecting the human rights of all migrant workers, especially the housemaids. The activist also invited me to attend a meeting that the organization was planning to hold among a group of Qatari citizens who had employed housemaids in their houses. The meeting where I was more an observer than a participant was organized at Kava Café in Katara Cultural Village in Doha. Although the entire meeting had taken place in the Arabic language, from the heated discussions, I could observe the traction that the issues of women migrant workers was getting among local activists and employers. This NGO has advanced an emancipatory agenda to improve the working conditions, labor rights, and social dignity of domestic workers through consciousness-raising grassroots organizing methods and contentious policy advocacy campaigns. The meeting which was mostly attended by women hotly debated on the issue partly supports what Maktabi and Lia (2017) observe about women's mobilization with "patriarchal structures …waning (but not falling)" (p. 277). In addition, in Kuwait I observed the activities and interacted with people affiliated with the Philippina migrant domestic workers' initiative called Sandigan with which the General Federation of Nepalese Trade Unions (GEFONT) Kuwait Chapter coordinated for the rights of Nepali women migrant domestic workers. At the Nepali embassies in all the three Gulf countries, I spent varying amounts of time and carried out non-participant observations.

In my ethnographic fieldwork in all the sites, I pursued a crisscrossing trajectory, instead of following a linear path in my engagements and interviews with my research participants and key informants. Such an approach enabled me to move back and forth between the three main categories of interviewees – women migrant workers themselves, non-state actors and the state actors – to simultaneously listen to multiple voices and use them as opportunities to create conversations and elicit information, crosspollinating ideas and acting as a catalyst. While doing so, however, the lived experiences and stories shared by women migrant domestic workers and returnees were the points of departure that I followed "up" across the other stakeholders and through the scales and levels of governance and institutional practices in multiple sites.

Policy documents and other complimentary sources

In addition to the qualitative data collecting through focus groups, interviews, and observations, I collected a variety of policy and legal documents (e.g., Labour migration related Acts, Directives, Rules, Nepal's bilateral labour agreements[80] and MOUs with some of the Gulf countries, including literature pertaining to Nepal's geopolitical and ethnohistory. The global ethnographic approach uses ethnohistory as a strategy to provide a broader context to the bounded site (Lapegna, 2009). The use of ethnohistory enables the researcher to multiply both the "geographic" and the temporal sites of research (Lapegna, 2009).

The "ethics" question in the field

In collecting data and engaging with my research participants in the field, I adhered to research ethics standards of the Canadian Tri-Council and to Laurier Research Ethics policy (Refer to Appendix 3 for ethics approval for all three categories of participants). I maintained the confidentiality of the shared information and the participants' identifications. In using the participants' quotes from interviews and focus groups, I have used pseudonyms and codes throughout the dissertation. I obtained informed consent, in writing or orally depending on the given situations, from my research participants in situations. In the case of women migrant domestic workers who did not understand English, I orally translated and shared the content of the consent form in the Nepali language. With the research participants' consent, at the mutually

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[80] ILO has used the term "bilateral agreement" in two ways: first, it is used as a generic term to refer to any labour migration agreements between states; second, it is used as a specific form of labour agreement that is legally binding.

agreed upon venue and time, I interviewed them and conducted the focus groups. In some

situations where having the research participants, especially women migrant domestic workers,

sign the consent form could be perceived as a legally binding obligation and thus take away the

ease and informality of conversations, I deliberately refrained from seeking their written consent.

However, I ensured that their participation in the research did not harm their safety, dignity, or

privacy, whether it was in their personal or professional lives. Since I accessed research

participants through several state agencies (e.g., Ministry of Labour, Employment and Social

Welfare, its agencies and Nepali diplomatic missions based in the field site countries in the Gulf)

and non-governmental organizations (e.g., SaMi-Helvetas, Pourakhi Nepal, Nepali Pravasi

Coordination Committee, GEFONT), I was aware of the potential pressure that the gatekeeping

organizations' authority could have on the participants leading to a situation where they felt

coerced to take part in the focus groups and interviews.

As a qualitative researcher employing ethnographic fieldwork in multiple sites and given the

dynamic and fluid situations in the field, I confronted some unanticipated moments when I found

myself in a dilemma as to whether I should methodically adhere to what I had committed to and

stated in my ethics application, or to adjust and reinvent the ways in which I should implement

my ethics commitments. When faced with such ethical dilemmas at times, I chose to follow the

latter option.

Figure 12: Interview with women migrant returnees from a Musahar community in Arunkhola, Nawalpur, Nepal

In the fluid situations in the field, interviewing participants individually to maintain the

confidentiality of their information was not feasible in some contexts. As an instance, the above

picture taken at Arun Khola of Nawalpur District in Nepal where I had conducted semi-structured interviews with women migrant returnees from the so-called Terai Dalit Musahar community. As scheduled when I started an interview with a woman migrant returnee sitting on the porch outside her house, several women from the neighbourhood, who were themselves migrant returnees from different Gulf countries, also joined in the conversation, turning what began as a solo interview into a group interview. Although interviewing research participants this way is normally considered a breach of an ethical practice of data collection, it turned out to be a means for empowering the research participants by creating a more comfortable space for the interviewees. The abrupt advent of the other women was neither a cause of concern for the woman being interviewed, and nor would it be culturally prudent for me to ask them to leave. Such an interview practice was not in alignment with the research ethics of maintaining confidentiality of an individual participant, however, I observed that in a collectivist society like Nepal, even more so with the Musahar community, the researcher placing primacy on the individual woman's privacy would be against their shared experiences and the collective spirit. Instead of causing a sense of losing privacy or social reputation, the participant and the other women empathetically listened to each other and expressed their personal experiences and narratives of struggles and hardships they went through during their migration journey abroad and inside the country. Unlike in individualist cultures where individual privacy is of key concern, the group interview in the collectivist culture of the Nepali society provided a space for a sort of catharsis. Further, what these women considered to be of utmost importance is the need to have their material needs and challenges addressed, rather than the less pertinent questions of individuality provided that no harms are caused to their personal wellbeing. Moreover, I observed that what is held as the "ethical" research practices in the western academia cannot be literally implemented in the field in the collectivist and Global South contexts, and in some situations, the methodical adherence to those practices might even stand at odds with the social-cultural values of the research participants.

In the interviews with migration brokers who acted as mediators in funneling women from Nepal to the Gulf countries through India and other countries, it was not possible to obtain informed consent, and nor was it possible to seek consent from people involved in recruitment agencies who simply denied being interviewed in any formal manner. Burawoy (2019) claims that given

the unequal power relations in the field, the researcher might confront the dilemmas ethnography might even require some transgression of the law, even if not the legal transgression, the nature of my research subject necessitated some form of transgression of research ethics since obtaining informed consent from such illegally operating middle persons who could however be important sources of information for my research was almost impossible. I approached such people through covert channels and concealing my real intent and identity. However, even in such situations, I strictly complied with the principle of doing "no harm" to the people I interacted with in the field.

Engaging with and embedding reflexivity in the research processes

Due to the power relations inherent in the process of gathering data and the process of ethnographic representation, fieldwork poses specific challenges (Wolf, 1993), and as a male researcher, it became even more challenging to engage with women migrants and collecting data in my case. In this section, I discuss the ways in which I engaged with reflexivity, gained new insights along the research journey, and embedded those reflections and learnings into the research processes. Reflexivity which is both a concept and a process refers to the consciousness of the relational and reflective nature of being aware of personal and methodological concerns (Palaganas et al., 2017). As a concept, reflexivity entails a certain level of consciousness and self-awareness of being part of the social world that is being researched with an active involvement in the research process (Ackerly and True, 2010), and as a process, it refers to an introspection of the role of subjectivity in the research process (Palaganas et al., 2017). Reflexivity is often misunderstood as "a confession to salacious indiscretions," "mere navel gazing," and even "narcissistic and egoistic," the implication being that the researcher let the veil of objectivist neutrality slip (Okely, 1992). Approaches to positionality often assume transparent reflexivity in ways that the very desire to "reveal" multiple, complex, and shifting positionality of the researcher freezes identities and social positions in space and time, foreclosing an analysis of the ways in which identities and locations of those who produce knowledges are constituted and negotiated in and through the process of knowledge production itself (Nagar and Geiger 2007; Rose 1997). Nagar (2014) argues that reflexivity has often implied analyses of ways that ethnographic knowledge is shaped by the shifting, contextual, and relational contours of the researcher's social identity and positionality, in terms of gender, race, class, sexuality, and other axes of social difference, in relation to the research participants. Hyndman (2001) notes that "[i]mperfect engagement is better than no engagement, or a paralyzing angst" since "there is

value in working through the messiness, engaging in fieldwork in a careful manner, rather than writing it off as too fraught with difficulties and dangers" (p. 265-66). The following subsections reflect on three key dimensions of reflexivity pertaining to this research: insights into doing feminist research as a male researcher, insider-outsider dynamics in the field and the question of representation and knowledge production.

On doing feminist research as a male researcher

Since feminist research, as Oakley (2016) observes, requires the researcher to build rapport and trust with the research participants, one of the challenges was to minimize the hierarchies which were automatically created between me as a researcher and women migrant returnees but also as a male and educated person living in the western country. Location refers not only to gender positionings and geographical places but also to various dimensions of power and identity that constitute the people and places as subjects (Hyndman, 2004). A transnational focus it is not just the mobility but who can move to which country. The moment I introduced the purpose of my research and my doctoral study in Canada, I was immediately perceived differently in that even in terms of the countries of destinations people in Nepal are placed into hierarchies where people who can afford to migrate to Europe, North America, Japan, or Australia, the rich and developed parts of the world carry more social symbolic value than those migrating to the Middle East and East Asian countries on contractual work visas. Such hierarchies are further compounded by the other factors such as gender, caste and even the place of origin. The field becomes beleaguered with inequality, heterogeneity, struggles, and contradictions derived from different hierarchies and structures (Chow, 2002, p. 9). In my engagements with women migrant returnees, hierarchies posed challenges on several levels and were unavoidable and difficult to overcome in the field. For example, in the first focus group that I conducted in Siyari Village Municipality in Rupandehi District in Nepal, the focus group was held at Nabadurga Mahila Sahakari, a local cooperative run by the local women, which was participated in by women migrant returnees belonging to different castes. Upon their arrival when I requested everyone to sit on the chairs, some participants who were from the so-called "untouchable" Dalit community showed reluctance and chose to sit on the floor. Though I at first could not interpret their denials to sit on the chairs, being an insider, I later understood the caste-based power dynamics at play and proposed everyone sitting on the floor. In the field, the power dynamics manifest not only the researcher and research participants but also the location of the research participants within the specific social and cultural contexts and settings where the research is conducted. Vives (2012)

notes the position of the researcher is a negotiable space, it was a space that can be lessened if not completely negotiated. Playing the role of supplicant involves seeking reciprocal relationships, empathy, and mutual respect, as well as the acceptance that the research participants have more knowledge which the researcher is willing to learn.

In addition, in the Nepali society where interactions between unrelated men and women in private spaces were associated with unethical intimacy, I had to be extra careful about choosing the venue particularly for individual interviews. This posed significant challenges in accessing research participants in the first place and finding socio-culturally appropriate venues, especially in the highly patriarchal societies in the Gulf countries where a female engaged in a conversation with a stranger male even in the public places, let alone private spaces, is still considered to be a social taboo. Further, as van Liempt (2007) observes the research participants in qualitative research strategically choose what they reveal by filtering the information and constructing the researcher as "a productive other" (p. 68). During my fieldwork in both Nepal and the Gulf countries, such processes of filtering the information were to some extent influenced by my gender and social location. This is particularly the case for women migrant workers, many of whom traveled via irregular means, and for whom labor migration itself may be stigmatized. Supplication lies in its potential for dealing with asymmetrical and potentially exploitative power relations by shifting a lot of power over to the researched (England, 2010). In most of my interactions with women participants, both returnees in Nepal and domestic workers in the Gulf countries, as a strategy to build rapport, I began the interactions with some casual conversations where I established some commonalities that we could identify with and talking to the participants. I avoided taking notes as much as possible to avoid being too formal and only took down notes at the end of the interviews. To build rapport with the participants, I used different fieldwork tactics such as dressing casually and using the accent and dialects like those of my participants to make them feel comfortable, since I was aware of the cultural nuances and concerned about not being authentic in those moments in time in the field. In the Gulf countries, on the other hand, the commonalties – rather than the difference – that I shared with my research participants, based on ethnicity, culture, and language became more pronounced. As Mand (2011) observes, in such situations both the researcher and the researched are simultaneously located and dislocated within and between places, my research participants and I were both

migrants, and in our shifting positionalities influenced the dynamics in the field in the Gulf countries.

As a researcher raising issues of women and women migrant workers was in some situations taken with some sort of suspicion especially in that in the eyes of the state authorities I was seen more as an activist or a media person rather than a researcher. Such tensions sometimes manifested through tense and troubled interactions with the government officials. In Nepal, in an interview with the Director General of the Department of Foreign Employment in which the section directors had also participated, when they described the bans and restrictions on domestic labour migration as evidence of the state's sensitivity to women's issues, I asked a counter question as to why the state had not paid any attention to the violence committed against women inside the country if its policy bans were motivated by sensitivity to women's rights. One of my participants who was a female central committee member of the then largest ruling party revealed about how even the top party leadership that indefatigably claims to have been fighting for gender justice and equity had criticized the ways in which she positioned herself as a "feminist" in the media. In such a patriarchal social structure, a male conducting feminist research and standing for gender justice might entail the risk of being taken either as a sham preying for undue advantages from marginalized women under disguise, or an effeminate person not masculine enough to deal with what Ashe (2007) terms as the "objective" and "scientific" research comprising unbiased value-free "hard facts" (p. 90).

As qualitative research is characterized by "fluidity and inductive uncertainty" (Mauthner et al., 2002, p. 2), what seemed straightforward and ethically uncomplicated at the outset turned out to be fraught with difficulty in the field. For instance, some research participants and their family members in some cases took me for a *dalal* visiting their houses in search of potential women migrants. In an interview with a migrant returnee in Arunkhola of Nawalpur district in Nepal, I along with the SaMi volunteer who supported me to access the research participants reached her house at the pre-scheduled time, she was doing some chores. After some casual interactions, I started the interview sitting on a *khat*[81] on the porch. When we were toward the middle of the interview, her husband who was just idling away in the neighbourhood, returned home and

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[81] It is a wooden bed frame which is also used for guests to sit on, and in most houses, it is placed on the porch.

carefully listened to our conversation. Toward the end of the interview, no sooner had I asked her

if she had any further plans, he burst into anger saying that she would not be going anywhere,

"It's enough now. I've been taking care of these children since they were little." It was an

extremely challenging and unanticipated experience in the field, but I could understand that since

the man was not present when I explained the purpose of my conversation, he took me as a *dalal*

who had been to his house to convince her to re-migrate. At the same time what this also

revealed the ways in which the reproductive duties and the responsibility to care and nurture was

perceived as the woman's responsibility as well as how women's migration threatens the

masculine identities of males when they lose their roles as primary breadwinners because of

women's transnational labour migration (Asis et al., 2004; Gamburd, 2000).

Insider-outsider dynamics in the field

Since Nepal is the country where I was born, lived, and worked prior to my immigration to

Canada in 2011, conducting the fieldwork there was different from traditional "fieldwork" where

the field is conceptualized as a "socio-cultural unit, spatially and temporary isolated… deeply

embedded in the conventional framing of subjects for ethnographic analysis" (Gupta and

Ferguson, 1997). Unlike the traditional "field" as something "out there" away from the

researcher's home and studied through immersing into it and extensively dwelling and

interacting with the "native" to understand their worldviews, Nepal was also a sort of

homecoming for me. On the one hand, such an "auto-ethnographic" research within my own

community offered me an insider's perspectives to have a more nuanced understanding of

sociocultural and gender dynamics as well as the issues of women migrant domestic workers

within the broader political and economic context of Nepal. Further, the ethnic, linguistic, and

cultural similarities with my research participants enabled me foster what as scholars (e.g.,

Blake, 2007; England, 1994) describe as more egalitarian relations on the field and facilitate

access to hard-to-reach groups and my homecoming engendered a sense of being reunited with

the networks of my friends and relatives after years of my diasporic nostalgia. However, as being

an insider posed challenges on several levels, as Werbner (2013) observes a "homecomer"

should deal with "the insider and outsider perspectives simultaneously, seeing herself through

the often-disapproving eyes of those who stayed at home" (p. 107).

In my engagement with women migrant workers, since I shared many commonalties based on our ethnicity, culture, and language, it helped lessen the "us" and "them" dichotomy in the field in Nepal. However, I was simultaneously an educated male studying in a western university that many perceived to be in "America" and perception instantaneously placed me in a privileged position, discouraging them from seeing me as someone like themselves. These contradictions were more pronounced during my fieldwork in Nepal, but the same insider/outsider dynamics diminished in the field sites in the Gulf countries. Thus, the markers that lend us an insider and outsider perspectives and relationships with participants in the field are relative concepts, rather than absolute, and are shaped differentially. Emerson et al. (2011) note that the researcher's status as an insider or outsider influences what is being studied and observed and how. However, the insider-outsider perspectives are not static but amorphous and dynamic processes in the field depending on relations of the researcher and the researched with the categories of people to be engaged with as well as the field sites, especially more so multi-sited ethnographies such as this research. However, I was an outsider in that I was a male, educated person and someone who had immigrated to Canada for permanent settlement. Despite such common ethno-identities shared with my research participants, the sameness is not exclusive since difference in terms of gender, education and privilege certainly set us apart. Sameness based on gender or race ignores the relevance of other interlocking axes of social differentiation key to research in the field such as age, socio-economic class, education, citizen/immigrant status, sexuality, religion, and so on (Vives, 2012). I was simultaneously an insider and outsider in the field in Nepal. I was an insider in the country of my fieldwork was also the place where most of my family members lived and also where I was born, worked and lived family members live until I immigrated to Canada in 2011. Sharing some commonalities with my research participants in terms of cultural and linguistic backgrounds also had some significant implications in the data collection processes. Ganga and Scott (2006) observe that being an insider, paradoxically, raised researchers' and participants' awareness of the social subtleties that divide their respective "imagined" migrant communities. Insider interviews of this type create a distinct social dynamic, whereby differences between researcher and participant are brought into focus because of shared cultural knowledge. As an insider, I was better able to recognize both the ties that bind us and the social fissures that divide us. Doing the ethnographic fieldwork in Nepal was also some sort of homecoming for me.

As a researcher sharing the same ethnohistory with the Nepali women migrant domestic workers and having originally come from Nepal and seen, experienced and worked with issues of women migrant workers already in various roles I had carried out prior to moving to Canada in 2011, I had an "insider's" perspectives into many aspects of women migrant domestic workers in Nepal. My insider's background certainly had some influence in the ways in which I engaged and interacted with different categories of my research participants. Being an insider benefitted my research in many ways, particularly in terms of accessing research participants, especially women migrant returnees, unlawfully operating "*dalals*" and people in bureaucracy and politics, while the insider's perspectives enabled me to make sense of the nuances of the spoken and unspoken words of the participants as well as their body language and idiosyncratic cultural cues. For example, some participants were not willing to sign the consent letter, but as a cultural insider I knew that it was because people in the Nepali society generally tend to think that signing a paper might entail some legal entanglements and troubles in future and their unwillingness to sign the form reflected that they did not want to be embroiled into any potential troubles.

Given my insider's perspectives into many aspects of women migrant domestic workers' issues, at the defense of my dissertation proposal, I was asked if I would be prepared to encounter "surprises" in the field which ethnographers call the "ethnographic encounters" or "ethnographic moments" in the field. Conducting the fieldwork in Nepal as the "insider" entailed the risk for me as well as for my research participants to take many important issues for granted. That meant that in the field I felt the need to constantly take some time off each day and reflect and at times even distance myself from what was being observed and studied for the sake of minimizing the danger of taking things for granted. However, I also realized that the "ethnographic encounters" are not absolute but relative concepts which are largely determined within the researcher's social location and the shifting positionalities within different research contexts. To put this differently, what could perhaps have taken an "outsider" by sheer astonishment was not as much an "ethnographic encounter" for me owing to my similar sociocultural background with that of the research participants. Due to my complexion that was like many Nepali temporary migrant workers in the UAE, I was at one point stopped by a police officer who asked me to show my

passport when I was walking down the street in Dubai. I was perceived to be a migrant worker perhaps due to my facial complexion, and the police officer who was in a civilian dress asked me to produce the Emirati identity card provided by my sponsor/employer.

It is argued that, due to the sameness perspective, the "native" may take for granted some of the key elements that shape research participants' experiences, since both participants and the researcher socialize the same values as integral part of their selves. As an insider, there always remained a danger for me to take things for granted, the things could offer important insights into the research process and outcomes. I had to keep myself reminded and allocated some time each day to reflect on my interviews and observation and take down notes on emerging ideas. I tried to maintain this awareness by writing methodological and theoretical memos while in the field, in addition to writing fieldnotes about what I heard and saw while informally interacting with the domestic workers on different situations during the occasions and activities in which they engaged.

Nonetheless, being an insider also involved the risk of taking things for granted while an outsider's lens could possibly throw light on critical processes being examined. These differences benefitted me in some ways while disadvantaging me in others. The extent to which researchers perceive themselves as being like participants can affect their observational sensitivity in terms of what they tend to notice and document, as well as what they leave out of their field notes (Flick, 2014). Having an insider's perspective helped me connect with the participants more easily and delve into the nuances of the issues while the outsider's position I had to wrestle with and mitigate the adverse impacts they could have on my engagement with the participants. For example, one participant in Qatar, when I asked her the reasons of her migration, she assumed that I already know and there was really no point in asking this question since she took it for granted that I am knowledgeable of the causes of why people including women migrate to look for employment in the Gulf countries. Ganga and Scott (2006) argue that while the insider status is generally beneficial to the research process, it also brings to the fore a range of social fissures that structure interaction between researcher and participant, fissures that may otherwise have remained hidden which they describe as the phenomenon of "diversity in proximity". When asked about the motivation for migration, women migrant returnees as well as

those still working in the Gulf countries, I observed two things prominently surfacing in conversations. First, many participants when I posed this question perceived it as a redundant or self-explanatory question since I shared a similar social, linguistic, cultural, and ethnic background as the women migrant domestic workers who took it for granted that I was already knowledgeable of the realities on the ground in Nepal. Had it been a researcher from a different social and ethnic background, the same question could have triggered more elaborate details about the motivating factors of migration.

The same "insider" position had an entirely different influence on my engagements with people in bureaucracy and politics in Nepal. For instance, I had an interview scheduled with the Minister for Labour and accessing him was relatively easy since he was from the electoral same constituency where I came from, however, in the ways in which he interacted with me and approached my questions, I noticed informality. After I introduced myself and my research, the first question I asked pertained to the state's policy toward women migrant domestic workers, but instead of responding to my question, he began seeking my advice and help to improve the state's labour migration governance in the changed global context, adding if I could offer any advice about the comparatively better countries of destination for Nepali migrants. I could see that as a political leader who was from my own place of birth and constituency resulted into the informality and even condescending tone with which he interacted with me. I adopted a formal tone and created a critical distance dodging his request but promised to share the findings of my research upon completion. Similarly, I had an appointment with the Secretary of the Ministry of Labour, Foreign Employment, and Social Welfare which was located inside the Singha Durbar where 24 other important ministries and major state apparatuses were also housed. Although my interview was scheduled at 2 o'clock in the afternoon, the personal assistant of the secretary kept me waiting until 3 pm since I could see those unsolicited visitors from various interest groups, political parties, and those with some sort of nexus with people in power and politics were given priorities. When I was finally allowed to enter the office, the secretary's eyes were glued to the table in front, and he did not even bother to heed my presence. Deeming that to keep standing would be a disrespect to the dignitary, I decided to sit on the sofa available nearby, but as soon as I took my seat, one of the other three subordinates who were also present at that time rather

rudely told me to avoid that sofa as if sitting there would violate its sanctity.[82] When I was

finally able to talk to the secretary and explained the purpose of my visit, he asked me to rather

talk to the under-secretary and approach him again only if I could not find answers to my

questions. Being an insider invariably placed me within the social and political power hierarchy

especially in my interactions with high-ranking people in bureaucracy. As Lal (1996) describes

the "research process as a hierarchical social interaction" (p. 186), what my encounter with the

secretary revealed is the fundamental character of the state and its bureaucracy, and in particular,

the secretary's refusal to participate in the long-awaited interview was my "insider" position that

automatically placed me at the lower rung within the power hierarchies. Had a researcher with an

"outsider" status, particularly from a western country, approached the Secretary of the Labour

Ministry for a pre-scheduled interview would he have behaved the way he did with me, I

reflected.

Representation, analysis and knowledge production

As a feminist researcher, I found myself confronted with the challenge of finding a balance

between retaining the originality of the narratives and experiences of women migrant domestic

workers I engaged with in the field and the need to render their meanings and communicate them

to an academic audience. The data itself is translated into this narrative in inactive, conscious

representation of self by the participant (Johnson, 2016). The narratives are always received via

translation and thus never fully accessible (Johnson, 2016). Haraway (1988) argues that

"[t]ranslation is always interpretive, critical, and partial" (p. 589). It is delivered in a certain

context, and in response to certain circumstances. Translation can only be understood as a

catachresis, as an always already misuse of words, an impropriety and inadequacy that underpins

all systems of representation (Alvarez et al., 2014, p. 19). Translation exceeds the linguistic

transfer of meaning from one language to another and seeks to encompass the very act of

enunciation—when we speak, we are always already engaged in translation, for ourselves as well

as for others (Costa and Alvarez, 2014).

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[82] The sofa appeared as a recurring image in the field, and it stood for the state power in relation to common people; the sofa emerged even at the Nepal embassy in the Gulf which I had shared with my supervisor in an email which read, "The chair/sofa has become a sort of recurring image during my fieldwork. Just like in Nepal, I was sitting on a chair and talking to two women domestic workers living in the shelter of the embassy. Then there comes an official who asks me not to sit on that specific chair since that the chair as well as that space, he added, was designated to the person in position" (Sent on Mon, April 29, 2019).

In this research, English was neither my first language and nor was it the native tongue of my research participants, and that meant that all the questions asked, and the data gathered from the research participants was initially expressed in the Nepali language which I transcribed and translated into English after the fieldwork was completed. In the first place, meanings are constructed, rather than expressed by language (Barrett, 1992), and it thus has both methodological and epistemological implications in the process of knowledge production (Temple and Young, 2004). Translations do not only entail the rendering the syntactical meanings from one language to another but also the communication of the cultural and social nuances of emotions and experiences of the women migrant domestic workers, which could have partially evaporated in the process, thereby delimiting the validity of translations. The notion of cultural translation is premised on the view that any process of description, interpretation, and dissemination of ideas and worldviews is always already caught up in relations of power and asymmetries between languages, regions, and peoples (Alvarez et al., 2014). As Johnson (2016) notes, it is necessary to render the narrative translation and interpretation in ways in which it is not understood as a valuable practice of dialogue potential collaboration and co-authorship.

I used the NVivo software to analyze the data, develop themes and conceptual categories and came up with the findings, although analyzing the data started right from the beginning of my fieldwork and evolved in a reiterative and continuous process interwoven into all the stages of the research. I used the qualitative data analysis software, the NVivo 12 mac version, to organize and manage not only the qualitative data gathered from semi-structured interviews, focus groups, ethnographic and participant and non-participant observations but also record the emerging concepts and themes. I had audio-recorded most of the interviews using a Sony voice recorder, and prior to uploading the data into the NVivo, I transcribed and translated it into English all the interview data, which was originally in the Nepali language (except a few of them with non-Nepali speaking participants). I used the NVivo as a tool to categorize, code and analyze the data, and in particular, I made use of the 'map' and 'concept' features of the NVivo to capture the emerging patterns and themes and represent them through figures and infographics.

Further, the data analysis is also situated in that that their meanings cannot be made in isolation but in association with the researcher's social location and prior knowledge of the issues under study. I did not only read between the lines of the words and phrases that my participants expressed during my ethnographic fieldwork, but I recreated those scenes, and such processes helped me reflect on the meanings of what they had shared. Mountz and Walton-Roberts (2006) aptly observe that the twin job of an academic endeavor is to immerse into the "world" and step back to do the "theorizing" in the academic spaces, since this process carries the potential to influence policy debates.

The other challenge pertained to the feminist political and epistemological question of the in/ability of the researcher to represent the experiences and voices of the marginalized people in producing knowledge. Since the issues of power, privilege, location, and authorship pervade all research practices, Ortner (1995) claims that "the crisis of representation" through the "truthful portrayals of others" and "the capacity of the subaltern to be heard" has remained a nagging question not only in feminist research but also in all fieldwork-based research (p. 190). Knowing the "others" fully is not possible in feminist research, so what the researcher can do is to represent them, however, since representation always places the researcher to the position of power and authority, it should be done in ethical ways (Hinterberger, 2007). However, Visweswaran (1995) denies that the researcher can represent the "others" claiming that what can done is only to hold himself/herself accountable to people's own struggles for representation and self-determination (p. 32).

Through the process of ordering their memories, the women reflect on their premigration and postmigration experiences, in effect their past personal histories. Reflecting on, acknowledging one's role in the creation of the so-called findings. Academic knowledge is produced collaboratively although the authorship is assigned to individual scholars as the producers of knowledge (Nagar and Swarr, 2010). Nagar and Swarr (2014) observe that all academic production is necessarily collaborative, notwithstanding the individualized way the authorship is claimed and assigned, and celebrity granted to academics as isolated knowledge producers. As Heyl (2001) observes the researcher in the ethnographic interviews encourages participants to shape the questions being asked and possibly even the focus of the study, resulting in data being

a co-production between interviewer and interviewee. Rubin and Rubin (2005) refer to this as a conversation in which the interviewer gently guides a "conversational partner" (p. 4). I found the research participants strategic in their actions and do much more than reveal the truth to us: they choose, filter, and shape the information they share, constructing "a productive other" (van Liempt, 2007, p. 68). The fieldwork-based knowledge entails producing knowledge collaborative spaces and tools through which academics create knowledges and learn to speak to various communities inside and outside of academia (Nagar and Swarr, 2014). The embodied and partial nature of knowledge production and the complicated and power laden relationship between the researcher and researched (Hyndman, 2001; Katz, 1994; Mountz, 2004). Since the researcher and participants are socially embedded and in complex relations of power (Haraway, 1991), interacting with and inviting research participants to speak their experiences and making sense of their voices has a potential risk of dominance. By explicitly acknowledging their role in co-constructing the data, researchers can cultivate this kind of awareness of themselves as instruments of data collection and analysis (Charmaz, 2006; Flick, 2014). They show how local cultural knowledge is constantly being infused with novel understandings of migration from returning migrants, communications from friends and kin overseas, and media pronouncements about the pitfalls and opportunities posed by overseas work.

Gray et al. (2015) describe capturing women's experiences, improving their lives and equalizing power as the three key aims of feminist research. Through their own self-reflection and self-analysis of the issues that affect them, women migrant workers become co-creators of knowledge, they shift from being passive beneficiaries to pro-active policy-framing participants. I told her clearly that I was a researcher looking into the issues of women migrant domestic workers but admitting this perhaps disappointed some of my research participants. Decolonized reflexivity moves us beyond awareness to active collaborative engagement in dismantling systems of oppression within us and around us. From then on, I was constantly haunted by the question as to how my research findings could be tied to the politics of social change and address the lived challenges of many women migrant domestic workers I engaged with in my fieldwork in Nepal as well as the destination countries in the Arabian Gulf. At times in my engagement with government authorities, I tended to ask questions like an activist, or a media person and I had to keep constantly reminded me of my role as a researcher rather than an activist. On a few

occasions, I was barred from entering the office premises, and some state officials expressed

their reluctance to be interviewed, indicating suspicions that I was a representative of the media,

fearing the public outcry and criticism if I disclosed the anomalies of the state. Smith (2021)

contends that "research is not an innocent or distant academic exercise but an activity that has

something at stake and that occurs in a set of political and social conditions" (p. 5). I also see

conducting research as a politicized act situated in a particular historical, social, and political

context. For my research, that "politicized act" builds on the feminist work of placing the voices

and experiences of women migrant domestic workers at the centre and thereby lay bare the local

and global gendered power structures and their workings in the lives of women. Based on the

fieldwork and observations, I wrote two opinion pieces that appeared in Nepal's national

dailies.[83] While in Kuwait, I was also interviewed about his study for a video program run by

General Federation of Nepalese Trade Unions-Kuwait called *Tapaiko Jigyasa Hamro Sujhab*.[84]

Summary

In this chapter, I discussed how I operationalized the multi-sited ethnographies. The subsequent

section highlighted the selection of the case and the field sites, and provide descriptive details on

how I accessed the research participants as well as the methods and tools that I used to collect the

data for this research. The section on the ethical dilemma presented the challenges of

implementing the western ethical standards literally and methodically in the collectivist culture

of the Nepali society. The last section provided reflections how I engaged with and embedded

reflexivity into the research processes mainly focusing on doing feminist research as a male

researcher, the insider-outsider dynamics in the field and the ethical and political dilemmas of

what representation really meant for the research participants as well as the partial nature and

situatedness of knowledge production.

I have provided discussions on multi-sited global ethnographies and the ways in which I

operationalized them including the potential and challenges of using these methods in the field.

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[83] The first article titled "An encounter with the State (at Singha Durbar)" appeared in *The Annapurna Express,* November 16, 2018 (available from https://www.theannapurnaexpress.com/news/an-encounter-with-the-state-945 and the second titled "Global Compact on Migration: Erosion of sovereignty, panacea, or mere futile endeavor?" was published in a Nepali online news portal *Setopati,* Tuesday, December 18, 2018 (available from http://setopati.net/views/135884).

[84] I was interviewed for the program "Tapaiko Jigyasa Hamro Sujhab" (June 7, 2019) which was hosted by Ganesh Rawat, the Coordinator of General Federation of Nepalese Trade Unions (GEFONT)-Kuwait, and aired through social media platforms, and the interview focused on my research and the issues of Nepali migrant workers in the Gulf countries. Available from https://www.youtube.com/watch?v=3bHDVeiGl70andt=1441s.

Further I have discussed the rationale for site selection and details how I accessed my research participants and the methods used to collect the data. I have discussed the ethical dilemmas I confronted in the field in terms of the challenges of adhering to the ethical practices in the fluid situations on the ground. I have then moved on to discuss the ways in which I engaged with and embedded reflexivity in the research processes in three important ways: On doing feminist research as a male researcher, insider-outsider dynamics in the field and the question of representation, analysis and knowledge production in feminist research.

CHAPTER 4: GENDERED LOCAL-GLOBAL ENTANGLEMENTS, GENDERED IMPLICATIONS AND NEPALI WOMEN'S TRANSNATIONAL LABOUR MIGRATION

Using the *gendered local-global entanglements* as a conceptual framework, this chapter explores the ways in which the local/national systems of gender oppression and inequities existing within the Nepali society intersect and interact with the global political economic forces and care economy within the global labour markets in creating the structural conditions for the transnational labour migration of women. Focusing on the materiality of the "everyday" (Lees, 203; Rankin, 2003) revealed the four-pronged processes which are produced by the swiftly shifting sociocultural and economic changes created by globalization. There is thus a need to consider gender as operating in interaction with other socially constructed characteristics as well as in the entanglements of the global forces and processes. Conceptually examining migration processes within the broader processes of social change of which they are a constituent part can provide a richer understanding of migration (de Haas, 2021; Faist, 2000; Schiller and Caglar, 2009). de Haas (2021) conceptualizes migration as "a function of people's capabilities and aspirations to migrate within given sets of perceived geographical opportunity structures" (p. 1).

I contend that the labour migration of Nepali women, in the context of neoliberal globalization, is the outcome of the ways in which various local and global gendered forces and processes are deeply entangled, reenforcing with one another in complex ways. Although the local and the global factors are, in the context of globalization, are too amorphous to be delineated in a clear-cut manner, most themes pertain to a range of local/national pre-existing social, cultural, and economic structural discriminations and inequities deeply engrained in the Nepali society's patriarchal ideologies. As the local and the global are two distinct but mutually intertwined and constitutive spaces that cannot be separated (Desai, 2005; Grewal and Kaplan, 1994; Mountz and Hyndman, 2006; Mason, 2017; Silvey, 2009), women's labour migration in Nepal is deeply embedded into the complex interactions and intersections between the global forces and processes while their actions and agency in the form of migration effect the transformations in those processes. The creation of such various transnational circuits of human trafficking and/or smuggling are what Sassen (2003) describes as the "counter-geographies" of globalization (p. 59). Grewal and Kaplan (1994) use the concept of the "scattered hegemonies" that refer to "global economic structures, patriarchal nationalisms, 'authentic' forms of tradition, local

structures of domination, and legal-juridical oppression on multiple levels" (p. 17). There is

therefore a need to ground the analyses "in relation to larger, cross-national processes"

(Alexander and Mohanty, 1997, p. xix). Mohanty (2003) stresses on the "multiple, fluid

structures of domination that intersect to locate women differently at particular historical

conjunctures, while insisting on the dynamic oppositional agency of individuals and collectives

and their engagements in 'daily life'" (p. 55). Agency and resistance are key to this research and

women migrant domestic workers demonstrate four different forms of agency throughout their

migration cycles as discussed in chapter 2.

This chapter mainly draws on the qualitative data gathered from ethnographic observations,

focus group discussions and semi-structured interviews with women migrant domestic workers

Qatar, Kuwait, and the United Arab Emirates and the returnees in Nepal. The chapter consists of

four sections. The first section examines Nepali women's transnational migration at the

intersections of four-pronged intertwined and co-constituting social and cultural processes which

I describe as the local gender codes, global forces, imaginaries, and the transnational circuits and

connections. In the second section, I explicate the ways in which various local preexisting gender

codes and gender-based systems of oppression intersect and interact with the global forces and

processes to produce gendered impacts and outcomes of the feminization of poverty and

resposibilization of livelihoods. In the third section, I examine the intersectional and

intersectional dimensions of women's labour migration which I call the *Dalitization* and

ethnicization of the feminized labour migration referring not only to the Dalit and Janajati[85]

women's predominance but also to the differential outcomes of their migration. In the fourth

section, I discuss women's labour migration as an act of agency through which they have resisted

various locally and globally entangled gender oppressive structures through the relative

economic freedom and social-cultural capital resulting in what I describe as demarginalization.

Women's labour migration for domestic work: the intertwined four-pronged processes

As Ackerley and True, 2010; Carastathis, 2014) emphasize on the converging and interwoven

systems and axes of oppression based on race, ethnicity, and sexuality, and colonialism, there is

a need to shift the analytical lens from a singular institution of patriarchy to multiple

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[85] In the 1999 book *Janajati Vikash Samanwaya Kendra* (Coordination Centre for the Empowerment of Indigenous Peoples)), Gurung et al. write, "Generally the words Janajati (nationality) and Adivasi (the indigenous people) are used as synonyms. Of course, Janajati is related to social composition and Adivasi has its relation to time. The word Janajati or Jati refers to the group of people outside of caste system and Adivasis are the ancient inhabitants or the indigenous people" (p. 1).

intersectional oppressive local as well as global systems in the context of neoliberal globalization and its gendered outcomes and impacts on the lives of Nepali women. As Desai (2016) asserts, neoliberal capitalism reconfigures the gendered processes and impacts women differently depending on their location in the matrix of local power structures as well as geopolitical spaces; its implications on the lives of Nepali women are both profoundly differential and contradictory. Women's transnational labour migration has occurred at the intersections between four-pronged processes which I describe as the local systems of gender oppression, global forces, imaginaries, and the country's geopolitics. As Figure 13 below shows, the four processes are deeply interlinked and co-constitute and interact with one another in the production of Nepali women migrants' lived experiences. The endogenous local patriarchal codes and multiple forms of systemic inequities and oppressive systems constitute the core drivers of women's emigration for domestic work. Similarly, the global forces and processes refer to diverse phenomena – such as translocal and global flows of ideas, goods, and commodities of multinational companies – promoted by the neoliberal Nepali state in complicity with global capitalism, producing gendered outcomes and impacts. The third phenomenon refers to the existence of translocal and transnational circuits formed by clandestinely operating informal networks of brokers who funnel women across the border to India in the main and then to the destination countries in the Gulf by taking advantage of Nepal's geopolitical location. The creation of such various transnational circuits of human trafficking and/or smuggling are what Sassen (2003) describes as the "counter-geographies" of globalization (p. 59). Finally, the imaginaries which constitute two simultaneously operating processes are at work in relation to women's labour migration for domestic work: the first pertains to what I call the aspirational imaginaries that refer to both women's aspirations, dreams, and desires on the one hand, and on the other hand, they represent the consumerist capitalist values that I describe as the neoliberal imaginaries.

Figure 13: The four-pronged local-global forces and processes and women's transnational migration for domestic work
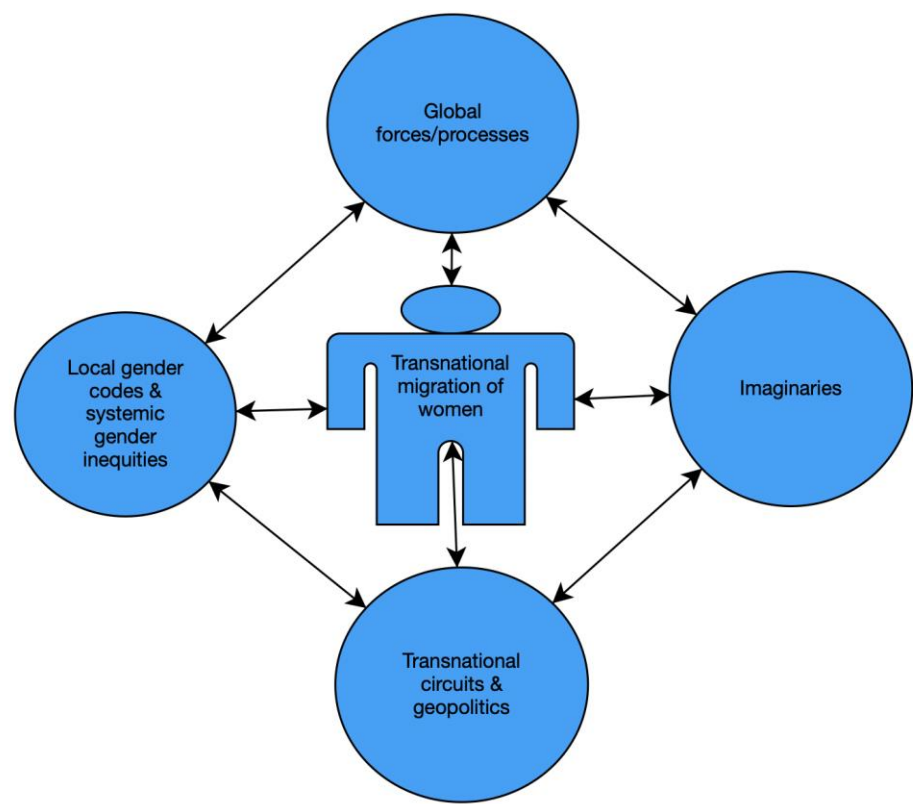
Figure by author

However, these transformations do not deterministically force women to migrate for work. As Van Hear et al. (2018) note, the drivers work by making certain decisions, routes, or destinations more likely and bringing them within the orbit of people's capabilities. As social actors, women's migration decisions, despite the state's restrictive labour migration policy, are not merely the deterministic responses to the local-global structural forces but agentic acts of resistance.

Local gender codes and systemic inequities

During my fieldwork in Nepal, I met Anu, a woman migrant returnee, who was at the time staying in a shelter run by AMKAS.[86] When I met her, she had just returned from Kuwait – due to her debilitating health conditions – prior to the expiry of her two-year contract period. visibly seen was her swollen face. This meeting was scheduled by the Director of AMKAS who, after introducing me to Anu, left us for the conversation. Though she was a bit hesitant to speak at first, she began to slowly open up and shared that the latest country of her destination was Kuwait, although she had previously worked in Lebanon for three years as a domestic worker. As Gioli et al. (2017) observe, women migrants choose labour migration as a strategy to confront, challenge and, at times, change what they perceive as unbearable in their lives, Anu had decided to migrate in the face of domestic violence and unspeakable atrocities perpetrated by

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[86] AMKAS stands for Aprabasi Mahila Kamdar Samuha (Women Migrant Workers' Group), an NGO run by women migrant returnees working for migrant workers' rights and protection particularly female migrants, connected me with Anu and other migrant returnees during my fieldwork in Nepal.

her husband who finally divorced her. In the course of our conversation, Anu shared her past saying that she would run away to her parents' house seeking refuge when such atrocities became unbearable, but due to fears of social stigmatization and *ijjat*,[87] her parents would send her back to her abusive husband's house the very next day. Anu also confided in me that one of her sisters, whose husband was also as alcoholic as hers, would abscond to take shelter at her parental house, but her parents would chastise her instead and send her back immediately. While Anu was in Lebanon working as a domestic worker, she was devastated to hear that her sister finally succumbed to death as a result of excessive beating from her husband. Like True (2010) notes in the South African context, how unemployed men in the face of global economic restructuring would perpetrate similar violence to their wives to regain a semblance of control and the loss of their previous breadwinner status, Anu and many other women with whom I engaged in the field shared similar stories of how *berojgar*[88] husbands would resort to domestic violence against their wives which was one of the catalyzing factors behind women's labour migration. Sassen (2008) emphasizes the convergence of three factors behind women's labour migration: the unemployment of men, shrinking opportunities for traditional livelihoods, and the decline in government revenues. The experiences of Nepali migrant domestic workers embody these intersections in some unique ways.

With tearful eyes, Anu remembered the acerbic and humiliating words of her former husband at the time of signing the divorce paper in the District Court of Lalitpur: "Mind it, you'll end up begging on the street, I'll see that day soon, right in front of my eyes." These words which still echoed into her ears cut to her heart, but counterintuitively, the same words acted as a sort of consciousness-raising for her: "*Sarai chitta dukho afno khutta ma uvina pardo raicha bhanne lago.*"[89] Though extremely hurt, she made a silent resolve to herself that she would never ever go to seek help at his door no matter what her life had in store. Anu determined that she would move on in life and stand on her own feet even though she was a "mere woman." As Faulkner

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[87] Once a woman is married, the times that she can come back to her maiti are controlled and regulated by both in-laws and the natal family, limiting and formalizing the visits only to festive occasions so that women in very orthodox Hindu families still only go on these days. Married women, though loved members of the maiti fall outside the family parameters, are discouraged by their maiti to stay for long periods of time, since that space formally belongs to their brothers and sisters-in-law, but in situations of extreme desperation (i.e., death of husband or desertion) they can come back, not as a right, but a favour bestowed on the woman by her natal family (Joshi, 2001).
[88] Someone having no work or job.
[89] The phrase literally means, "My husband's words cut to my heart, and it occurred to me that I should be able to stand on my own feet."

and MacDonald (2009) state, this determination of Rita's inner self can be interpreted as resistance that shows the moments when she silently defies victimization and resolves to not stay crushed and broken, but move on, build, and grow. In the past even in the face of such extremely oppressive systems and circumstances, Anu would demonstrate resilience and perseverance since her children were still young who needed her care. I describe Anu's resolve to break away from her husband's cruelties and become independent can be taken as "resistant self-assertion" (Abrams, 1999, p. 832) that refers to an awareness that enables a person to partially reinterpret, resist, and replace those atrocities and oppressions, though not able to transcend the socially conditioned visions of self. The moment of being aware of her husband's cruelties and of realizing the need to be independent was some sort of an epiphany that paved the initial path for Anu's decision to migrate.

After divorce, Anu went to her parents' house where she felt unwelcomed since the society stigmatized married women living with parents. Joshi (2001) makes an incisive observation about the place of women within the Nepali society and notes that once a woman gets married, even her visits to her *maiti*[90] remain limited, formalized, and strictly controlled and regulated not only by in-laws but also the natal family, since the natal home and property legally belong to her brothers and sisters-in-law, not to daughters. Anu migrated to Kathmandu, the capital city, where she started making her living vending peanuts in a bamboo basket until she one day met a female *dalal* who happened to be from her own village and told her about the prospects of *bidesh*.[91] Given her desperate situations, with no home, property, or any reliable source of income, she decided to migrate; however, she had no one to turn to for financial support to pay for her journey to the destination country. Her *maiti* who were against her decision to move to Kathmandu became further distanced and infuriated by her decision to migrate, let alone support her financially. Anu recalled how she found herself at her wit's end when her visa was ready, but she had no money and even her family behaved as if they were complete strangers. In such a situation, the *dalal* who was mediating all the migration processes proposed to lend her money if she agreed to transfer all her incomes from abroad into the broker's bank account. Like Anu, most women migrant domestic workers I engaged with in the field shared domestic violence and

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[90] In the context of a married woman, the word means the parental house.
[91] The literal meaning of the word is "foreign."

multiple other gender-biased social, cultural, and economic discriminations and deprivations as the primary reasons of migration. Past studies (e.g., ILO, 2015; Kharel, 2016; Massey et al., 2010) also demonstrate that labour migration has become a means to escape gender-based violence, in addition to providing alternative to livelihoods for many Nepali women.

Most women migrant domestic workers I engaged with in the field revealed that multiple endogenous gender oppressive systemic structures and gender discriminatory institutional practices rooted in the Nepali society's patriarchal ideologies had catalyzed the labour migration of women for domestic work.

Figure 14: Local systems of oppression and inequities
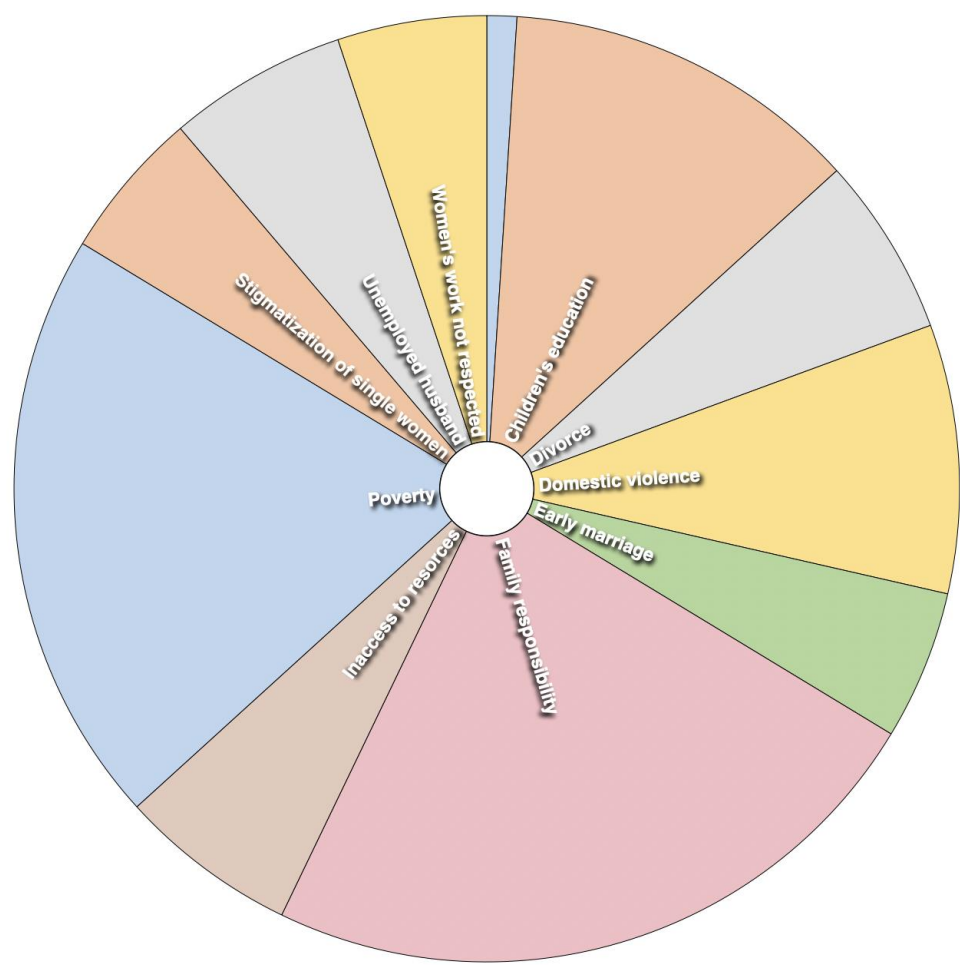
Figure by author

As Figure 14 shows, the key driving endogenous systems of gender oppression against the backdrop of which women had decided to migrate included the deprivation from resources, the lack of formal education, divorce and domestic violence, early marriage, stigmatization of single women, devaluation of the "feminized" work, family responsibilities, children's education, husbands' idling away and unemployment, and poverty. As a migrant rights activist interviewed in Nepal observed, under the weight of patriarchy, a woman "by the time she's twenty, she accumulates experiences that could only be gained by an eighty-year-old" (personal interview).

The table below provides some vignettes of my interviews and focus group discussions with

Nepali women migrant domestic workers in the Gulf countries and returnees in Nepal.

Table 6: Some vignettes from interviews with women migrant domestic workers

Driving factors	Vignettes from interviews and focus groups
Deprivation from resources	Bina, a participant of the focus group discussion in Nepal, had recently returned after having worked in Saudi Arabia for two years. At the time she decided to migrate she was living in a single room apartment in Kathmandu with two children of school going age, though she originally came from the hilly district of Nuwakot close to Kathmandu. With the little money she was able to make from daily wages, she was barely able to put food on the table for her children, pay for the school fees and manage to pay the room rent. She hadn't thought about migrating to the Gulf even in her wildest dreams. What she wanted to do was to start a small business of her own, but she had no savings and nor was there anyone to support her financially. She wasn't able to receive a loan from the bank either since she didn't have any property or anything that she could deposit for collateral. (WMR9-Interview, Kathmandu, Nepal).
Family responsibilities	Ramita was from Chormara, a fast-growing town in the district of Nawalpur in Nepal along the East-West highway. She was now running a small *kirana pasal* (convenience store) in her own house, and she had decided not to re-migrate. She had worked as a domestic worker for two years in Kuwait and three years in Saudi Arabia. When she first decided to migrate, she had three small children and she was responsible for raising them because her husband had died. Even at that time she had a small store which her husband had started, but she was barely able to earn 10,000 rupees a month from the store. She said, "what could I have done with that little money? I had to put food on the table for children, give them clothes and also pay back loans." The loan was the money they had borrowed from a local bank to build a new house before her husband died. So what occurred to her one day is that if she went abroad, she would at least be able to save ten thousand rupees a month regularly. If she could send fifty thousand or so every five/six months, then she would be able to use her incomes to at least bridge a hole in one place, though she said she had to spend some of it for children's food and school fees. (WMR15- Interview, Chormara, Nepal).
Children's education	Anjana was a migrant returnee from Arun Khola of Nawalpur district. She had four children and all of them were of school going age. Her husband didn't live with them and she had heard that he had now married another woman and lived in a different town. In order to make him happy she left no stone unturned, but she said, "he had a heart of stone. He didn't even feel for his own children." The land where she was living also belonged to him legally, and even the grains from the small land was barely enough to feed the family. What would always trouble her was the thought that if she couldn't send her children to school, they would have to also have to suffer what she was going through. Although everything looked hopeless all around, she didn't lose hope. What she thought was if he doesn't take care of them, then she should do something. If she could at least give them good education, they would be able to stand on their feet. The only option she could think of was to go *bidesh* since some other women in the town had also been abroad. (WMR11, Arun Khola, Nawalpur, Nepal).
Divorce	Babita from Chormara in Nawalpur district of Nepal who had recently returned from foreign employment said that both of her parents had died, and she was living with her grandma with two brothers who were still quite young. Hers was an arranged marriage when she was still young, but it fell apart. She was in a desperate situation – there was no money, and no one was there to support her financially. There was some land, not hers but her brothers'. Once her marriage also fell apart, everyone started looking down upon her, and they started backbiting her. So she thought she should make money and stand on her own feet. (WMR12-Interview, Chormara, Nepal).
Domestic violence	Arpita's mother had died a few years ago, and she was living with her father and brothers. She said, "To tell you the truth I don't care whatever risks and problems I might have to face abroad. If I go bidesh, at least I wouldn't have to face what I'm going through right now." She added that nothing she was suffering in the hands of her brothers would be as bad as whatever she might have to go through abroad. She also pointed out that at least the violence done by strangers is different from the violence from her brothers. (WMR8, Chormara, Nepal)

Early marriage	When I interviewed Tamanna, she had been to her brother's house, though her husband's house was not that far either. Her parents had married her in a Rana family when she was still young. But her marriage wasn't successful. What happened is that her ex-husband, after marriage, had migrate to Malaysia. There was a row in the family, day in, day out. At that time, she was working in a local restaurant. She had started working there even before her marriage. She said that they would always pry into what time she went to work, who she talked to and what time she returned home, and they would also need money all the time. So after her husband came back from Malaysia, she divorced him. She married again, but this time it was with someone of her own liking. She is happy that she at least married out of her own choice. (WMR20-Interview, Chormara, Nepal).
Devaluation of feminized work	Trishna whom I interviewed in Dubai said that the work she did back home didn't give her enough money. So what she does in Dubai is the same work, but if she can make money for doing dishes and cooking food, then that was a far better option. She also pointed out that if she worked from dawn to dusk in Nepal, she would be able to make only 500 rupees a day which wasn't enough even just for food. She said that what she was making in Dubai was way more than what she could make in Nepal. She added, "If the money you make isn't even enough just for food, then where do you get money for kids' education? For medicines? Maybe if children are in lower grades, maybe the money could be enough but for higher grades it's expensive. What do you spend the little money for? For food or for their education?" (WMR7-Interview, Abu Dhabi, UAE).
Husband idle and unemployed	Binu had returned from Oman said that she had been married for 16 years and had three children, and she was the sole breadwinner in the family since her husband would just get drunk and idle away his time in the village. She noted that she doesn't remember a single day when he brought in a single penny home. (WMR24-Interview, Chormara, Nepal).
Stigmas against single women	In Dubai in the United Arab Emirates, Kabita recalled – laughing but with a tinge of sadness – her past when she made a decision to migrate for the first time. She half-jokingly said that her life story would make a very good movie adding that she had so many sad stories to tell, such as the death of her husband, taking care of her children by herself after his death, and she added, "It isn't easy for a single woman to live her life in our society. You know people look at you with different eyes." She further said that in society if a man goes abroad, society praises him and calls him a *lahure*, but they don't look upon women that way. (WMW5-Interview, Dubai, UAE).
Poverty	Prava said that her husband was working in India, and she was home taking care of children and her elderly mother-in-law. He was a driver of a light vehicle. It was a private job not paying much. But at home she had all the family responsibility and she had to pay for children's education, and there was not enough money to pay school fees. One day she told him about her plan, but he wasn't happy and he didn't give me permission at first, but later when she sounded quite determined to go and insisted, then he just gave in. Otherwise, she said husbands normally aren't happy with the idea of their wives going for foreign employment, so they don't let you go. She recalled what she firmly said to her husband, "Either you should earn enough money, or you should let me go." (WMR19-Interview, Chormara, Nepal).
Lack of education	Samjhana said that she didn't have good education because when she was a child, she didn't get a chance to continue her school. Life was difficult and her parents had poor health and there was no source of income of any kind. The only thing she regretted now was having been deprived of going to school. The reason, she said, was the economic condition, and her parents couldn't afford to pay for copies and pens and pencils. So she dropped out of school when once one of her teachers at school beat her up for not having copies and pens and not putting on the school uniform. That made her really scared so she decided not to go to school anymore. (WMR18-Interview, Arunkhola, Nepal).

Table 6: Vignettes from interviews with women migrant domestic workers and returnees

Bina, a focus group participant in Nepal, had recently returned after two years of her work in

Saudi Arabia as a domestic worker. At the time she decided to migrate she was living in a single

room apartment in Kathmandu with two children of school going age, though she originally came from the hilly district of Nuwakot close to Kathmandu. With the little money she could make from daily wages, she was barely able to put food on the table for her children, pay for the school fees and the rent. She hadn't thought about migrating to the Gulf even in her wildest dreams, so she had started a small business of her own. However, she had no savings and nor was there anyone to support her financially. She couldn't receive a loan from the bank either since she didn't have any property or anything that she could deposit for collateral since women have significantly fewer resources than men. For instance, women own land in only 9 percent of Nepali households, and only 11 percent of those own both land and house (Paoletti et al., 2014).

As Trishna noted, the work she did from dawn to dusk in Nepal was not adequate just to provide food for the family, let alone meeting other needs. She posed a counter question, "If the money you make isn't enough even for food, then where do you get money for kids' education? For medicines?" As Kharel (2016) observes, migration for domestic work results from gendered divisions of labour and sex segmentation in Nepal's domestic labour markets where most women's work remains non-remunerated and completed within the sphere of household maintenance.

When asked about at what point in life they decided to migrate, many women emphasized that the domestic violence they underwent at home was what initially catalyzed the thoughts of migration, even though most women were aware of the potential risks that migrating for domestic work through the "Indian route" might pose. A woman migrant domestic worker in Dubai, with tears in her eyes, noted that "[n]o man gives us that kind of respect back in Nepal" and noted that her employer respectfully greets and addresses her as "auntie" which was unthinkable in the Nepali society. Several participants from migrant rights NGOs interviewed in Nepal noted gender-based and domestic violence as a key factor to women's migration for domestic work. In some cases, women decided to migrate for domestic work after their husbands remarried and abandoned their families, placing all the responsibilities on their shoulders, mainly educating children. A former woman migrant herself and an advocate for the rights of women migrant workers through an NGO in Nepal remarked,

> Women have no respect even in family, in society and there is domestic violence,
> there are different forms of social, cultural, and economic violence. For these

women going abroad is a great opportunity because they can escape from violence. Nepal is no paradise so why they would complain about the work they do abroad. In fact, they are so courageous who are going abroad overcoming all those barriers and make a future by themselves. (CSO5-Interview, Kathmandu, Nepal)

Some participants pointed out that they had migrated to escape the stigmas attached to them following the inflictions of gendered-based violence. Although many women migrated abroad to escape the stigmatization of being single, but when they returned, they became victims to other forms of stigmatization as one focus group participant in Nepal noted, "Once you go abroad and come back, especially men think that you were involved in prostitution, or something like that. If you're unmarried, they don't want to marry you. That's how society looks at women" (personal interview).

In addition, my ethnographies revealed that most women migrant workers choosing to migrate for domestic work through informal routes and channels were single with no allegiance to men of any sort, such as windows, divorcees, separatees, or unmarried women. In the vignettes above, Kabita, who was a migrant returnee, said, "Maybe I will go home but I won't stay longer than one month if I get a visa. It's because it's not easy for a single woman to live her life, you know" (focus group). Many civil society participants also attested to the overrepresentation of single women in migration for domestic work and attributed the phenomenon to patriarchal ideologies and gender-based violence. For instance, a case worker based in the field office of the SaMi project in Kawasoti in Nawalpur district in Nepal pointed out that most women "trafficked" to the Gulf through India were single due to divorce, separation, or any other reason. The other staff members also echoed the same stating that most women opting for domestic labour migration were those separated from husbands, widowers, or the ones ignored by their husbands. Migration had indeed served as a de facto method of marriage separation for some women since divorce at the female spouse's behest is still highly stigmatized in Nepal (Kharel, 2016; Women's Foundation Nepal, 2020).

Paradoxical though it seems, both the absence and the presence of men played an instrumental role in driving women's transnational migration for domestic work in the Gulf countries. The absence of male protection in patriarchy led to women's stigmatization, sexual scandalization and denigration while the men's presence resulted in acts of domestic violence and atrocities in

many cases. The patriarchy institutionally embedded into the structures of family, community and the polity discriminating women in multiple forms and ways and perpetrating violence was a key catalyzing factor for women's migration despite the risks it might entail. Thus, like Comanne (2020) argues, collapsing gender oppression into the capitalist mode of production sometimes evades the issues of patriarchy and the relations of domination and subordination between men and women, the gendered systems of discrimination (e.g., control over resources, such as land, houses, labor, and property) based on patriarchal ideologies were instrumental to Nepali women's migration for domestic work. Nonetheless, as stated earlier in this chapter, the endogenous local/national patriarchal structures and their outcomes cannot be treated in complete isolation with one another since they are not entirely independent of the global and translocal exogenous forces and processes which I discuss in the next section.

Global forces and processes

I met Sangita, a migrant returnee, in Nawalpur district which lies in the Terai flatlands of Nepal. Her family had migrated to the area from the western hilly district of Arghakhachi. Sangita revealed that she married a man of her own choice at an early age, and by the time she was in her early twenties, she had given birth to both of her children. Her husband had no source of income, though they had a small piece of land where they produced some rice and vegetables and reared buffaloes for milk, but the meagre produce was barely enough to provide for the family all the year round, let alone afford to pay for their children's education in the private "boarding" school. With the advice of her brother and sister-in-law who were at that time working in Dubai as migrant workers, she decided to migrate hoping that she would be able to give "good education" to their children, though it was difficult for her to decide to leave her small children home. Sangita revealed that though the work abroad was not what she had expected, but her overall experience was not the worst. What indeed destroyed her dreams was that she became suddenly sick with some problem in her kidneys and had to return to Nepal before the contract period expired. When asked about what motivated her to migrate for domestic work, she said,

> Agriculture can't be a source of income now. You should pay 1000 [Nepali rupees] to hire a man for one day, and *for a woman it's 500*. Comparing price hikes in other stuff, the price of food grains is increasing at a slower rate. You know we must send our kids to *boarding schools*. Just for transportation fees for my child, I pay 1000 a month. Everything is expensive, food to clothes, modern things like mobile, computer, laptop and what not. Before this mobile phone [pointing out at her mobile set], there used to be way less expenses. In the whole village you know they had only one phone line, and that was at the village development office. Just one phone was enough to serve everyone in the village. *Now every single person in the family has a phone, and you spend 2500/3000 only*

on phone but few years ago, that would be enough to pay for all expenses for one year. (WMR15 - Focus Group, Kathmandu, Nepal)

With the impact of economic globalization and free market of agricultural products, farming is no more an economically viable option to most farmers involved in traditional farming in Nepal. I observed that even in the seemingly isolated far-flung areas, the globalizing forces and their gendered impacts intersected and interacted with pre-existing patriarchal norms and local systems of gender oppression, such as *chhuwachhut*[92] and stigmas against widows and single women. What Sangita's words lay bare is the ways in which global capitalism has created disjunctions between people's changed needs and lifestyles and the traditional sources of livelihoods like subsistence farming. Such contradictions manifested most conspicuously in newly urbanizing locations such as Chormara and Arun Khola where I conducted my fieldwork in Nepal. Four themes that emerged from the interview with Sangita and many other women migrant returnees in Nepal. First, the traditional farming which had been involved in for ages could no longer sustain women's livelihoods in the context of globalization. In the context of globalization and neoliberal global capitalism, people's lives, lifestyles, and livelihoods have been deeply impacted since multinational companies and commodities of the global markets have inundated every nook and cranny of the country, and these phenomena have accelerated urbanization, and destroyed people's traditional livelihood systems (ILO, 2014). As a result, the traditional livelihood strategies such as rearing livestock are in danger as expressed by a woman migrant returnee in Nepal,

> If you rear buffalos or goats or cows, that doesn't give you enough money. Even if you want to raise some goats, the forest committee doesn't let you fetch grass from the forest. And if you want to make some money from selling firewood, they don't let you do that either. The committee people get ready to even have a fight with you. (WMR16-Interview, Chormara, Nepal)

Forest resources are very important for them in maintaining their livestock population needed for generating income for survival, as they have small landholdings that are not sufficient to grow tree and grass fodder to support their livestock. Women who used to make their livelihoods by making various hand-made objects such as wooden halo, timber pots, bamboo baskets and utensils of various kinds of containers have either migrated abroad or moved to urban centres where they are employed in construction sites. Such livelihood systems and many other aspects

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[92] The word literally means the systems of discriminations mainly "untouchability" against people from Dalit communities.

of their material life have completely disappeared due to the infiltration of commodities manufactured by multinational companies. This demonstrates the ways in which the local lives and livelihoods of women are reconfigured in the context of the deepening impacts of global political economic forces. The drivers of migration operate differently across contexts, interacting with each other to shape the ever-changing structural space in which people make their mobility decisions (Van Hear et al., 2018). The loss of traditional livelihoods among men has also exerted a tremendous pressure on women to shoulder the responsibility for their family's livelihoods. There has been a dependency on free trade, and the unprecedented rise of multinational companies affecting the livelihood of small farmers in the global context (Joshi and Khanal, 2020). The infiltration of the multinational companies into the villages has destroyed Nepali women's traditional ways of life and economic bases, necessitating the alternative survival strategies such as "foreign" employment.

Second, for most women were unpaid for their care work while the daily wage-earning women were paid a lot less than their male counterparts for the same work. The traditional, informal work that women perform does not get recognized even as "work" in society, let alone monetarily paid. The informal work that women perform does not even get recognized as "work" in the family and society, let alone monetarily paid. When asked what she was doing prior to migration back in Nepal, she said, "*tesai basirathe*"[93] meaning she was doing nothing, though in my conversation she shared that she was involved in farming activities in addition to doing household chores, such as looking after her younger siblings. In the absence of a certificate of ownership of land, they are perceived as homeworkers by the state and not as farmers, underscoring their contribution to the national economy.

Third, sending children to expensive English medium "boarding schools" operating privately following the neoliberalization policy of the country become a symbolic marker of social prestige and position in the Nepali society. Education for children emerged as one of the main reasons behind women's decision to migrate for domestic work in the Gulf countries. Most women migrant domestic workers I engaged with in the field expressed worries about their children's education, especially the need to send them to "boarding schools" which refer to the

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[93] Literally, the phrase means "I was staying idle at home."

expensive private English medium schools. Instead of sending children to public schools funded by the government, people prefer private "boarding" schools and doing so has become a symbol of social status and of quality education. A participant in Kuwait shared that the main reason behind her decision to migrate was to give education to her children, "This is my wealth. I didn't come for other things. It was for their education" (personal interview). The privatization of education that kicked off along with the neoliberal economic policy that Nepal embraced and expedited in the 1990s, private English medium schools, colleges, and universities with huge investments of people in politics and bureaucracy themselves have burgeoned in Nepal. What is more, sending children to private English medium schools opened even in rural and sub-urban areas has become a symbol of social prestige. In these processes, the state has actively promoted privatization of education. Most women interviewed in both Nepal and the Gulf countries shared that one of the prime reasons behind their migration was the worries about giving "good" education to their children. Further, the "good" education referred to the education provided by private English medium schools in Nepal. Nepal has privatized different public sectors such as education, healthcare. The boarding schools are English speaking private schools. One focus group participant in Nepal expressed this way,

> The most important thing is for children's education. If we could make some money, they could at least go to boarding schools and get good education. We could also have a house and children could get good food like others' do. These thoughts you know. (Others agree). Who would otherwise like to leave their children alone back home? To gain something, you know you must be ready to go abroad and work hard turning your heart into a stone. (WMR8-Focus Group, Kathmandu, Nepal)

However, given the fact that many women I engaged with in the field had migrated multiple times to different countries in many cases and the same country in some. A migrant rights activist observed that migration for these women was not something that occurs once and for all -- getting a new house or a toilet built and stop – but migration indeed created a cycle of re-migration where they migrated, re-migrated and still remained impoverished. The activist further said, "They need money to fulfil new needs. For this, the only way to make money is to migrate, and the most viable is the Gulf. They are also under pressure to maintain their social status, like once they send children to boarding school" (personal interview). Once they send their children to boarding school, however, they would feel ashamed to send their children back to government schools due to the fears of losing social prestige. Kittay (2009) observes that the transnational labour migration of women in the Global South has been encouraged because of the cuts in

public services so that they could afford to pay for private services, such as education and healthcare. In Nepal's context, the cuts in public services are intertwined with the decline in state administered services as well as the government's policy of massively privatizing public service sectors as stated by the Ministry of Education (2003) that Nepal has brought the private sectors into its education right from nursery and kindergarten to colleges and universities to implement its neoliberal agenda. A woman migrant returnee who was looking for a chance to re-migrate noted, "Everything is expensive. After I returned from abroad, I am running a small store, and it's not easy to pay for children's school fees. I feel like I should go back abroad again. It's the situation of the country. There's no work, but we need money to send kids to school, buy clothes for them and put food on the table." Nepali women's outmigration is, therefore, a phenomenon, resulting from an interplay between various intersecting and interlocking preexisting systems of oppressions, and the newly emerging pressures from global markets. Amidst these circumstances, migration has become an alternative survival strategy for many Nepali women, despite the legal and institutional barriers created by the state to contain their mobility and the social-cultural stigmas associated with women's migration for work. For women's migration to happen though, there is a simultaneous ongoing twin process: the process of women becoming politically aware of the systems of domination on one hand and their agentic responses and resistance to those systems on the other.

Fourth, people's needs and wants as well as their lifestyles had massively changed as a result of the availability of goods and commodities from global markets. The global markets and commodities have deeply impacted women's livelihoods, lifestyles, needs, and aspirations in fundamental ways in that global capitalism and the sociocultural and economic transformations it has generated demand a monetary capitalist mode of production while most Nepali women have been, for ages, traditionally engaged in traditional sustenance farming and unpaid care and domestic work that fail to address the realities created globalizing forces and processes. Such a situation has thus created a disjuncture between the mode of production that the Nepali women have been traditionally involved in and the capitalist monetary mode of production that is necessary to address the transformed realities wrought by globalization.

Many women migrant returnees interviewed in Nepal stressed the changing needs and lifestyles resulting from an easy access and availability of modern goods and gadgets and their inability to provide for their and their families' needs and desires. The multiple micro-sites of my fieldwork in Nepal were the strategic sites where I observed the multifarious ways and forms in which the local and global forces and processes were intertwined to produce the gendered impacts and outcomes. On the one hand, the local sites enabled me to locate myself within the time and space within which many Nepali women were "living the global" (Gille and Riain, 2002) as well as how the forces of globalization were impacting the lives of women on the ground. My ethnographic observations in Nepal also offered nuanced insights into the ways in which the unregulated global markets, in the context of neoliberal globalization, had penetrated even into the rural villages and newly urbanizing towns, exerting a tremendous pressure on women, producing highly gendered outcomes. Since the states in the neoliberal capitalism allow their domestic markets to be inundated with commodities of multinational companies since any efforts to restrict the flows of goods entail the risk of being pitted against the rules of the neoliberal game (Davis, 2018; Herr, 2018), Nepal has been no exception to this, as Ahuti (2020) notes that it has turned into a consumer society. Nepal's case is different from many other developing countries – not export zones but consumerist society for commodities of global capitalism. The open market means access to the products produced commercially in industrialized and commercialized countries, but at the cost of the local livelihood (Joshi and Khanal, 2020). The intensification of such transformations in the Nepali society has impacted poor women the most since they had no sources of cash incomes that would be needed to consume those goods and services.

Transnational circuits and geopolitics

In the absence of regular and safe migration pathways for domestic work in the Gulf countries, most women migrant workers with whom I engaged and interviewed had used *dalals* in some way or the other during their migration cycle. The women migrants, along their journeys from Nepal to the Persian Gulf, used a variety of transnational networks and circuits which Sassen describes as the "counter geographies of globalization" (Sassen, 2002) served as sources of "livelihood, profit-making and the accrual of foreign currency." The global markets, transnational and translocal networks, and the advanced technologies of communication which are some of the key constituents of globalization build, sustain, and strengthen such migratory

circuits (Sassen, 2002). Such clandestinely operating networks and channels of migration heightened the risks and precarity of women migrant domestic workers. Unlike the informal networks consisting of returnee women migrants, friends, relatives and neighbours, the transnational circuits are loosely organized networked channels operated by brokers who were either working independently or for recruitment agencies. Carling et al. (2015) argue that smugglers typically operate within a loose network of small, decentralized groups. As Deshinger (2022) notes, such corridors of migration operated by transnational networks become further institutionalized since migrants receive support from their networks in integrating in the destinations. There exist systemic linkages between such alternative circuits for survival, profit-making and hard-currency earnings and the structural conditions in developing countries associated with economic globalization (Sassen, 2000). However, such transnational circuits of networked brokers and agents operating in multiple sites and layers who serve as conduits in funneling desperate women from poor countries to rich countries make huge profits (Sassen, 2000). Women migrant domestic workers, in the sustenance of such transnational circuits, confront different forms and patterns of vulnerabilities resulting from an intersection of various endogenous and exogeneous factors. Sassen (2002) argues that the women migrants are thus the "truly disadvantaged" group of people who sustain revenues and profits for the advantaged (p. 503). The low-paid women migrants from the Global South act as disposable bodies (Ong, 2006) through their unprotected flexible labour to ensure profits and sustenance of the circuits (Sassen, 2002).

Izaguirre and Walsham (2021) observe two major trends in relation to migration pathways of migrant domestic workers: first, states are involved in facilitating transnational migration through bilateral agreements and managed through recruitment agencies; second migrant domestic workers travel to destination countries through informal channels without any training or contracts. The data gathered from interviews and focus groups with women migrant domestic workers revealed that they were funneled to the Gulf countries using four different transnational circuits. These informal circuits and channels of migration were operated by intermediaries at different levels ranging from the village to the country of destination. A migration-related NGO worker in Nepal observed that it would be almost impossible for women to think of migrating for "foreign employment" without having any links and connections with agents in the destination

countries. However, the *dalals* working at the village level do not have direct links and connections with the agents all the way in the destination countries in the Gulf. Formal service providers, recruitment employment may additionally be mediated by several other informal labour intermediaries, for example, middlemen in the country of origin or destination (ILO, 2021).

Figure 15:Transnational circuits of smuggling women for domestic work in the Gulf countries
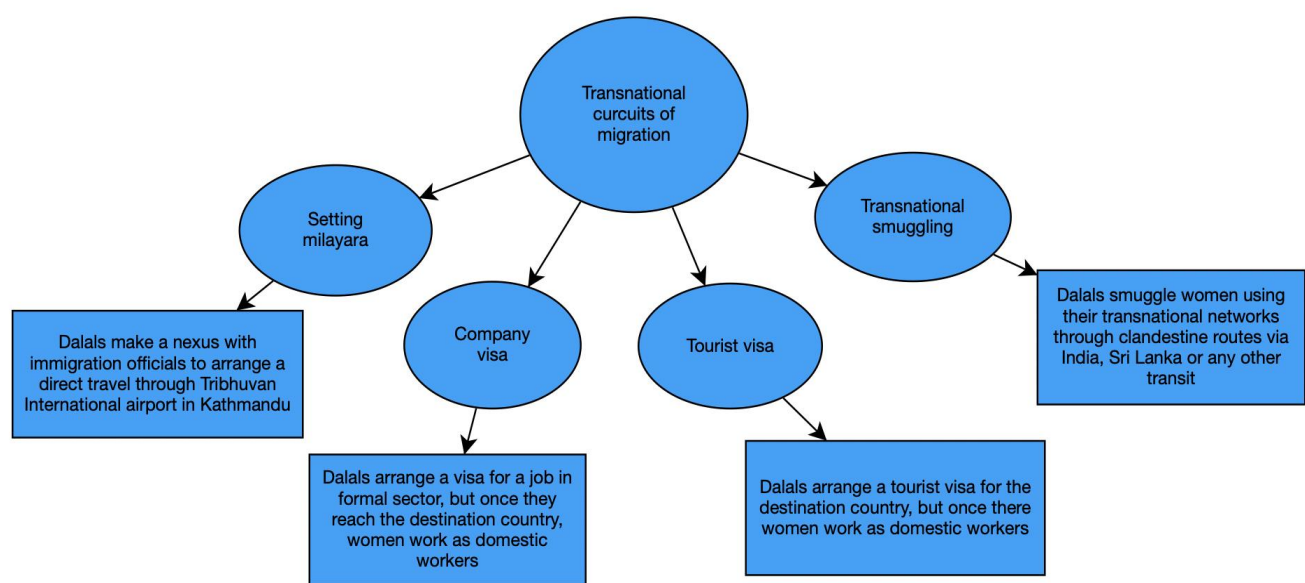
Figure by author

As shown in the figure, women migrating for domestic work in the Gulf countries used either one of these means: transnational smuggling, tourist visa, company visa and setting. The clandestine routes and channels of migration for domestic work demonstrate the place-based articulations of difference in the context of Nepal's geopolitical position and its own internal gendered politics. Each of the four networked transnational circuits which were operated by *dalals* operated in multiple layers and sites to facilitate migration. The brokers range from village-level recruiters to licensed multinational agencies in varying degrees of proximity to the state and migrants (Farbenblum, 2017; Lindquist, 2010, 2012; Lindquist et al., 2012). A focus group participant in Nepal said, "In my case, there were three agents involved just to take me to Delhi. The first agent travelled with me up to Barghat[94] and a woman agent took me to Delhi. In Delhi, they sold me to an agent from Bangladeshi" (personal interview). The procedures would be quite simple or complex, involving in some cases multiple and unpredictable detours and delays. Another participant put it this way,

> I stayed in Delhi for two more months, and there was a Nepali woman in the office. From Delhi, they didn't fly us to Dubai directly, and what they did is take us to Columbo…In Sri Lanka there were so many Nepali women. There were

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[94] A small fast-urbanizing town located at the foot of the Mahabharat range in Nepal.

> more than fifty Nepali women already, and some had been there for quite some time. Our agent in India was nice, though he took money from us, he did the process a bit faster. There was another agent in Sri Lanka, and we asked for more money from home and gave the money to the agent. After staying there for two weeks, we got here. We had a transit in Qatar and then to Abu Dhabi. (WMW3-Interview, Abu Dhabi, UAE)

As many studies (e.g., Kharel, 2016; Amnesty International et al., 2011) show women migrant domestic workers are funneled to countries in the Middle East and elsewhere through the Nepal-India porous border with India, most women I engaged with used such "transnational smuggling" routes and channels to travel first to India and in some cases to other third countries (e.g., Sri Lanka) to reach to their destinations. Some women reported that they had paid money to brokers to obtain tourist visas that allowed them to travel to the Gulf countries where their travel visas were converted into work visas. Some other women shared that they had migrated to the Gulf on what they called "company visas" that referred the working visas in formalized sectors, but once they arrived in the destination countries, they were deployed in the domestic sector. Some women had travelled to the Gulf countries directly from Kathmandu through what they termed "*setting milayara*"[95] that referred to an illegal nexus and network between brokers or employment agencies and immigration personnel at the airport and potentially other government officials to help women migrants pass through the customs office without any obstructions by charging a certain amount of money which would then be split between the parties involved. An embassy official in Abu Dhabi affirmed the operation of such "settings" to funnel women and noted that only in 2018, a total of 1,53,000 Nepalis, including men and women, had travelled to the UAE as visitors. An Amnesty International report (2011) attributed the operations of such unofficial channels of migration to Nepal's restrictive migration policy that forced women to bribe for "setting fee" and resulted in additional financial burden on women migrants.

Many participants I interviewed and engaged with in the Gulf countries revealed that the prospective employers, prior to initiating the migration process of domestic workers from the origin countries, pay a certain amount of money – ranging from US$ 4000 to US$6000 – to the recruitment agencies based in the Gulf countries. In the case of the UAE, Malit et al. (2018) observe that local employers pay UAE-based recruitment agencies between AED 20,000 -

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[95] In the context of smuggling of women migrant workers, this phrase in the Nepali language, commonly used in the public discourse, refers to an unholy nexus between *dalals* and state officials in the trafficking of women on commissions.

30,000 to hire Filipina domestic workers while they pay between AED 7,000 − 12,000 for a domestic worker from Bangladesh, Kenya, or Sri Lanka. A case worker of the SaMi project interviewed in Nepal noted, "There is a network of many agents. For one woman they get up to eight lakhs from the recruitment company, but the local agent doesn't really get much from this though" (personal interview). The case worker added that it is the Indian *dalals* who receive a huge portion of the commission received from the Gulf-based recruitment companies. An official at the Nepali Embassy in Abu Dhabi (UAE) concurred,

> This is exactly like slavery. What I hear is that even some people affiliated with Non-Residential Nepali Association activities are working as *dalals* and help women get across the border. For them, it's easy since they've stayed there for long, so they know what's what and they also have good relationships with local recruitment companies. It's these local companies who issue demands and they also have links with manpower companies back in Nepal. The sad reality is that even we at the embassy need to flatter these *dalals*. (EMB3-Interview, Abu Dhabi, UAE)

For this, the agencies had networks of multi-layered agents; the subregional agent was mostly based in India who would have connections with the commission-based agents in Nepal, who would, in most cases, also be provided with the necessary amount needed to smuggle women migrant domestic workers across the border to India and to the destinations in the Gulf. A certain portion of the advanced payments went to the agents in India and Nepal and in many cases this money was also used to meet the expenses incurred for documentation and travels of the domestic workers. Most participants revealed that in Nepal the local brokers would persuade potential women ensuring free tickets, food, and accommodation to travel to the destination countries. Such migratory journeys have been facilitated by networks of *dalals,* spanning from the local level to the subnational, national, and transnational levels. Using the clandestine networks of agents, the private recruitment companies operating in the destination countries can connect with the women migrants. Brokers are often connected to other formal and informal brokers in complex chains – resulting in "pyramidal" structures (Wise, 2013).

The modus operandi of these brokers was diverse, fluid, and dynamic. Women migrant domestic workers and members of Nepali diaspora organizations interviewed in the Gulf countries stressed that the brokers always keep inventing alternative routes and channels. An NGO official in Nepal observed that the local brokers adopt various methods to escape from the activists from the time of issuing passports. Since the local brokers are known in their localities as such, they travel to

the capital to have the potential women migrants' passports, or sometimes help women submit passport applications online, instead of going to the local district administration office due to fears of being disclosed. The *dalals* visit potential women in their houses since most are from the same neighbourhood or someone already familiar with the women, they have trust from and easy access to the women and their families in many cases. At the immigration check points at the Nepal-India border, women migrants are asked to say that they are travelling to India for treatment and in some cases, they even feign to be wife and husband at border crossings. One woman interviewed in Nepal said that she was asked to address the *dalal* as her husband at the border.

The participants from NGOs interviewed in Nepal noted that the tradition of Nepali women migrating to the Gulf countries through India has existed for a long time when no restrictions on women's migration were put in place. Like some scholars (e.g., (Paoletii et al., 2014; Kern and Müller-Böker, 2015) observe, the agents also provide important information to women migrants in terms of availability of work, terms and conditions of employment and useful information about destination countries while helping them with arranging necessary travel documents and itineraries. The *dalals* who mediate migration processes for women in Nepal and support in finding jobs in the destinations cannot always be considered as causing harms to women. Zhang et al. (2018) observe that though migrant smugglers are depicted as the unscrupulous and ruthless criminals preying on vulnerable and desperate migrants in mainstream narratives, they are ordinary and poor people driven by the desire to improve their lives. Looking at the dalals from the perspective of many women migrant domestic workers, there is a much more nuanced reality involved where they at times help women escape their adverse circumstances. A woman migrant returnee from a Janajati community in Arunkhola noted that a *dalal* helped her to prepare all the necessary documents and complete administrative procedures, and she simply did what she was asked to do. She stressed that migrating through a recruitment agency would make it way more expensive that travelling with the help of a *dalal*. She added,

> If you go through them (manpower agencies), they ask you up to 1 or 1 and half lakh, so you must see your economic situation. How could you collect that amount? Even to collect 25000, I can't do without taking loans at high interest. Where do you get 1 and half lakh from? It was difficult.

Bhagat (forthcoming)[96] highlights the unintended consequences of these instruments, citing the case of Nepal where women particularly migrating for domestic work to the Middle East countries opt for the irregular means and channels of migration since the "orderly" channels add to the costs and hassles while choosing the regular paths make no substantive differences in their working conditions in the destination countries. A broker interviewed in Dubai liked to call himself a "social worker" who said that he was serving the Nepali *didi bahini*[97] in trouble in the "foreign land" (personal interview). Such brokers were active also in transit and destination countries, and speaking the same language, sharing the same ethnic and national identities, and coming from similar cultures enable people smugglers to build trust with aspiring migrants (Sunam, 2017).

The participants from Nepali diaspora organizations in the Gulf pointed out that in the destination countries in the Gulf, the licenses for recruitment agencies are issued only in the name of their citizens, however, in their office they have desks working for different countries (e.g., Nepal, India, Bangladesh, Sri Lanka, Ghana). Most members of the Nepali diaspora organizations in the Gulf countries opined that the agents supply "housemaids" on salary or commission basis, and in some cases the former "housemaids" themselves end up working as agents, adding that some agents would be people involved in other businesses. Agents are often former migrants themselves and possess an array of first-hand knowledge and experience (Müller-Böker, 2015). According to some Nepali diaspora community activists in the Gulf countries, in some cases women migrant domestic workers themselves or former housemaids act as mediators since they know who from within the network of their *kafils* or their families and friends needed to hire housemaids.

Brokers operate and are deeply embedded in the states' policy regimes and linked to institutions and actors who can transcend international borders as well as the social and cultural unconnected places within national borders (Deshingkar, 2019). The informal circuits of women's migration in Nepal are largely conditioned by and entangled with the legacies of crypto colonialism which continue to shape sociocultural, economic, and political power relations. The geopolitical

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[96] Ayushman Bhagat makes this observation in his article "Bilateral Labor Agreements Bans on Domestic Work in Nepal: Spaces of Entrapment and Exclusion and Their Intimate Consequences."
[97] The phrase in the Nepali language means "sisters" and it here refers to sisterly comraderies.

position of Nepal and the legacies of its crypto-colonial history have continued to shape and produce the embodied experiences of women migrant domestic workers. The Cofounder and Strategic Advisor of Pourakhi Nepal noted that the state has adopted the policy "*dhoka banda garera jhyal khullai*"[98] and this means that the women who are in difficult situations will "dig out a tunnel" and make their way to the destination. What the saying also speaks to is the fragile geopolitical position of Nepal which is key to sustaining the transnational labour migration of women through an open international border between Nepal and India requiring no passports and visas for people to travel across the border as per the provisions of the 1950 India-Nepal Treaty of Peace and Friendship. Article 7 of the Treaty states that both Nepal and India agree to reciprocally grant their citizens the rights to travel, work and live each other's territories giving the same privileges in terms of residence, ownership of property, participation in trade and commerce, and movement.

The feminist geopolitical lens to the open Nepal-India border, particularly in relation to women's irregular cross-border labour migration, thus reveals fresh insights into the state-centric and masculinized interpretations and meanings of the country's geopolitics and their implications for women and women migrants. Hyndman (2000) contends that the state-centric geopolitics that focuses on the conceptions of sovereignty and independence obscures people's lived experiences and realities. The unofficial cross-border labour migration of women that happens through India as transit is also linked with the trafficking discourse that perceives women migrants not only as "victims" but also the transgressors of nationhood and national boundary. Joshi (2001) argues that the unofficial migration of women using the porous border with India acts as a blow to the notion of sovereignty and purity. Shneiderman (2013) asserts that the discursive construction of the Nepali national identity is largely based on the notion of the Indian "other" (p. 27). In this regard, Joshi (2001) contends that trafficking "keeps Nepal united against India and Indians, the Other who exploit and use the bodies of our women, sisters, and daughters" (p. 167). Thus, trafficking in women is seen as part of the discourse of nation-building and boundary-construction (Hausner and Sharma, 2013; Laurie et al., 2015). Nepal's geopolitical location is also key to the transnational labour migration of women for domestic work in the Gulf countries, since the open border makes it easy for the transnational and translocal networks of brokers,

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[98] A proverb in the Nepali language which literally means to "keep the doors shut while the windows are left open."

traffickers and suppliers to operate and transport women to the Gulf countries through various Indian cities.

Neoliberal and aspirational imaginaries

In addition to the internal systems of gender oppression and inequities and the external forces and processes and their gendered impacts and implications, I argue – based on the data gathered – that the transnational labour migration of Nepali women for domestic work has also been catalyzed by what I call the "imaginaries" which can be described in two ways: the neoliberal imaginaries and aspirational imaginaries. The neoliberal imaginaries refer to the consumerist values that neoliberal capitalism has implanted in people while aspirational imaginaries to the associated aspirations and dreams for freedom and economic independence.

Figure 16: Neoliberal and aspirational imaginaries
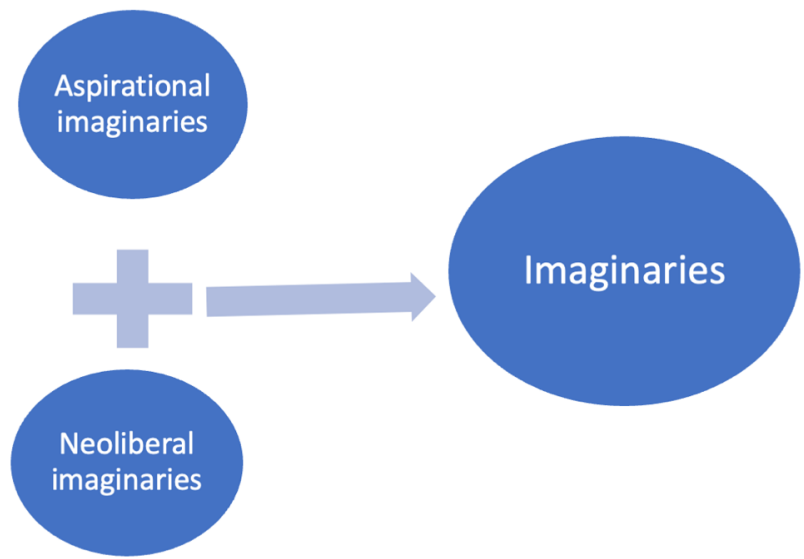
The neoliberal imaginaries are rooted in neoliberal capitalist globalization that has impacted the Nepalis, including of course women, inculcating in them the neoliberal hegemonic norms that, as Deepak (2012) observes, emphasize on individualism and consumerism as the best way to express one's individuality. Capitalism has redefined citizens as consumers–and global markets have replaced the commitments to economic, sexual, and racial equality" (Mohanty, 2013, p. 514). Some scholars (e.g., McLaren, 2017; Davis, 2018; Cardinal, 2019) describe this as the coloniality of the imagination which refers to the partial control of the dreams, desires and meaning making of others. Mahler and Pessar (2006) describe this as the "imagination or mind work" that privileges social relations and social institutions that create the "images, meanings, and values associated with gender, consumption, modernity, place, and "the family" that

circulate within the global cultural economy" (p. 43). A woman migrant returnee interviewed in

Nepal expressed the conundrum this way,

> They [children] need money for buying a mobile, so they want to have a mobile
> and they want a tv in the house because their friends have one. Also, neighbours
> have *pakki ghar*, but we don't have one. When the neighbours' children go to a
> boarding school, how we can send them to government school. (WMR10,
> Arunkhola, Nawalparasi)

A woman migrant interviewed in the Gulf noted that even the birthday celebrations and

traditional festivals and rituals such as *bratabanda,*[99] *pasni,*[100] weddings, *puja-aja*[101] have

become lavish among people and are meant for showing off to others. This reflects the ways in

which the consumerist habits and cultural practices are what sustain the forces and processes of

neoliberal globalization. Focusing on the middle-class people in Kathmandu in the early 1990s,

Liechty (2020) observed the cultural dynamics around the tradition-modernity dichotomy, but

this equally applies to the lower-class people including women migrants. The global markets and

commodities have deeply impacted women's lifestyles, needs, and aspirations in fundamental

ways. Following the start of a neoliberal policy in Nepal in the 1990s, the idea of development

has been dominantly associated with towns (Gellner, 2015). Given the availability of modern

gadgets and merchandizes even in rural and newly urbanizing places, the purchasing capacity of

such goods has become a social status marker. Globalization is present even in the far-flung

villages of Nepal through television, mobile phones, schooling, Westernized clothing, etc. As

Sassen (2007) contends, the small villages and towns have become important sites where

globalizing processes are grounded.

The city – not only in terms of consumption habits made possible through various cultural flows

made possible by the social media such as Facebook, TikTok and the internet – had penetrated

the villages changing people's desires, needs and wants, impacting particularly women in subtle

ways. The internet and technologies have expanded their reach and tightened grips on people

even in rural areas through the social media and to be able to consume them requires cash

incomes. As the forces of globalization and global culture are seeping into people's sensibilities

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[99] In the Hindu culture, especially among the so-called upper caste people (Brahmins and Chhetris), it is a ritual in
which every boy should go through prior to marriage. The ritual involves the boy learning a mantra from his guru,
and this is also the occasion when he starts putting on a sacred thread along with the incantation of a mantra from a
guru.
[100] A ritual ceremony when a child at six months of age is introduced to solid food.
[101] In colloquial parlance, it means ritual/religious ceremonies.

producing images of a "good" life, their minds and lives are shaped in certain ways (Muto, 2010). This can be taken as the coloniality that eviscerates the culture, minds and being by going far beyond the political colonization (Cardinal, 2019; Scholz, 2010). My ethnographic observations revealed that neoliberal values had impacted people not just as what Gille and Riani (2002) call "an impersonal force" but also the ways in which the localities were "made penetrable by forces" in that the people in these places assimilated the "forces into their own socioscapes" as well as "how forces are resisted, accommodated to, and fled from" (p. 280).

Closely linked with the neoliberal imaginaries are the aspirational imaginaries that refer to the will and desire for freedom and independence. de Haas (2021) employs the "aspirations–capabilities" framework to conceptualize migration as a function of aspirations and capabilities of people to migrate within given sets of "perceived geographical opportunity structures." De Haas et al. (2019) also observe that the processes of modernization, education, media and the exposure to new images, ideals, and ideas of the 'good life' also tend to shift preferences in terms of work, lifestyles, and perceived material needs (p. 895). Agency needs to be rethought as a situated, embodied, and relational phenomenon. The analytical lens that focuses on aspirations and desires situates the migration processes within the broader social structures (Carling and Collins, 2018). A woman interviewed in Kuwait put it this way,

> I'm not worried about my future at all. I'm worried about the future of my brother. I care about his education. I want him to become a successful man. I want him to be educated and see him a great person. I'm not concerned about my future at all. I want to see that people respect him and respect his opinions, no matter where he goes or whatever he does… my younger sister is in grade seven now, so she has still time, but brother is already in high school, so this is the time he needs support. He's a good boy, and he can speak English. He is already smart, and he has a good sense of what others are meaning to do or say. I don't want him to fall behind in life. (WM7, Abu Dhabi, UAE, Embassy of Nepal).

At the same time, despite the hardships that the women migrant domestic workers shared during the migration cycle did not see themselves as victims of a destiny they have not chosen. Out of a limited number of options, the migrants had made their choices to shape their lives. To better understand what these options are and how they shape migration, it is necessary to see migrants as what they are: people with experiences prior to and beyond migration, with desires, aspirations, choices, and fears in short, with agency of their own. Like the situatedness of knowledge, imagination was situated in that it was conditioned, albeit not determined, by social positioning (Castoriadis, 1997; Stoetzler and Yuval-Davis, 2002). As Carling and Collins (2018)

observe, aspiration, desire and drivers of migration conceptually reengages with the drivers of migration in ways that neither reify individual decision-making nor totally displace the individual migrant in favour of social networks or transnational communities. Some women migrants, through their agency, transformed their vulnerabilities into sources of power, and it is crucial not to completely discount women's agentic power even in the face of global-local systemic constraints, nor to simply romanticize their migration as a source of sheer "pleasure, desire, and new subjectivities" (Constable, 2014). There is a simultaneous ongoing twin process: women becoming politically aware of the systems of domination on the one hand and their agentic responses and resistance to those systems on the other. A woman migrant domestic worker interviewed in the UAE remarked,

> Even before making my decision to come here, I knew that they might possibly sell me. But you know it's because of the family situation. Especially for women, there is no employment in Nepal. If I had had some education, that would perhaps have been little different, though I know these days it's not easy even for educated women to find work. Before coming here, I was home and I used to work in the field but there was not much money, so I thought that I should do something and go abroad and make some money and stand on my own feet. (WMW4-Interview, Abu Dhabi, UAE)

In addition, my ethnographies revealed that these aspirational imaginaries emerged not only out of the global and translocal processes but also through women migrants' connectedness with networks of other women migrants. Many CSO activists interviewed in Nepal noted that the number of women migrating for domestic work in the Gulf countries is far higher from the areas from where large numbers of women have already migrated for domestic work and the "success stories" of women migrants send out a positive message to other women. Unless someone returns home with completely disfigured or maimed body or with some visible physical deformities, such as a broken leg or scars, other women's migration serves as a powerful motivator. In some cases, returning women, despite the challenges they suffered during the migration processes, keep their real experiences hidden, and when those staying back home see their "ornaments and their soft skin" that tempts them. Migration scholars (e.g., Bohra and Douglas, 2009; Poertner et al., 2011) describe this as a "neighborhood effect" that refers to the motivating effects the migration of friends, relatives and other people in the neighbourhood produces on those staying home. Liechty (2020) argues that transnational migration has had important cultural ramifications each Nepali living abroad "provides a window onto other cultural worlds for their family members and friends" staying back home (p. 51). The

"neighbourhood effect" helps others to overcome the fears raised by the stories of abuse and trafficking often portrayed in the media. Such informal networks developed primarily through the returnee migrants and families, friends, and relatives has contributed to the flow of labour to the Gulf (Bohra and Douglas, 2009; Oishi, 2005; Poertner et al., 2011). An NGO worker interviewed in Nepal observed that this strongly operates as a motivating factor especially among unmarried women whose labour migration is on the rise lately.

The feminization of poverty and responsibilization of livelihoods

From interviews and focus groups I conducted with women in two newly urbanizing towns – Chormara and Arun Khola – both in the District of Nawalpur in Nepal revealed the ways in which the local longstanding gender oppressive systems and the global forces and processes intersected and interacted with one another to create a tipping point for women's transnational labour migration in the Gulf countries. Though farming has continued to be a source of livelihoods for most women for a long time, sustenance farming did not sustain them anymore since their changed needs and aspirations needed cash incomes which would not be possible with their domestic roles. Most women migrant domestic workers interviewed in the field pointed out that their decisions to migrate for domestic work was made at a point when the effects of these intersecting local and global forces were too unbearable exerting tremendous pressure on their lives and livelihoods and creating two other transformations that I describe as the feminization of poverty and responsibilization of livelihoods.

The gendered local-global entanglements operate at two levels: first, these entanglements create conducive conditions for the transnational labour migration of women through what I call the feminization of poverty. The simultaneous twin local and global forces and processes are intricately entangled and interlinked in complex ways, creating structural conditions that operate as the tipping point for the feminization of poverty in the first place. Past studies (e.g., Bhadra, 2007; Pradhan and Gurung, 2020) also show that the feminization of poverty which often refers to a disproportionate impact of poverty and the rate at which the number of women in poverty is increasing. A study conducted by Pradhan and Gurung (2020) revealed that women across all social and caste groups in Nepal were deprived of access to and control over various economic resources, such as land, houses, savings, ornaments, and livestock, ranging from a high of 33.7 percent among Hill Brahmin women to a low of only 16.5 percent among Madhesi Dalit women. The brunt of poverty falls disproportionately upon women due to gender discrimination;

therefore, women experience greater livelihood insecurity than men do. In the first place, the processes created by neoliberal globalization in Nepal has rendered women's survival increasingly tenuous. An alternative framework of human poverty, focusing not on incomes but on human outcomes in terms of choices and opportunities that a person faces (Fukuda-Parr, 1999). The global and translocal flows and interconnections are increasingly eroding the urban-rural divide giving rise to a rapid process of urbanization. The experiences of the women migrant returnees and their narratives revealed how the women at the margins of society under multiple axes of domination struggle against the local-global structural conditions contesting against them at times and adapting themselves for their and their families' livelihoods. Migration has in so many instances become a necessity rather than a matter of choice (Withers 2019). Women who originate mainly from Nepal's small rural and newly urbanizing places, where most people have adopted traditional mixed livelihood strategies that combine subsistence farming, livestock, and the extraction of local natural resources. There remains a disconnection between the non-monetary mode of production in which most people are involved, and the monetary incomes required to address their changing and increasing needs. As a result of those interactions and intersection women, especially those undereducated women from the country's rural and newly urbanizing areas, found themselves in a difficult position.

Figure 17: The complexity of intersections and interactions between the local-global forces
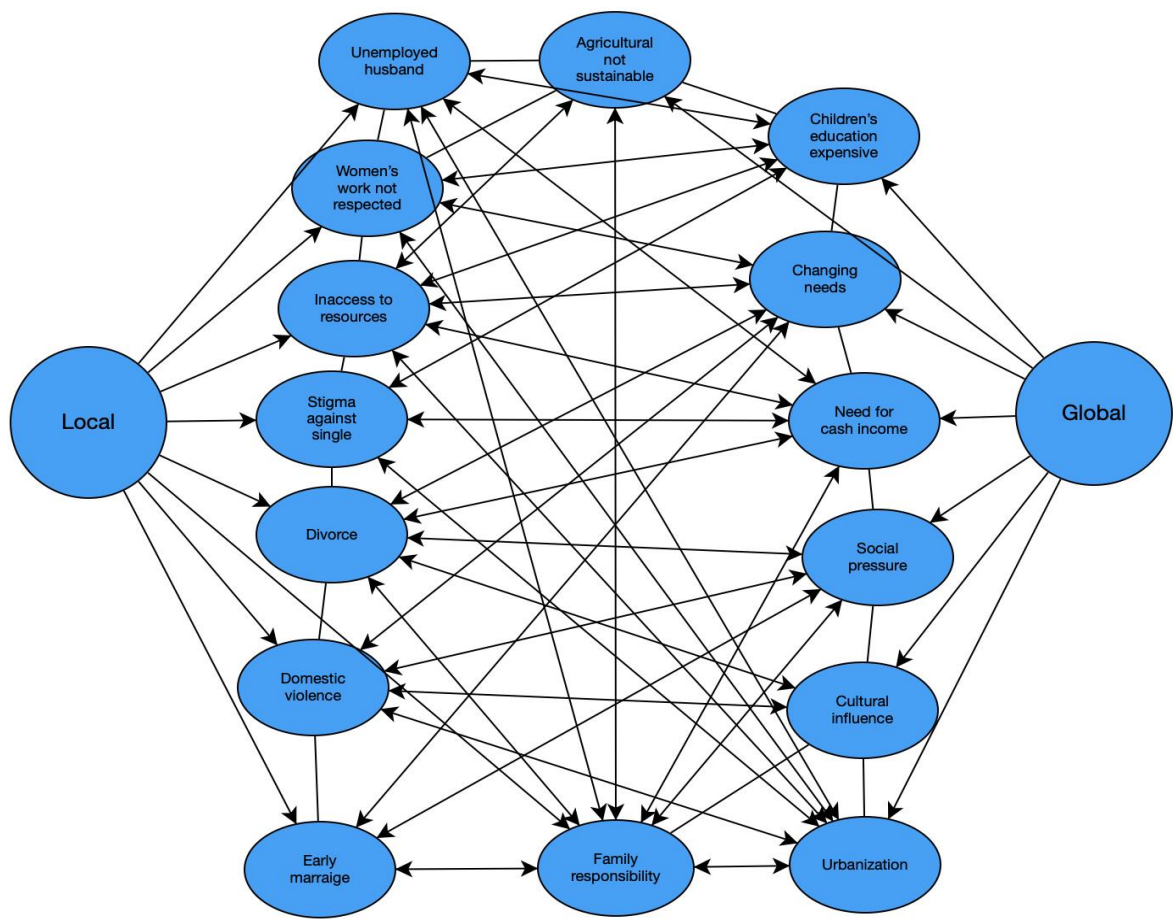
Figure by author

The figure above demonstrates the complex ways in which the multiple systems of gender oppression and inequities have intersected and interacted with the various global and translocal forces and processes, producing highly gendered impacts and implications on women. Bifurcating the systems of gender oppression and giving primacy to one excluding the other cannot inadequately capture the dynamics within which Nepali women have partaken in transnational labour migration in the Gulf countries. The gender discriminatory systems and the global forces and processes do not put pressure on women's lives in isolation from one another, and nor are they merely additive. As Mohanty (2013) argues, capitalism depends on and exacerbates racist, patriarchal, and heterosexist power relations (p. 510), when the local and the global systems and forces intersect and interact with one another, they produce gendered pressures on women's lives in ways that create the tipping point for the transnational labour migration of women in Nepal.

A woman migrant returnee interviewed in Nepal revealed the ways in which the entanglements between these two phenomena have led many women to vicious cycle of migration and re-migration. The woman said that during her stay abroad, her husband married with a different woman and started living separately without being officially divorced. In the absence of

guardianship, her son got addicted to drugs and he was at that time living in a rehabilitation

centre for which she had to pay seventeen thousand rupees. She shared her dilemma in my

conversation, "If I stay home, I won't be able to pay for his treatment. I can't just let him die in

front of own eyes. There's no other way for me. What else is there for me to do if I don't go

bidesh? I'm ready to go by whatever means and whatever ways" (personal interview). Another

participant in Kuwait put it this way,

> No one I think who has been here has come out of their own interests. It's because
> of problems at home. Every single person has some sort of compulsion. Some
> women have come here because their husbands ignore them and don't care for
> them, or their husbands just idle away their time, and they have no income. You
> know when husbands shrug off their responsibility, and they don't take care of
> your children, and then you have no way. You should do something, you should
> think about future, you should feed them. (WMR16- Interview, Kuwait)

Another woman migrant returnee pointed out, "The main reason is economic reason. What shall

I do? I don't have good education. Maybe if husband was good, I wouldn't perhaps have to go.

Who would want to leave their children? Going abroad is compulsion, not choice" (personal

interview). The pre-migration lives are socially and economically constrained by poverty,

vulnerability and precarity where migration is opted for as a strategy to transform such

conditions (Deshingkar, 2019). Further, women's labour is highly hierarchized in the Nepali

society in terms of social class and even marital status, caste, geographic location, and education

level. Faced with the situation where they had no education to get *sarkari jaagir[102]* and they did

not either have any property to deposit in the bank for collateral to obtain a loan to start up a

small business, they are left with no alternatives other than migrating for domestic work abroad.

Another woman migrant returnee who migrated to pay off the loans after her husband's death

noted,

> I had to pay off the loans. It wasn't just enough for me to provide food and
> education to my children. We had borrowed money from moneylenders to build
> this house, but later they started asking for their money back. Husband had no job,
> and I didn't either have any income to pay the loans back, so they started asking
> us to leave the house if we can't pay. That was the point when I decided to go
> abroad. (WMR12-Interview, Chormara, Nepal)

When asked what motivated them to migrate, the emphasis for nearly all interviewees was on

their ability to send remittances to their families, to support elderly parents, siblings, children,

and husbands. A woman migrant domestic worker interviewed in Dubai put it this way,

> After I lost my job of a peon in a school, I had to nothing to turn to, but I had to
> send my children to school. When people talk about women migrant workers

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[102] It means a job in public service

being sexually exploited, they should understand that they aren't any better at home, but they don't want to raise this issue. Women migrants who work as domestic workers might get exploited sexually, but in the face of hardships at home, they are ready to make compromises. (WMW7-Interview, Dubai, UAE)

The intersecting gendered local and global forces have produced the feminization of poverty, but in a collectivist culture like Nepal, poverty does not come alone but along with the responsibility of the entire family members which I describe as the feminization of responsibility and livelihoods. The feminization of poverty and the responsibilization of livelihoods are simultaneous processes in the Nepali context. Many women interviewed in the field expressed the impacts of poverty on them only as individuals but the whole families and that had multiplying outcomes and implications in the lives of women. As Abu-Lughod (2002) notes, women in some cultures give greater priority to values, such as family ties, cultivation of piety, Gita's case also illustrates this. Most women stressed that they had no income or any job opportunities in Nepal, but they were responsible for providing their families that propelled them to migrate for work in the Gulf countries.

A woman migrant returnee said that she decided to migrate since she had to take all the family and financial responsibility on their shoulders due to her husband's disability and the poor financial situation of the family. Insofar as men are increasingly unable to fulfill their traditional roles as economic providers to their families, and the demand for female caregivers continues to rise in the industrial countries, the pressure on women to seek new survival strategies for their families will continue to fuel the increase of female migrants worldwide. Herr (2014) argues that the Third World women tend to opt for gradual changes that result from their collaboration with their male counterparts to enhance their communal influence vis-à-vis other members and to improve living standards of their families and of the community itself. In some cases, the labour migration of husbands finally led to women's labour migration. A focus group participant in Kathmandu said, "In my case, after he [husband] migrated to Malaysia, my husband stopped sending money home. I had a small daughter and I had to pay for her school fees. I thought if I could earn myself, I would be able to give her education and also build a house for us to stay, I wouldn't have to stretch my hands in front of anyone" (personal interview). A migrants' rights activist observed that sometimes in situations where men go abroad and send money home which women staying back home spend for various household expenses, but upon return their husbands

torture them for spending extravagantly. In some cases, even neighbours and relatives also reported against their wives, adding fuels to the flames. However, most women migrant domestic workers interviewed noted that they could not even have imagined of asking their husbands where all the money sent home was spent. An NGO activist in Nepal observed that in some cases men, after they migrated abroad, had extramarital affairs, and rented apartments in Kathmandu to keep them, completely ignoring their wives and children staying back in the village. The activist noted that in such situations, some women decided to migrate to prove that they were also able to be economically independent.

Dalitization and ethnicization of migration for domestic work

In my fieldwork in Nepal, I conducted a participant observation at Pourakhi where I was placed in its Paralegal Department that provided legal and paralegal services, psychosocial and other counseling to migrant returnees, particularly women migrant returnees and their families. Looking at the cases filed by women migrant returnees and their relatives against *dalals* and recruitment agencies as well as the employers in the Gulf countries within the past two years, what emerged as a predominant feature was the overrepresentation of women from the so-called "untouchable" Dalit communities (e.g., Bishwakarma, Pariyar, Darji) and Janajati groups (e.g., Tamang, Gurung, Magar). Most women migrant returnees interviewed during my fieldwork in Nepal were from lower-caste Dalit and Janajati communities. A report published by Ministry of Labour, Employment and Social Services (2020) also indicated that most women in migration were from lower castes and predominantly originated from rural hilly and Terai districts. A study showed that 43 per cent of women migrants were from Janajati communities while the Dalits and higher-castes (Brahmin and Chhetri) women occupied 24.1 per cent and 19.2 per cent respectively (Simkhada et al., 2018). Indigenous Voice (2021), an NGO working on issues of indigenous peoples, also reports that most women migrant workers who faced challenges abroad were from Janajati and Dalit communities.[103] Among the women trafficked and rescued by various NGOs in Nepal, the ratio of women belonging to Dalit and Janajati groups was 7 girls out of every 10.[104] The Cofounder and Strategic Advisor of Pourakhi, the organization that provides shelter, support and counseling to women migrant workers rescued from abroad, noted: "We do not have research-based evidence to claim it, but based on my work at the grassroots I

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[103] This observation was made in a report published by Indigenous Voice which is available from https://www.indigenousvoice.com/en/indigenous-women-in-foreign-employment.html.
[104] Ibid

can say that most women migrant workers who are swindled by agents, or abused and exploited

by employers are those from Indigenous, Madhesi and Dalit communities."[105] A great deal of

women migrating especially for domestic work in the Gulf countries are from Dalit and Janajati

groups. The predominant representation of Dalit and Janajati women in transnational labour

migration for domestic work in Nepal is what I describe as the *Dalitization* and ethnicization of

the feminized labour. I argue that the social constructions of caste, class and gender profoundly

alter the experiences of being and knowing inside Nepal as well as the precarities women

migrant domestic workers face abroad in the Gulf countries. Caste boundaries are reproduced by

restrictions on peoples' movements and the spaces they inhabit. However, Ahuti (2020) claims

that the traditional knowledge of the Dalits was not deemed knowledge and thus excluded from

the systematization of scientific knowledge during the feudal age, and under the current capitalist

system, their traditional skills and knowledge-based systems of livelihoods are endangered in the

name of their empowerment.

It is therefore necessary to eschew considering all Nepali women and women migrants as a

single unified category since it entails the risk of precluding and obscuring the specific issues

and experiences of difference among Nepali women migrants. In addition to the feminization of

poverty as discussed earlier in this chapter, in the case of Dalit and other ethnic women, caste-

based discriminations and accrued disadvantages, such as "untouchability" and other axes of

caste-based inequities were at the roots of women's labour migration for domestic work in the

Gulf countries. A woman migrant returnee of a Dalit community interviewed in Kathmandu put

it this way,

> People don't even drink water that we have touched. If we run a small tea shop,
> no one will come to have tea in our store. It's much better there because even rich
> people happily eat the food we cook. They respect us, there's a good environment
> for us to work abroad. We get more respect there than here in Nepal. (WMR22-
> Focus Group, Kathmandu, Nepal)

A civil society activist interviewed in Nepal stressed that "people simply take it for granted that

most women migrate because of poverty, but that is not the whole truth. Poverty is just a tiny

factor" (Personal interview). Focusing only on gender by separating caste-based systems of

oppressions is inadequate to respond to experiences of women migrant domestic workers from

Dalit and ethnic groups. Only a gender lens is insufficient to grasp the diverse experiences of

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[105] Ibid

migrants who must navigate multiple layers of social stratification while occupying different social positions and facing multiple categories of oppression within and between countries (Anthias, 2013; Parreñas, 2015). It is because the sole focus on patriarchy as the main cause of problems entails the danger of deflecting attention from the real lived challenges faced by Dalit and ethnic women migrant workers at the intersections between gender, caste and class which interact with multiple other forms of marginalization, such as age, disability, widowhood, marital status and so on.

Figure 18: The complex intersections: gender-caste-class interact with other axes of oppression
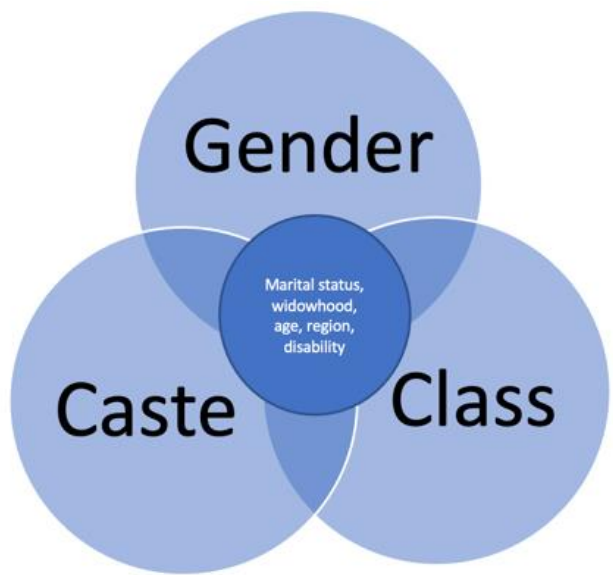
Dalit women are the Dalits of the Dalit because they bear the burden of both caste and gender discrimination. Dalit and Janajati women are subject to an interlocking "triple burden" based on gender, caste, and class. Especially the women migrant domestic workers from Dalit and Janajati groups and their experiences embody the intersectionality of gender, caste, class, and all the other associated social-economic-cultural inequities.

There exists the simultaneity of oppression based on gender, caste, and class in the production of lived experiences of Dalit and Janajati women migrant domestic workers. In Nepal where discriminatory laws against women have continued to exist, women from Dalit and ethnic groups are triple disadvantaged for their caste, class and gender. Tamang (2009) argues that the construction of "the Nepali Woman" as a single overarching category is a contemporary construction which serves to reinforce the premise that the representation of the single gendered subject consistently effaces the multiple intersecting identities and experiences in their historical contexts. Class and gender are two bases for unequal power relations operating in the market (Rai, 2004). However, just like what Mohanty (2003) claims about the "third world woman" not

being a "singular monolithic subject" (p. 372), there is a need to see the intersectional and intersectoral differences between Nepali women and women migrant workers. Since inequalities and discrimination existing along the caste lines in Nepal are of most entrenched and pernicious kind, Ahuti describes the *jaat* system in Nepal being the most determining factor in the class system.[106] The Dalits have been plagued by centuries of exclusions and social, economic deprivation discrimination, political underrepresentation (Poudel and Kattel, 2019). Levine points out in her article on the nature of caste and ethnic boundaries in Nepal, by disadvantaging those groups that conformed least to Hindu norms, non-Hindu groups "came to deal with the state as the state defined them, in the guise of castes" (Levine, 1987, p. 72). The amendment to the Muluki Ain[107] made discriminations against Dalits punishable legally, it has continued in the Nepali society.

Since Nepali women are not a monolithic category and the gender norms significantly differ across various groups intersecting caste, class, and ethnicity, it is crucial not to reduce all the Nepali women migrants to a homogenizing, monolithic subject without considering the intersectional differences based on caste, class, marital status, and geographic regions. The embodied experiences of women migrant domestic workers from Dalit and Janajati groups therefore reveal the diversity and complexity of migration experiences produced in relationship to power and domination. The lower caste and low social and economic status women's mobility of poor women from marginalized socio-economic backgrounds then becomes a site of state regulation (Piper, 2008). Even the legal bans that the Nepali state has imposed on migration for domestic work has differentially and disproportionately impacted women from Dalit and Janajati communities. Dalit and indigenous women and girls are more vulnerable to being trafficked through various routes of India, Myanmar, and the Maldives, since they belong to socially, politically, and economically backward social community (Indigenous Voice, 2021; Sunuwar, 2015). Further, the women migrant domestic workers from these groups remain more vulnerable

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[106] Ahuti makes this argument on a talk he presented under the topic "Nepali Samajko Bargabinyas" (Dissecting the Nepali society's class system) organized by Nepal Literature Festival which is available from https://www.youtube.com/watch?v=-738CMEW_EM.

[107] A new amendment was made to the Muluki Ain under Chapter 19, Article 10 (A), which stated, "If anyone practices untouchability toward another, or if anyone prohibits another's presence in public places, or if anyone prevents another's use of public property, then such a person will be imprisoned for one year, fined Rs. 3000, or made to suffer both."

to exploitation and abuse even inside Nepal since some cannot express well in the Nepali language.[108] Dalit rural women are among the most disadvantaged people in Nepal.

I interpret this in two ways. First, it is the women from these already marginalized communities under various axes of discriminations and oppression and they are the ones whose lives are most impacted by the gendered local-global entanglements. A woman migrant interviewed in Abu Dhabi noted, "If you go for a company for a cleaning job from a recruitment agency you will have to spend one land and half and now the woman who has not food to make both ends meet, who would she be able to pay that amount of fees to the manpower agency?" (Personal interview). In such a situation, they are more likely to choose informal routes and channels because the recruitment agency based in the Gulf would, in many cases, pay for documentation, airfare and food to travel to the destination country. The high representation of women from Janajati communities in transnational migration can also be attributed to the more matrifocal family structure. Also, women from Dalit and Janajati communities are more autonomous, independent, and less tied to men as partners, they are more likely to migrate as independent agents.

Agency and resistance: *"Munto batarne manche pani ayara bolna khoje"*[109]
In the first place, in the face of the multiple intersecting oppressive systems – institutional and legal barriers along with various preexisting discriminatory social, political, and economic systems, women's decisions to migrate, their decisions to migrate for employment by overcoming all impediments were clear acts of their agency and resistance. For Anu (discussed earlier in this chapter), the very decision to migrate and the act of migrating itself is a valiant act of agency and resistance at multiple levels. As Mohanty observes, "historical and cultural specificity in understanding their complex agency as situated subjects" (2013). It does not make sense to think of agency outside a social context and as a purely abstract set of an individual's capacities and potentials since the ability to act is always mediated by the dominant norms and relations of power that shape any situations (McNay, 2016). Delinking agency from the structural constraints under which women migrant domestic workers migrate for work abroad risks discursive violence against them. McNay (2016) therefore claims that agency is a situated conception inseparable from analysis of power and the ideas of sovereign agency implicitly

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[108] Ibid
[109] It literally means that "even those who would previously look down upon me came up to befriend me."

reinforce a heroic model of action that is understood in grandiose terms – this is disembodied heroism and this downgrades mundane and practical types of social agency associated with the private and domestic spheres often carried out by women (McNay, 2016). Most Nepali women migrating to the Persian Gulf countries for employment come from extremely impoverished situations. These women have the choice between "un-freedom of poverty" or the "un-freedom of servitude", and for them, the latter is a much better deal (Parrenas, 2011). Under the global forces, the social actors, and places, being entangled into the place-making project constituted beyond their influence that they can hardly shape, may develop complex forms of adaptation, avoidance, and survival (Gille and Riain, 2002; Tsuda et al., 2014).

The act of recognizing migration as an alternative livelihood strategy is in fact a response to the intersecting systems of domination (Bohra-Mishra, 2011; Dixit et al., 2009; Shrestha and Bhandari, 2007). A focus group participant in Chiliya said, "What I told him [husband] plainly at that time was, if I die abroad, that's different. But I will come back, and it's your duty to look after them and keep them alive until I am back home. So, my husband was home and took care of my children." Though this act cannot be identified as "political" as normally understood, it shows in ways in which she is subtly negotiating more opportunities for themselves in their communities and challenging sexualized discourses. However, anxieties would grip her when she could not send money home in time: "I would miss my children all the time. What would always worry me is if they've eaten well. Also, things like if you can't get to send money home in time, what would they eat? These feelings haunted me all the time. Really from the moment I left home until I returned, there wasn't a single moment when you would be really in peace. After I spoke to my children every time, I would not be able to hold my tears."

Efforts to classify agency in terms of its transformative effects on structures of inequality have distinguished between, on the one hand, small acts of resilience and resistance which may provide ways of coping with oppression and some improvements in working conditions, and on the other hand, those that can rework power relations (Katz, 2004). This demonstrates her resilience as well as awareness of the potential risks that her migration might entail. Women's courage to migrate for survival is an expression of the very angst of existence against all kinds of pre-existing and newly unfurling systems of oppression. This space of structured indeterminacy

or regulated liberty is the space of freedom and the site where acts of resistance to the disciplinary control of individuals may emerge (McNay, 2016). In the focus groups in Nepal, two women returnees shared the harrowing experiences of abuse and exploitation that they had suffered at the employers' houses, but at the end they also pointed out that they were waiting to re-migrate to the Gulf despite the government's bans. It is in and through migration that these women migrant domestic workers survive, feed their children, and educate them. The decisions to migrate can be taken as acts of resistance at multiple levels and in multiple sites.

> For me, life has never run without going *bidesh* (foreign employment). From the time I came into this house, I started going abroad. Where would I get money from to run the house if I didn't go abroad? I have small children, I mean they ten and twelve, but I can't get them to do the wages. (WMR8-Interview, Chormara, Nawalpur).

In using the concept of agency, I eschew from reducing all humans as docile bodies to the structural conditions they are in while paying attention to the idea of agency as classed, raced, and sexed. Solely emphasizing on the agency of women migrants entails the risk of effacing or accentuating the structural factors that create conducive conditions for women to migrate. Structures and agency are implicated in a complex relationship of co-constituting each other, rather than one producing the other. Habitus is neither a result of free will, nor determined by structures, but created by a kind of interplay between the two over time: dispositions that are both shaped by past events and structures, and that shape current practices and structures and, importantly, that condition our very perceptions of these (Bourdieu, 1984, p. 170). As Sewell (1992) states that being "an agent means to be capable of exerting some degrees of control over the social relations in which one is enmeshed, which in turn implies the ability to transform those social relations to some degree" (p. 20). Women were not only passive victims, but also actively engaged in the restructuring of those gendered systems and processes. The very act of migration is a form of agency allowing migrants to transcend local power inequalities (Rai, 2018; Rogaly, 2009). Migration is a form of women's agency and resistance within the constraints of the gender discriminatory social, economic, and political systems. Pre-migration lives are socially and economically constrained by poverty, vulnerability and precarity where migration is opted for as a strategy to transform such conditions (Deshingkar, 2019). Migration gives women the opportunity to work and earn higher incomes while distancing themselves from this judgement (McCarthy, 2021). Despite the lack of social legitimacy and stigmatization against women migrant domestic workers and fears of ostracism and promiscuity, and risks of their

marriageability and the fear of tarnishing their family's *ijjat*,[110] women decide to migrate only when their survival is in jeopardy. Scholars (e.g., Harvey, 2006, Rai, 2018; Rogaly, 2009) conceptualize the very act of migration as a form of agency allowing migrants to transcend local power inequalities. Women's labour migration as resistance as tools of survival and also against the state's gendered migration policy (see detailed discussions in Chapter 6).

In the interviews and engagement, many women migrant domestic workers and returnees noted that migration had given them some economic freedom and independence while enhancing their social and cultural standing within their families and communities. As discussed earlier in this chapter, women's labour migration for domestic work had taken place under the under the structural conditions created by the gendered local-global entanglements, but at the same time migration had also provided them with a means through which they could to some degree able to resist and mitigate the impacts of the global forces and processes on the one hand, and on the other hand to transform the local preexisting gender oppressions systems and relations. Further, migration has provided Nepali women an escape and some degree of counter-power against patriarchal systems of domination in society and within the family (ILO, 2015a; Kharel, 2016; Massey et al., 2010).

Gita whom I interviewed in her newly build concrete house was from a Janajati[111]group. She had been migrating and re-migrating to the Gulf countries for many years. She was in her forties and had returned from foreign employment two months ago from her fourth *bidesh* trip. When she first migrated to Saudi Arabia in 2006, she had left behind three small children and her youngest one was only three years old at the time. All the subsequent three trips were made to Oman. Before making a decision to go to Saudi Arabia, Gita was living with her parents since her husband was a chronic alcoholic who would just idle away his time in the village. His being unemployed had added to the pressures on her to find ways to ensure household survival but also aggravated domestic violence. Women too, are joining the workforce, not because of policies promoting gender equity but often as a measure to support their families considering male un- or underemployment (Piper, 2011). Gita does not have enough land where she could do agriculture,

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[110] Although this Nepali word does not have an equivalent word in the English language, it can be translated as meaning prestige, dignity, respectability, or honour.

[111] "Magar' is an indigenous group in Nepal, and the word "Magarni" refers to a female of this group.

and she should buy all her needs from the market. It has a gendered impact. Women are held more responsible for livelihoods of their families. When men turn into consumers, it also has a gendered outcome driving women to seek employment abroad. As a result of alcoholism, her husband is now completely disabled and does nothing. In such a situation, the only option for her was to migrate. Gita stressed, "*Sachai bidesh nagaikana mero jindagi chaldena*"[112] and added,

> He [husband] faints even if he should keep standing for a bit long time. Alcohol has nearly swallowed him up, but it's not just today but for a long time. I have never seen him work, and he can't do anything now. If he was strong enough, I'd ask him to at least do some work, but as he is so weak, if something happens, that just adds an extra burden to me. My life doesn't run without *baidesik rojghar* (foreign employment). To be frankly speaking, my life doesn't run without going *bidesh*. What I want to say is our leaders should give us work so that we wouldn't have to go *bidesh* for work. (WMR15-Interview, Chormara, Nepal)

Since her husband had no income, and nor did he care for the children and their education, she decided to take the responsibility of raising and educating children on her own. Gita noted that she has always been the sole breadwinner in the house, and she does not remember a single day her husband brought a single penny into the house since she was married. However, the meagre income that she was making running a small *bhatti*[113] at the local weekly bazaar was barely enough to provide for the family. However, she once got into trouble when people would come, get drunk and fight, so she decided to stop the bar and started a tea-stall that she was profiting from well. Her mother though would always express her worries about her and the future of her children since the income was all spent to meet the immediate needs and no money was being saved up. Her mother used to say, "you won't always be staying with us, so if you don't have any savings, how would you be able to give education to your kids?" As de Haas (2021) observes, the concept of looking at migration as a "desperate flight from misery" by portraying migrants as passive victims of smugglers and traffickers does no justice given that a large number of people migrate out of their own free will, Gita thought that her mother's advice was good and decided to go abroad, although she was able to make a living running the tea-stall in the town.

For all her migratory trips, Gita had resorted to *dalals*, but she considers herself lucky in that she has not encountered any serious problems in Nepal as well as in transit and destination countries.

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[112] This is a Nepali phrase which literally means 'I can't really run my life if I don't get to go abroad.'

[113] She meant a small bar where she sold snacks, such as buffalo meat, chicken, fish and home-brewed alcohol, beaten rice, etc.

Every time, she travelled to the destination countries with the support of a *dalal* she was put in touch by her personal acquittances, and the last agent was a former Singaporean *lahure* who had started working as a *dalal* upon retirement. Many are individuals personally known by the migrant woman, originating from the same village or surrounding area (Müller-Böker, 2015). To make her first trip, she was charged NRs 18000, which was a big amount for her in those days, currently equivalent to almost one hundred thousand. Her first migratory trip was made directly from Nepal to the destination countries, but the rest of the trips were through India.

Over the course of our conversation, Gita said that her labour migration experience had been relatively successful from her point of view and noted, "Of course, the work has been exacting and tedious at times, but compared to the misfortunes of many women I have seen, mine has been safe, in both transits and destinations. At the beginning I was like a deaf person, and I didn't understand a word, so they used to get angry and scold me for not doing what I was asked to do." As she put it, "housemaids are trapped within the four walls of the house all the time and you never get to see even people walking down the street." She was very careful about not breaching any rules since she had heard of a Nepali housemaid who was accused of theft and badly beaten at the airport when she was on her way back to Nepal though nothing was found in her luggage, and due to excessive beating, she died on the plane vomiting blood. As women's transnational migration involves tradeoff, every time when she left children, she cried though she did not show her tears in front of them. As Silvey (2004) observes that women's transnational labour migration offers both labour opportunities and political spaces while simultaneously entrapping women across greater distances, Gita noted that during her entire stay abroad, not a single day would pass by without worrying about her children in Nepal.

Gita stated that migration not only enabled her to gain financial freedom and carry out her family responsibilities but also to enhance her social standing as she said, "*Manto batarne manche pani ayara bolna khoje*."[114] She added,

> In this bazaar (town) after I came back from *bidesh*, these people who didn't give me a damn before, and they'd turn their heads around, even these people came up to me and talk. The same people looked down upon me before going *bidesh*, they were so arrogant, but they wanted to come close to me. You know what happened the other day, this guy was walking down the street from the other side of the

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[114] A colloquial expression in the Nepali language which means that those people who would turn their heads around walked up to me and wanted to talk after I returned from abroad.

road, but he waved me and asked me about things. The same person you know didn't talk to me before, and I thought to myself, oh yeh, it's because I've been back from *bidesh*. (WMW8-Interview, Chormara, Nepal)

In the interviews with women migrant domestic workers in Kuwait and Dubai,[115] most participants unequivocally stressed the challenges of working as housemaids, but many shared the stories of success in terms of economic independence that enabled them to buy "*ghaderis*" in the urban areas, send children to English medium private "boarding schools" in Nepal, and even to uplift their worth and capabilities within the networks of their families and relatives. Women migrate from one patriarchal system to another, and even though they may find new barriers to autonomy in the host country, they also find new opportunities and new ways to negotiate for additional power (Parrenas, 2008). A focus group participant in Kathmandu put it this way,

I was living on a *sukumbasi* land. In Saudi I worked there for 18 months. With the money I earned abroad I was able to buy a small *ghaderi*, not a big one but only 6 and half *dhur*. I've paid off all loans, and no one can now at least ask me to leave my house. My daughter is also married, and she has a daughter four years old. Son is also married but he has no children. To tell you the truth, my economic situation is way better than before. (WMR8- Focus Group, Kathmandu, Nepal)

Women's remittances have provided much needed financial resources to supply food, clothes, medicines, and children's education while the women migrants themselves feel empowered and have a sense of self-esteem that comes with the financial freedom. However, Sunam and McCarthy (2015) argue that labour emigration from Nepal has increased rural poverty instead of alleviating it by changing rural people's relationship to the land and agriculture through the "commodification" of the land and processes of "deactivation" and "repeasantization" (p. 1). Similarly, Tiwari and Joshi (2016) describe the lack of human capital caused by the labour migration of men and argue that it has negatively impacted livestock and manure production while increasing the workloads of women left behind leading to the "feminization of mountain agriculture" (p. 8).

During my fieldwork in Nepal, I engaged and interacted with women migrant returnees from the so-called untouchable Dalit community called the Musahar. Musahars are a so-called Terai Dalit community who are among the most disadvantaged and marginalized groups in Nepal

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[115] In Dubai, I engaged with several Nepali women migrant domestic workers in Bur Dubai where women migrant domestic workers would come to spend Fridays when some would get a chance to leave home. Bur Dubai is a historic district in Dubai, United Arab Emirates, located on the western side of the Dubai Creek.

(Chaudhry, 2008). In the course of our conversation, they said that there were about 32 Musahar families who had moved to Arun Khola a few years ago after their houses were swept away in the floods. The stories shared by these women revealed the ways in which they were marginalized under multiple axes of oppression and exclusion as well as their struggles to counter the challenges and adapt themselves to the transformed situations. I was in the middle of an interview with a migrant returnee, an elderly woman who was listening to our conversation jumped in to say that women's migration and the remittances they sent home had completely changed not only their individual positions in society but also the local small town had grown much bigger with dilapidated straw-built houses being replaced with concrete houses.

Figure 19: Remittances used to replace old straw-built houses with new concrete houses

Most of these houses were small but concrete now and they pointed out that it was possible with the remittances they send home. Adhikari and Hobley (2013) argue that the remittances are driving social changes in Nepal in ways that revolution and development have failed to deliver. Dalits have used their agency to contest caste institutions by mobilizing financial, human, and symbolic capital accumulated through migration – much of the existing studies highlight the economic side of migration paying little attention to the social and cultural dimension. Cultural capital plays an important role in social power relations, as this "provides the means for a non-economic form of domination and hierarchy, as classes distinguish themselves through taste" (Gaventa, 2003, p. 6). The transnational domestic labour migration illustrates the complex and at times paradoxical processes where new forms of gender relations are produced, reproduced,

resisted, and transformed. Understanding that the voices and experiences that have been pushed to the margins must be re-centred on their own terms.

For Anu (discussed earlier in this chapter) feels a sense of satisfaction migration, despite all the challenges, provided her with a deep sense of satisfaction in that her own *deor-jethaju*[116] (in-laws) who previously caused mental violence and incited her husband to perpetrate physical violence had changed and behaved well upon return from abroad. While gender norms influence women's ability to migrate, migration changes norms and values in sending communities (Kandel and Massey, 2002; Oishi, 2005). With the money she made from the current trip, she has bought a *ghaderi*[117] in the village where her sister lives, and both sisters have together invested to build a *pakki ghar* (concrete house). Anu's in-laws now know about her financial independence. She says that at that time if my *jethani*[118] and *jethaju*[119] had spoken a word in my support that would have made a big difference. The words of her *jethani* dragging her sons saying, "let's go and I will take you home since your mum is dead" still rang into her years. That completely changed after she returned from abroad, and her *jethani* said that she desperately missed her during her time abroad, adding "I hear you've even bought a *ghaderi* in your parents' village" (personal interview). Anu thought to herself, "You wanna see me for money and I'm just back from abroad, and I know how much you love me and how much you've made me suffer in the past." Anu expressed a great deal of satisfaction when the people even inside her family who looked down upon her were seeking to meet her. She is happy about being able to build a concrete house in the village and people being jealous about her progress. Anu does not want to go back again, "It's enough." The new house has a shutter, and she might start some sort of a small stall. With her remittances, she expects her own savings to afford her a more secure and personally independent future than seemed possible given the poor economic circumstances. Anu's efforts pose challenges to class and gender certainties in the Nepali society. However, the higher consumptions created by inflows of remittances may be "social transgressions" in the eyes of the dominant, but all these behaviours help enhance their symbolic capital (Sunam,

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[116] Literally, the words "deor" and "jethaju" respectively mean a younger brother and an elder brother of a woman's husband, but in the cultural practice, a married woman is supposed to maintain a high degree of respectability towards these relatives.

[117] The word literally means a piece of land for building a house, and in the contemporary Nepali society, it carries a sort of social symbolic meaning and the ability of buy a "Ghaderi" in the capital city, or at least in urban centres has become a marker of a person's economic success.

[118] Husband's elder brother's spouse

[119] Husband's elder brother

2014). Labour migration has altered Dalit migrants' economic and social space in Nepal and the ways in which they have used their agency to contest caste institutions by mobilizing financial, human, and symbolic capitals accumulated through migration (Sunam, 2014). A substantial portion of remittances may go to consumption, but the investments in better nutrition, schooling, and health will ultimately contribute to human capital formation (Gupta and Wagh, 2009). The investment of remittances in consumption can have significant multiplier effects, encouraging more capital accumulation and growth through spillover effects (Gupta and Wagh, 2009; Ratha, 2003). Such remittances build symbolic and human capital that are significant for migrants from marginalized communities (Sunam, 2014), since the accumulation of capital enables them to enact "a counter-hegemonic praxis" that is "a symbolic and material vocabulary for challenging ruling ideologies" (Gidwani and Sivaramakrishnan, 2003, p. 187).

However, studies have explored the contradictory class positioning in which some labour migrants find themselves resulting from the simultaneous experience of upward and downward mobility in migration. Parreñas (2001) employs the concept of the "contradictory class mobility" in the context of the Philippina women migrant domestic to refer to the "simultaneous experience of upward and downward mobility in migration" (p. 150). The women migrant domestic workers with higher education obtained in the Philippines were performing domestic work abroad which was considered a decline in social status but working abroad was at the same time enhancing their financial status (p. 150). Even women who are being exploited in multiple ways find some sense of autonomy and empowerment through this labor in relation to the other options that are available in the informal economies of their countries (Kabeer, 2004). With the economic, social, and cultural capital gained from transnational labour migration, women who were genderized, classed, Dalitized, and ethicized have gained some level of freedom and empowerment which I call 'demarginalization.'

Summary

In this chapter, I have made three core arguments. First, that labour migration of Nepali women, is a product of intersecting and co-constitutive local and global gendered forces and processes are deeply entangled, reenforcing with one another in complex ways. Second, I argued that "Dalitization" and "ethnicization" are dominant features of women's labour migration in Nepal

This is meant to signify that a great deal of women migrating especially for domestic work in the Gulf countries are from Dalit and Janajati groups – and these intersections, of gender and racialization/ethnicization, have produced very uneven and deleterious consequences for these groups of women migrant workers specifically. Indeed, Nepali women's transnational labour migration is an outcome of the complex gendered and indigenized interactions and intersections between various global processes (e.g., global labour markets, global trade, global care economy) and preexisting local systems of oppression and domination. In the context of neoliberal globalization, the pre-existing gender oppressive systems interact and intersect with the globalizing/transnational forces to create contusive. These oppressive systems have led to deeply entrenched gender inequality, and a class system tied to ethnicity. Further, the infiltration of unregulated global markets has destroyed women's traditional livelihoods and exacerbated these gender and ethnic inequalities. Third, I have argued that it is in this context that migration has become a key survival strategy for many Nepali women and indeed a form of what Sassen calls "survival migration", despite the legal and institutional barriers created by the state to contain their mobility and the sociocultural stigmas associated with women's migration for work; and as such it must be read as a form of agency and resistance, within (and as further explicated in Chapter 4, sometimes against) the very gendered entanglements that structure and constrain it.

 Both the structural and the agential elements of social relations in ways that include an interlinked analysis of the capital is processes of production, social reproduction, and exchange as well as resistance to and within the system. Although the neoliberal economic policy adopted by the state in the 1990s was at the heart of creating structural conditions for women's transnational labour migration, it equally reflected the agency of the Nepali women as well as the opportunity to break away from the confines of patriarchy. For many Nepali women migrant domestic workers, labour migration for domestic work in the Arabian Gulf countries has at times become a "cursed boon" and a two-pronged sword at other times. On the one hand, capitalist globalization has eased lives by bringing global market commodities within the reach of women, and on the other hand, women's lives have experienced tremendous pressure when the globalizing processes and forces intersect and interact with various forms and systems of gender inequities, oppression and discrimination existing within the Nepali society. Further, labour migration has provided some groups of women with alternative livelihoods, enabling them to gain some degree of economic freedom and an escape from gender-based and domestic violence

inside Nepal, and on the other hand, having to resort to intermediaries, especially the *dalals,[120]* working independently or on behalf of private recruitment companies, has augmented their exploitability by exposing them to heightened risks to abuse and exploitation at home, on transits and in the destination countries, entrapping them into new gendered precarities while reinforcing the old ones.

The transnational labour migration of women in Nepal has therefore some distinct characteristics. Unlike the ways in which the feminization of migration is used to invoke the notion of the hypermobility of women across national borders. As previously discussed in Chapter 2, some scholars describe this as the "mobilities turn" mainly focusing on themes of movement, travel, transnationalism, cosmopolitanism, and the diaspora. In the context of South-South migration, in the context of Nepal in particular, what is equally important to look at the restrictions, regulations, constraints, and the limits placed on women migrants and their mobility at multiple scales.

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[120] The word "*dalal*" in the Nepali language literally means a broker, but in the context of labour migration, it refers to someone who works either for private recruitment agencies or plays the role of a broker in an individual capacity. In common parlance though, the word "*dalal*" assumes a derogatory meaning, so people avoid using the word in front of the brokers themselves and is limited to refer to them in their absence. The more respectable word in common parlance is the "agent." In this dissertation, I have though used these words (*dalal*, broker and agent) interchangeably.

CHAPTER 5: THE GENDERED STATE, MASCULINE SOVEREIGNTY AND UNMASKING THE VULNERABILITY OF THE STATE

This chapter situates the gendered labour migration policy of the Nepali state within the regional and global geopolitics to examine the ways in which the state embeds gender as a governing code into its labour migration policy and governance. The highly restrictive policy towards women while actively promoting male labour migration reflects the state's gendered labour migration policy as exception to neoliberalism. Such a contradictory policy is deeply rooted in the notion of what I call a 'masculine sovereignty' which emanates from the patriarchal conceptualization of women as "vulnerable." In contrast to women's "vulnerability" as claimed by the State, this chapter unmasks the vulnerability of the Nepali State and reveals its 'sandwiched sovereignty' resulting from a concurrent pressure from neoliberal global capitalism on the one hand, and a fragile geopolitical position on the other hand. To advance my argument, I engage with and build on the concepts of "graduated sovereignty" (Ong, 2006) and "symbolic value"(Oishi, 2005, 2017) to argue that Nepal as a gendered migration state has emerged resulting from the complex entanglements between the masculine sovereignty and sandwiched sovereignty.

This chapter is divided into four sections. The first section examines at the ways in which gender operates as a governing code across multiple sites (body, family, society, and nation) and scales (local, national and global). Further, the gendered labour migration policy that imposes bans and restrictions on women's migration for domestic work under the façade of protection is deeply rooted in the "state patriarchy" (Weiner, 2016) of Nepal that conceives women as the "*cheli*" rather than rights bearing equal citizens. The second section engages with the concept of the "migration state" (Hollifield) and "exception to neoliberalism" (Ong, 2000) and conceptualizes Nepal as a gendered migration state in that it adopts a neoliberal labour migration policy with a gendered exception to neoliberalism pertaining to women's migration. Further, I contend that the gendered exception to neoliberalism migration policy is largely the outcome of the complex ways in which the sandwiched and masculine sovereignties of the Nepali state are entangled. The third section provides a intersectional analysis of the bilateral labour relations and agreements between Nepal and some of the Gulf countries through a gender lens, particularly attending to women migrant domestic workers in the Gulf countries. The fourth section examines the role of the Nepali state as to how it has become complicit with the local-global gendered systems and

forces in producing, reproducing, and perpetuating gender inequalities and oppression of the

Nepali women migrant domestic workers. The analysis mainly draws on the qualitative data

gathered through interviews with women migrant workers, government officials in Nepal,

including embassies in the Gulf countries and non-state actors involved in labour migration

issues. The findings are also based on the analysis of different migration-related legal and policy

documents and governance instruments, such as bilateral labour migration agreements between

Nepal and some of the Gulf countries.

Gender as a governing code and the gendered migration state: "*Hamra chelibeti bideshma asurakshit huda rajya chup lagera basna milcha ra?*"

When asked about the state's policy bans and restrictions imposed on women's migration for

domestic work, the then Director General of the Department of Foreign Employment in Nepal

asserted, "*Hamra chelibeti haru bideshma tesai asurakshit huda chup lagera basna milcha

ra?*"[121] Using the possessive pronoun "our" to refer to women migrant domestic workers as

"*hamra chelibeti,*"[122] he iterated that the state cannot maintain silence when "our cheli" are

abused and exploited in the Gulf countries. The word "*cheli*" which conceives of women as the

kin of the state, rather than rights bearing equal citizens, shows that gender remains deeply

imbedded in Nepal's labour migration, operating as a governing code at multiple scales and sites.

However, the Director General, vindicating the state's gender discriminatory policy, contended

that the Nepali state was indeed hyper-sensitive to issues of women migrants as reflected through

the bans which he described as the "policy of positive discriminations" as stipulated in Nepal's

2015 constitution. The four other sectional directors of the Department who were also present in

the interview chimed in with the Director General, and so did many other government officials

with whom I engaged during the fieldwork. Most government officials' views on the migration

bans and restrictions were in keeping with the state's official claim that they were meant to

"protect women from many risks, including long working hours, sexual violence, physical abuse

and economic exploitation." In a similar vein, the Spokesperson of the Ministry of Employment,

Labour and Social Welfare stressed that the state's policy of restricting women's migration for

domestic work was a proactive "positive discrimination" and not a violation of human rights as

claimed by some civil society organizations.

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[121] The phrase in the Nepali language literally means, "How come the state can remain quiet while our daughters are unsafe abroad?"

[122] It is a possessive pronoun meaning "our."

The logic behind such assertions was that when women are prevented from migrating to the Gulf countries, there would be no acts of violence against them. A high-ranking government bureaucrat therefore expressed his ire towards migrant rights activists and women migrant domestic workers who advocate for lifting the bans, "It's easy just to talk about rights. They should know that the ban is for their own protection. The state can't allow them to jump into the fire in the name of equality" (personal interview). Ironically though, the state does not pay attention to the violence perpetrated against women within the state territory. Instead, many state authorities claimed that equating the violence against women inside the country with the atrocities against women in the foreign land is completely absurd. A bureaucrat at the Ministry of Labour, Employment and Social Welfare claimed,

> There are a lot of cases of human rights violations against women inside the country but that does not mean that the violations of women's rights abroad should be allowed. The government should be sensitive to problems of its citizens who are abroad. Things are also being changed even inside the country. It is not something that can be done overnight; it is a gradual process and takes a long time for things to change.

Gender-based and domestic violence and sexual abuse and harassment of women are pervasive in the Nepali society, but the incidents of women being abused and harassed abroad by foreign men are perceived differently. In sharp contrast to the government officials' claims about the state's sensitivity to women's issues, a migrants rights activist pointed out,

> Nepal is no paradise for women, so why would they complain about the work they should be doing abroad? Had the state indeed been sensitive to the protection of women, they should have taken steps to prevent rampant domestic violence perpetrated against women inside the country. (CSO16-Interview, Kathmandu, Nepal)

What many women migrant workers with whom I engaged in the field shared is that there have been incidences of violence and abuse in the Gulf countries, but such acts of violence should not be generalized. Further, they stressed that the violence meted out to women in the Nepali remains unreported and invisible until their lives are taken. A focus group participant in Kathmandu noted,

> What happens abroad becomes public easily but what happens at home is not made public. It's because women are afraid. They think doing this will taint their husband's name, fathers-in-law, or parents and so on. Women just keep mum and put it up until the point they get burnt alive. In fact, there is more violence here than it's there. (WMR11-Focus Group, Kathmandu, Nepal)

Indeed, the gendered paternalistic views were evident in how the Director of the Department of Foreign Employment vehemently defended the state's policy as "one hundred percent genuine"

and adding, "We shouldn't let our dignity be sold in the international market. Letting them go for domestic work is like opening selling our dignity in the market" (personal interview). As a result, women are considered a threat to their *ijjat* that accrues to both individuals and households and serves to maintain and defend caste and gender hierarchies (Joshi, 2001; Bennett, 2002; Rankin, 2004). Even the trafficking in women discourse in Nepal reifies the status of women as dependent kin within the nation by describing trafficking as "*chelibeti bech bikhan*"[123] that does not view women as citizens (Burghart, 1994; Joshi, 2001). Women are viewed as the "*cheli*"[124] which implies that they are considered the kin of the state – as mothers, daughters, sisters, and in-laws – and the nation as women's natal home, rather than equal citizens whose rights must be enforced and victims in need of saving protecting (Kharel, 2016; Tamang, 2001). And these gendered norms are reflected in the gendered labour migration policies, as part of the patriarchal social and cultural fabric of the country.

For the moment, if the state's bans are taken for granted that they are put in place with the well-meaning intent of ensuring the safety of Nepali women from abuse as claimed by most state authorities, the question arises as to why the state refrains from adopting a similar "proactive" benevolent policy move towards men migrants who are also abused and exploited and often work under dangerous and precarious conditions in the Gulf countries. The traditional notion of masculinity constructs the risks and dangers of migration experienced by men and women differently in that such risks are considered to further embolden male migrants' character and maturity while women are conceived as innately vulnerable and in need of constant surveillance (Deshinger, 2022). Despite the precarities faced by men migrants, they are still allowed to migrate without any discursive limitations based on their sexuality since the masculine state conflates masculinity with autonomy, risk-taking, endurance while placing women on the opposite spectrum (McCarthy, 2021).

Many women who had migrated with government issued work permits during the period when bans were temporarily lifted noted that the officials at the Immigration Office at the airport in Kathmandu would question their legality suspecting that they could have forfeited *kagajpatra*,[125]

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[123] The phrase literally means the "sale of daughters."
[124] The word is used as a blanket term to refer to all women as daughters and sisters.
[125] This word in the Nepali language means official documents.

or they would likely be migrating for some dubious work suggesting sex work. Such gendered

moves and codes do not happen in a vacuum. Indeed, they are embedded throughout all levels of

governance and policy domains in Nepal. And these codes and governance acts are enacted

through policy and practices with consequences for women migrant domestic workers. In

contrast to the claims made by state authorities, many women migrant workers I engaged and

interacted with in the Gulf countries shared their stories and experiences that contradicted with

the ways in which the state has reduced all women migrant domestic workers into a vulnerable

group. A woman migrant domestic worker interviewed in Kuwait noted,

> I think this place for us is even better than America, Canada, Australia. We are a
> proof of this, and you can just look at us. We are earning 1 and half lakh a month
> and we are eating good food and living well. We are living with our heads held
> high, and we don't have to bow down our heads in front of anyone, we don't have
> to stretch out our hands in front of anyone. For me Kuwait is like London, Canada
> and America. The only difference is that you don't get a permanent residency, but
> you get everything else like wealth and respect, love and *dajubhai-didibahini*[126]
> and what not. (WMW13- Interview, Kuwait)

Such narratives of the women migrant domestic workers which counter the patriarchal state's

reductionist discourse of treating them as a "vulnerable" are considered what Johnson (2016)

calls the "authorized speakers" in migration policymaking processes. It is the policymakers,

practitioners, and authorities who represent the state's sovereign power are those who enact and

govern borders and are implicated in reproducing dominant narratives of what constitutes

security, citizenship, and belonging.

This is also a form of biopolitics that Foucault refers to the style of government that regulates

populations through "biopower" which refers to an extension of state power over both the

physical and political bodies of a population (2003). However, citing that the current bans were

equally applied to both men and women migrating for domestic work, most state officials

interviewed in the field refused to admit the state's policy as discriminatory toward women.

Since most Nepali women were concentrated in the domestic sector, the bans had

disproportionate impacts on and implications for women. Such a logic of the officials also

reveals the ways in which the state cloaked discriminatory migration policies against women

under the guise of gender-neutrality and protectionism in line with what Shore and Wright

(1997) state about how modern states mask discrimination "under the cloak of neutrality" (p. 8).

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[126] The phrase literally means "brothers and sisters" but she used this to refer to friends.

The ways in which gender acts as a governing code within migration policy reveals how gender is formed in the state's imaginaries in terms of nationhood and citizenship and the gendered ideas about women's role in the nation state (Oishi, 2005; Parreñas, 2005). In the Nepali society, gender operates as a filter through which men, women, and institutions such as the state and education system operate (Grossman-Thompson, 2013). The qualities of propriety, modesty, and demureness appear to be transcaste and transethnic traits of the ideal Nepali women (Bennett, 1983; Cameron, 1998; March, 2002; Rankin, 2004). Bennett (1983) describes the perceptions of women in the Nepali society as a series of oppositions that reinforce one another and reveal a deep ambivalence toward women and what they represent in the dominant patriarchal ideology. Men's *ijjat* depends crucially on their relationships with women in which "women acquire honour foremost by exhibiting qualities of moral, sexual and social propriety" and what this means is that "women's sexuality…can compromise the pedigree of an entire household or lineage" (Rankin, 2003, p. 118).

With the acceleration of globalization in Nepal and women's migration not being confined only to India, the jealously guarded sovereignty of the masculine state is now being permeable not only to India but across the Indian Ocean to the Gulf countries. Citizenship in Nepal has historically been based on notions of patrilineal kinship, and women are not treated as equal citizens using the trope of a danger to nationalism and nationhood citing Nepal's geopolitical location between India and China (Joshi, 2001; Richardson et al., 2016). The concept of a citizen as it exists in other democratic states, imbued with "rights" that give them automatic access to certain privileges, has yet to be thought out within Nepal (Joshi, 2001, 2007). The woman who does not or cannot name the father of her child is potentially carrying non-Nepali blood into the state body, which connects with ideas of purity and pollution associated with women's bodies (Richardson et al., 2016). The protectionist migration policy "serves to reinforce assumptions about women as weak and vulnerable, and in need of state (or male) protection" (FitzGerald, 2010, p. 2). However, these restrictions are aimed more for lower-class and lower-middle-class working women who need to work. The state's anxiety of the state for protecting the "purity" of the female body also connects with patriarchal nationalism. O'Neill (2001) contends that the "discourses of national honour" consider women as legitimate objects of state protection.

Mankekar, in a similar situation regarding the rescue of a girl child in India, has argued that protectionism is partly motivated by a "synecdochic relationship between the purity of the girl child and the purity of the nation" (O'Neill, 1997, p. 29). The violation of female sexuality is thus the violation of national sanctity. This law reiterates how the state sees women as state reproducers in so far as they reproduce legitimate citizens, which harkens back to the country's civil codes during the Panchayat regime (Tamang, 2000). The framing of gendered naturalized citizenship refers to the shift from "family patriarchy" to "state patriarchy" in regulating women's lives (Richardson et al., 2016; Tamang, 2000).

Gender operates simultaneously on multiple scales of the body, the family, and the state (as well as through a range of other structures and relations in society). The migration ban, as a form of gendered migration policy, lays bare the ways in which women's bodies become the sites of the Nepali patriarchal state. Mountz (2018) asserts that the bodies (specifically women migrant workers' bodies in this case) are both a subject and object of migration governance, and that power acts spatially in the world to control, regulate, confine, produce, construct, delimit, gender, racialize, and sex the body. Foucault emphasized that bodies are sites of power that permeate everyday relationships of people, both individually and in institutions. Boyce and Cole (2013) describe it as part of the patriarchal heteronormative political, legal, and institutional structures and socio-cultural fabric of the society. These various institutions, norms, rules, principles, and procedures converge to build gendered regimes (Ostner and Lewis, 1995). The gendered migration policy of the state has transnationalized its territorially bounded patriarchy in explicit or implicit subservience to the more powerful destination states while further entrenching its domestic patriarchal relations through the perpetuation of the gender norms and institutions. I therefore argue that the gendered migration policy of the state entails process of the transnationalization of patriarchy because the domestic patriarchy is in complex ways embedded within transnational and global processes.

State patriarchy is the reproduction of family patriarchy, which means family authority is imposed at the state level to enforce the patriarchal form of governance (Weiner, 2016). However, there is an intricate interconnection between and across scales of the body, the family, national and the transnational. The multiple scales and sites – the body, the nation-state, and the

transnational – that intersect and interact with one another to produce the lived experiences of women migrant domestic workers. Gender plays a key strategic role in all these processes from the family, the nation, and the transnational and global processes.

Negative stereotypes are reinforced by the media reporting which generalizes women's labour migration based on stories of exploitation and abuse. Oishi (2005) observes that such stories of abuses of women by foreigners enrage the public and excites nationalism since women are considered as the nation's symbolic property. When such a public reaction occurs, the state acts promptly to ban women migrants to underscore its role as the protector of women (Oishi, 2005). Oishi (2017) cites the example of Sri Lanka and notes that restrictive policies are motivated by the state's concerns about children's well-being, but the underlying intent behind such policies is to show the governments' sensitivity to women's issues while allaying the public resentment. These dynamics of power and patriarchy that surround female labour migration and migrant domestic workers embed themselves in state structures and directly influence governmental institutions and policy narratives and interventions (McCarthy, 2021).

In this way, policy restrictions have indeed acted as a façade for the government to escape public criticism and show that it is committed to protecting its citizens going global. Bans are often reactionary policies aimed at the local public to address protest around violations of migrant worker rights, high rates of abuse, or unjust death penalties handed down in labor-receiving countries that could not be allayed via diplomacy (Pande, 2014; Elias, 2013). However, as a CSO activist in Nepal noted,

> If it continues to impose a ban, then the state can say that it has tried to prevent them from going, though they [women] are going on their own breaking the law. This is the message the state wants to give to the national as well as international community. What the state is doing now is just to escape its responsibility, instead of making its missions proactive and holding them accountable, and also instead of having dialogues and negotiations with the countries where they go. Had the state done this the problems would perhaps been solved to a large extent, but the state doesn't have any mechanisms, or resources, and more importantly it doesn't have the will to do that. (CSO16-Interview, Kathmandu, Nepal)

The pressures exerted on the state for failing to protect women migrant workers in the Gulf countries from the public at home as well as transnational community has also propelled such a gendered policy. As a migrant rights activist put it, "The perception that all domestic workers become victims of sexual exploitation is wrong. There were reports about women coming back

home with babies, but all those women were not sexually abused by their owners. In most cases, they have consensual relations with their boyfriends, but when they come back, it's publicized in a different way" (personal interview). The activist stressed that when a woman migrant domestic worker becomes illegal, she has no choice but to live with someone and that makes her vulnerable to sexual exploitation. This stigmatization of returnee women often arises out of assumptions that migrant women are no longer *chokhi*[127] because they are believed to have either consensually engaged in sexual activity abroad or to have been sexually abused (Kharel, 2016).

Nepali women are depicted as vulnerable, but what is crucial to consider is from whose perspective and whose interests are centred in producing the vulnerability discourse. O'Neill (2001) argues that the Nepali NGOs and the media, by conflating female labour migration with forced prostitution, have deployed a compelling discourse that both undermines the agency of female migrants. All women working as housemaids are not abused and exploited. Unlike the media that produces the vulnerability discourse, Parrenas (2021), in the context of Philippina women migrant domestic workers, observes that the media promote morals for both the employers' rights and the rights of domestic workers. She further points out the moral discourse on domestic workers in legislation are not enforceable, but both disseminate moral standards that potentially function as toolkits from which domestic workers draw to negotiate for better working conditions.

Media and policy narratives often neglect to recognize the diversity of migration experiences and the potential that women's migration creates for their personal empowerment and financial freedom for themselves and their families. A journalist interviewed in Nepal noted that the media has also played a large role in creating this sort of opinion or perceptions among people. The media exposes cases of abuse and exploitation and people tend to think that this is the same with all women migrant workers. What is evident though is that when media reports on abuses and exploitation of Nepali women migrant domestic workers abroad trigger an uproar and resistance among the public, the government introduces stricter policies such as bans the ostensive purpose of which is to allay public resentment and anger. Media reports trigger an uproar and resistance among the public and then stricter policies; when the public resistance subsides, bans are lifted.

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[127] The word literally means "pure" and in the context of women migrants, it refers to sexual purity or virginity.

McCarthy (2021) describes the ways in which stakeholders formulate policy narratives, negotiate

policies and regulations, and invoke knowledge claims to justify regulatory and policy

interventions related to women migrant workers, migrant domestic workers and associated

thematic areas – including anti-trafficking frameworks, frameworks combatting forced labour,

domestic work and more. Grossman-Thompson (2016) describes this as a "perverse self-

perpetuating dynamic" that enables the state to "set the stage for unsafe migration conditions and

then rush the stage as the rescuing hero" (p. 47). The containment of women's mobility

demonstrates the state's anxiety for protecting the "purity" of the female body. The possibility of

women migrating and working and living independently "frequently elicit fears about

uncontrolled sexuality, promiscuity and prostitution" (O'Neill, 2001, p. 3). In addition, assuming

that all women as "victims" of sexual abuse belittles and overshadows the labour rights related

issues and their violation. Policy narratives are often not informed by research and data but are

rather determined by a web of informal behaviours, deep-seated norms and values, and networks

of political alliances and obligations (Bennett, 2005) surrounding gender, class, caste, race, and

ethnicity, as well as cultural views and assumptions regarding women's work and mobility

(McCarthy, 2021). It is because women viewed as the *cheli* are deemed as the "victims" in need

of protection, rather than equal citizens whose rights must be enforced.

Lohani-Chase (2008) argues that citing violence perpetrated against a Nepali migrant by a

Muslim employer to prevent all women from working in the Gulf countries is akin to making the

entire Islamic Gulf a potential threat to Nepali women (p. 226). The discourse around trafficking

in women and girls has consolidated the multi-dimensionality of women's migration and reduced

the multiple and complex intersecting economic, social, and political transactions under a single

homogenizing signifier of the *bech bikhan* discourse (Joshi, 2001). Joshi (2001) argues that such

a totalizing discourse of trafficking within Nepal has managed to co-opt and reduce all issues of

migration and labour to a single homogeneous event.

> There is a policy gap. If it's for the purpose of sex work, then it's counted as trafficking and the police administration will also accept it as trafficking and takes action as per the law. But when women are trafficked for such kind of employment purpose (domestic work), it's not defined as trafficking, and there is no legal action against those who are involved in this. (CSO13-Interview, Kawasoti, Nepal)

From what this woman migrant domestic worker and others said in the Gulf showed that the

vulnerability of women migrant domestic workers was a constructed political discourse that is

motivated by the state's desire to control women's sexuality and the female body. As Tickner (2018) states, the states create an unequal gender hierarchy where women are seen as helpless victims without agency by foregrounding the notion of protection. The "vulnerability" discourse rather lays bare the anxiety of the male-dominated state psyche and is underpinned by gendered moralities and patriarchal anxieties related to their autonomy (Awumbila et al., 2019; Platt, 2018). Women migrants are "perceived as physical and symbolic transgressors of established social orders" (Baey, 2010, p. 20). Through such a sex- and gender-differentiated migration policy illustrates the ways in which the state speaks a gendered language, behaves like a patriarch, and enables gendered politics.

Gendered exception to neoliberalism: the entanglements of sandwiched and masculine sovereignties

As Cox (1996) states, the global forces make states adjust their domestic economies to the needs of the global political economy, acting as mediators, adapters, and negotiators, Nepal reconfigured its national policies and institutional apparatuses to meet the challenges engendered by global forces in terms of dealing with its own peoples and external institutions. Under the pressure of such forces, Nepal incepted "migration infrastructures" that refer to "the institutions, networks and people that move migrants from one point to the other" (Lindquist et al., 2012, p. 9). Labour migration has become "migration industry" as reflected through the establishment of relevant line agencies (e.g., Department of Foreign Employment and Foreign Employment Promotion Board) and policy instruments that emphasize the commercial aspect of mobilities by describing all entrepreneurs, businesses, and services who facilitate and sustain international migration and bridge the gap between migrants' desires for mobility and governmental struggles to facilitate and often limit migration (Hernández-León, 2008, 154; Gammeltoft-Hansen and Nyberg-Sorensen, 2013). The DOFE agency is an outcome of a larger Nepali state project to export Nepali labour into global labour markets. The 2007 Act gave an upper hand to private "manpower" agencies entirely guided by profit motives, unrestrained by the state. Nepal became a purveyor of neoliberalism whilst simultaneously managing globalizing processes through a neoliberal logic to frame its labour migration policy just like the Philippines which Rodriguez (2010) describes as a labor brokerage state that actively prepares, mobilizes, and regulates its citizens for migrant work abroad through "a neoliberal strategy that is comprised of institutional

and discursive practices" (p. x). The 2007 Foreign Employment Act explicitly aims to "make foreign employment business safe, managed and decent"[128] by promoting labour migration and bringing the private sector to the fore of labour migration governance regime. Further, the 2007 Act also provided a special reservation of 10% quotas of foreign employment as a pro-poor policy for disadvantaged groups, stating that the government "may provide special facility to the women, Dalit, indigenous nationalities, oppressed, victims of natural calamities and people of remote areas who go for foreign employment" (FEA 2007, Art. 9). In line with a neoliberal approach to governance that emphasizes on "governing through freedom" allowing the migrants the freedom to choose but promoting self-regulation and self-responsibility (Ong, 2006), Nepal has officially approved a total of 110 countries where Nepali nationals are free legally migrate for employment.[129] The Nepali state's labour migration policy is a neoliberal state policy that speaks to a neoliberal form of global capitalism relating to male migrants. However, unlike the Philippines which used "aggressive marketing strategy" (Tyner, 2004, p. 132), the Nepali state has failed to even effectively use market strategies to give its labour a competitive advantage, making it a quasi-labour migration brokerage state.

However, oxymoronic though the concepts of the gendered state and the neoliberal migration state sound, the gendered migration policy illustrates the ways in which the Nepali state has developed into what I call a 'gendered migration state' by embracing an 'exception to neoliberalism' labour migration policy toward women migrant domestic workers. In relation to the female population, Nepal's exception to neoliberal labour migration policy toward women migrants, although the 2007 Foreign Employment Act states that no "gender discrimination shall be made while sending workers for foreign employment pursuant to this Act." I argue that Nepal's gendered labour migration policy is deeply rooted in the idea of masculine sovereignty that conceives women as the symbols of nationhood and subjects to its sovereign control. The masculine sovereignty is produced, reproduced, and perpetuated by the state through the construction of the discourse of vulnerability that views women as "*cheli*" and victims in need of

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[128] The 2007 Act stated, "Whereas, it is expedient to amend and consolidate laws relating to foreign employment in order to make foreign employment business safe, managed and decent and protect the rights and interests of the workers who go for foreign employment and the foreign employment entrepreneurs, while promoting that business" (Preamble: Foreign Employment Act, 2007). The preceding 1985 Act "aimed at regulating the foreign labour market and preventing an exodus of higher-skilled individuals"

[129] This information is provided by the Ministry of Foreign Employment which is available from http://www.mole.gov.np/News.aspx.

protection, rather than rights bearing equal citizens. As Lorber (1994) notes, such gendered processes are legitimated by religion, law, science, and the society's entire set of values. When women, given the transnational linkages and connections created by globalization, attempt to go beyond the gender codes and work independently across the national borders, away from home, that is perceived to undermine the masculine sovereignty that is built on the notion of possessing the female "body" and protecting *satitwa*.[130] Anything that defies such a notion is perceived to be a loss of sovereignty and sovereign power. The notion of sovereignty, as traditionally understood in the field of International Relations, is based on the centrality of the state, and often recognized as interwoven with ideas about nationalism, ethnicity, and identity. However, a feminist analysis of Nepal's gendered migration policy from the standpoint of women migrant domestic workers offers a different conceptualization of sovereignty. The body is also a site where sovereignty is enacted, performed, and claimed (Mountz, 2018).

The state's gendered labour migration policy illustrates the ways in which it is deeply embedded in the notion of masculine sovereignty on the one hand and on the hand, it results from what I call the state's sandwiched sovereignty. Despite Nepal's neoliberal migration policy towards men's labour, it has maintained a policy of exception towards women migrants, especially those migrating for domestic work in the Arabian Gulf countries. Ong (2006) contends that in the non-Western contexts, the neoliberal approach to governance is selective in that it applies to some groups of people and not the others. Ong (2006) uses the concept of the "graduated sovereignty" to refer to the ways in which the governments in the East Asian countries have adjusted the political spaces to the "dictates of global capital" through a flexible management of sovereignty in their efforts to regulate diverse spaces and populations that link with global markets (p. 78). The forces and processes of economic neoliberalism have reconstituted the state sovereignty while reconfiguring the longstanding social and cultural identities and hierarchies (Ong, 2000). The sovereign state is reorganized by the dynamics of globalization to serve market interests, and the states are changing as intensifying processes of globalization and fragmentation undermine states from above and below (Petteman, 1998; Veneracion-Rallonza, 2004). The state is not as retreating in the wake of the market but as restricting in the context of the global political and economic forces on the one hand and the obligation to confer rights of citizenship on the other

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[130] It mainly refers to the sexual purity of a woman and her fidelity toward her husband.

(Rankin, 1999). The way the state sovereignty is shaped and reconfigured by global capitalism and other globalizing forces largely depends upon the individual countries' relative economic positions (Ong, 2002). To respond to the challenges engendered by the forces of neoliberal globalization and maintain the notion of masculine sovereignty at the same time, Nepal embraces simultaneously the liberal and illiberal labour migration policies towards men and women respectively. The gendered labour migration policy is rooted in the notion of masculine sovereignty. Shakya (2008) claims that the state elites have particularly been wary of the country's "sovereignty" and its "adequate stateness" throughout history. The saying that depicts Nepal as "a yam between two boulders"[131] reflects the ruling elites' anxieties about the state's geopolitical location and the potential threats to its masculinized independence as much as the discourse of Nepal's "non-colonialized" past does (Shakya, 2008).

The idea of masculine sovereignty is closely tied to much broader transnational political-economic processes wrought by the larger gendered processes of power, governance, and social change within the broader context of neoliberal globalization, as well as the country's "crypto-colonial" legacies, producing deeply gendered outcomes. The notion of masculine sovereignty results from what I call the state's "sandwiched sovereignty." This revealed the ways in which the masculine and sandwiched sovereignties are intricately interlinked and enmeshed with each other. In line with what Shore and Wright (2011) emphasize about how a policy adopted by a state can provide a window onto "larger processes of governance, power and social change that are shaping the world today" (p. 1). I propose the concept of 'sandwiched sovereignty' to argue that the state can neither prevent the global forces from transpiring into its territory nor can it use its political power to put pressure on the Gulf countries to protect its women migrant workers. Since many developing countries are in search of expanding their job markets if a sending state responds forcefully to the receiving state, then that could result in losing quotas (Oishi, 2005). Against the backdrop of the country's current geopolitical position coupled with its crypto colonial history, the state lacks both the will and political power to put pressure on the destination countries to ensure women migrants' protection, due to fears of endangering the job markets for its male migrants.

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[131] Given the geopolitical location of Nepal between two big countries India and China, King Prithvi Narayan Shah who annexed the multiple small infighting principalities into a single state formulated a number of guiding foreign policy principles through *Divya Upadesh* (Divine Counsels). The phrase "yam between two boulders" refers to Nepal's geopolitical situation within the context of the two big neighbouring countries India and China.

The state exercises its sovereignty on two fronts – internal and external. The concept of sovereignty encompasses both an internal and external dimensions: the internal entails the state's right and competence to determine the character of its own institutions and implement its own laws and guarantee respect for and abidance by national laws while the external concerns its relationship with other states (Capone, 2020). The sovereignty of the nation state in terms of its relations with other sovereign countries and its independence and ability to act on its own and to act on behalf of and in the interest of its people. And the other notion of sovereignty can be seen in relation to its own population residing within the national territories in terms of exercising its control and power. The internal dimension of sovereignty refers to the supreme authority of a nation-state within its territory while the external sovereignty refers to the recognition that the state has this power on an equal footing within other states. Internal sovereignty rests on the idea of territorial integrity where the state is privileged as a domestic entity that has the monopoly of control over all those who are part of the state, over what rules will be created, and over how it will defend itself (Veneracion-Rallonza, 2004). External sovereignty is akin to the right of political self-determination or the freedom from external interventions from other states (Veneracion-Rallonza, 2004). The processes of globalization and global capitalism have placed increasing limits on the states in their ability to exercise their sovereignty, both in terms of its power to control its borders, as well as the populations within and outside of those borders (Gupta and Sharma, 2006).

The gendered migration state not only reflects and reinforces the Nepali society's entrenched patriarchy[132] but also largely results from what I call the 'sandwiched sovereignty' that refers to the concurrent pressure exerted from neoliberal globalization and the country's weakened political clout which is also linked to its crypto colonial past. The gendered exception to neoliberalism migration policy of the state is thus the outcome of the ways in which the masculine sovereignty and sandwiched sovereignties are deeply entangled and embedded. As Tungohan (2017) notes, the neoliberal states promote "free trade" of people not only to maximize economic gains but also to "liberate" individual freedoms, Nepal's labour migration policy indicated a clear neoliberal agenda. Scholars (e.g., Held, 1998; Rai, 1999; Schild, 1998;

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[132] Lorraine Code in *Encyclopedia of Feminist Theories* (2000) defines "patriarchy" as a system in which females are subordinate to men, in terms of power and status, and which is based on the belief that "it is right and proper for men to command and women to obey."

Walker, 2010; Walton-Roberts, 2004) argue that globalization and neoliberalism has challenged the sovereignty of the entire state, and not the sovereignty of nation states alone, especially many economically and politically weak countries in the Global South become vulnerable and dependent on global economic forces over which they have little or no control. The state is often in an ambiguous role vis-a-vis global capital in that it represents itself as a defender of national interests while being complicit with the forces of economic globalization (Schild, 1998; Rai, 1999). As Walton-Roberts (2004) argues, globalization, therefore, produces "interrelated tendencies that cumulate to produce heterogeneous and uneven processes that operate dialectically in the face of local difference" (p. 54), the gendered labour migration policy reveals not only Nepal's current geopolitical positioning but also the legacies of its crypto colonial history. The market-driven migration policy adopted by Nepal and its weakened agency to protect its citizens going global manifests both antithetical and overlapping processes that the Nepali state is embroiled in. On the one hand, Nepal is actively embracing a market-driven migration policy that fosters neoliberal principles, and on the other hand, it is passive in terms of addressing human rights violations of its citizens in the Gulf countries, especially women migrant domestic workers, making Nepal a quasi-migration brokerage state. Such a position of the state within the current global political economy results into the further curtailment of women migrants' right to migration and mobility.

The state has turned inwards rather than outwards by using its sovereign power to negotiate with its counterparts in the Gulf countries. Hansen and Stepputat (2005) claim that, in the context of the changed political geography, it is necessary to move beyond the notion of sovereignty "from issues of territory and external recognition by states" to the "issues of internal constitution of sovereign power within states" (p. 2). When the state lacks the ability to put pressure on the Gulf states where Nepali women migrate for domestic work, through negotiating bilateral agreements or by exerting diplomatic pressure, or creating appropriate bilateral mechanisms to protect their labour and human rights, the state turns inwards. The state's sandwiched sovereignty leads to the state exercising its sovereign power to use the bodies of migrant women as the sites of governance. In the context of global forces, state power is "reconfigured in new ways through technologies of power that moved it away from top-down sovereign forms toward bottom heavy disciplinary and biopolitical forms" (Biswas, 2010, p. 4). The gendered labour migration policy

is not just the outcome of the masculine sovereignty – the gendered policy is equally the outcome of the ways in which the global forces and processes have shaped the geopolitical position of Nepal within the global political economy. Nepal's geopolitics from a gender lens offers insights into its gendered implications and impacts, uncovering the "geopolitical social" that simultaneously "crosses and crafts the distinction between internality and externality of the nation-state borders" (Cowen and Smith, 2009). The gendered labour migration policy of the Nepali state provides a window onto the twin processes simultaneously at work: the masculine notion of sovereignty and the fear of sovereign emasculation enmeshed in a very complex and co-constituting manner. Sandwiched sovereignty in turn gives rise to the masculine sovereignty.

Figure 20: The entanglements of masculine and sandwiched sovereignties
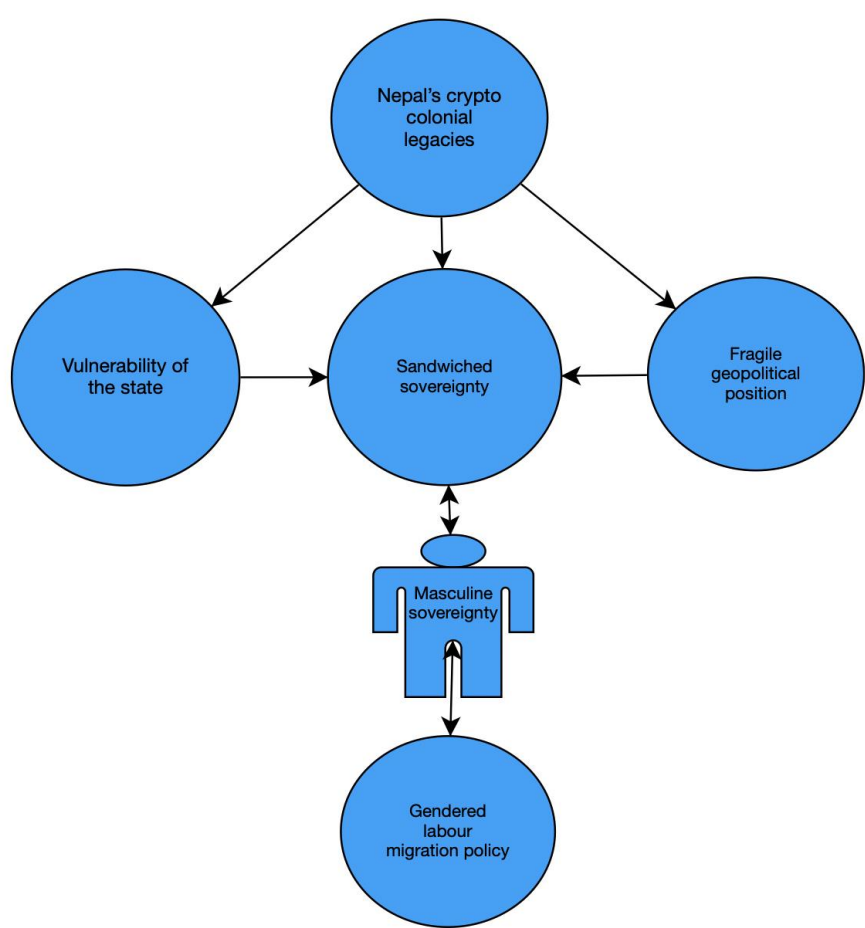
Figure by author

Masculine and sandwiched sovereignties are intricately interlinked and enmeshed with each other. Masculine sovereignty and the emasculation of the masculine sovereignty are co-constituting processes; the fear of being emasculated or the act of emasculation produces, reproduces, and reinforces the idea of masculine sovereignty. The state that bans women's migration intends to show its dissatisfaction to the governments of the destination countries (Oishi, 2017). However, in the case of Nepal, the sandwiched sovereignty happens when the state is neither able to prevent women from going given the structural conditions created by

neoliberal globalization nor can it defend women (sovereign pride) in the Gulf countries where they go for domestic work. The masculine sovereignty discussed above, and the fear of sovereign emasculation are two observe sides of the same process. Anything that is perceived to threaten such a notion undermines the state's masculine sovereignty. The state constructs masculine protectionist regimes as a response to the inherent structural, gendered, racialized, and class power differentials in the global political economy of labor migration. When the state's sovereignty is sandwiched, then the state prevents women from migrating. Thus, masculine sovereignty is an endogenous and preexisting gender oppressive system, and the sandwiched sovereignty is the impact of the global forces on what the state deems to be its sovereign pride and symbols of nationhood i.e., women. When these two interact and get enmeshed and entangled, the state comes up with the gendered exception of neoliberalism policy making Nepal a gendered migration state.

Ong (2006) contends that the governments, in the context of the East/Southeast Asian countries, employ neoliberalism as an exception to articulate themselves with the market logic of the contemporary world. Ong (2006) conceptualizes "neoliberalism as exception" as a "malleable technology of governing" where people are assigned value based on their marketable skills, rather than their membership of the nation-state. The ways in which Ong (2006) conceptualized the operation of such a technology differ in the case of Nepali women migrant domestic workers in that it operates based on the logic of what Oishi (2017) calls the "symbolic value" rather than monetary. This explains how the Nepali patriarchal society's perceives women work independently across the national borders.

The moment the masculine Nepali state perceives women who bear the "symbolic value" (Oishi, 2017) and the state's dignity and sovereignty are abused, it feels emasculated as reflected in the case of Nepal. Consequently, the state's external relations are intimately related to their internal relations with its own population. Neoliberalism, Ong (2003) argues, operates precisely through recalculating and repositioning different groups in relation to global market forces. However, the Nepali case presents a different picture in that the gendered labour migration policy that Nepal has imposed on women migrant workers under the protectionist discourse that justifies such policy lays bare the state's masculine sovereignty. In contrast, the "nationalizing" migration states place primacy on the nation's identity, instead of formulating the neoliberal market-based

migration policy (Adamson and Tsourapas, 2020). Such "nationalizing" migration states

(Adamson and Tsourapas, 2020) end up embracing what Gunawardana (2018) describes as the

"protection regimes" that purport to "protect workers" from vulnerabilities. However, such a

protectionist migration regime further entrenches the gendered politics and state regimes. The

state is recycling the same tired policy of restriction, making women migrant workers

exploitable, and governing through biopolitics of women as vulnerable subjects and workers.

These policy provisions reflect the patriarchal and paternalistic social order of Nepal. The

"vulnerability" discourse rather lays bare the anxiety of the male-dominated state psyche. A

domestic worker in Kuwait said,

> I don't think it's bad. (Hesitates a bit). You know you don't leave your home and
> come abroad just for fun. You're kind of forced to leave home, otherwise no one
> likes to leave home, leave family. You know what the situation is like back in
> Nepal. You can't make any money there and you can't even get a government job.
> That's what makes us come here so I think this is a good option. (WMR8-
> Interview, Kuwait)

The constant policy oscillations of the state towards women migrants show the tensions and

contradictions that lie within the state apparatuses. From 2012- May 2014, women over 30 years

of age were allowed to migrate for domestic work. Likewise, from 2003-2010, the bans and

restrictions were loosened on women migrant domestic workers. The gendered labour migration

policy should be seen in the context of the multiple challenges imposed by the changing and

increasingly complex regimes of gendered power (re)configured by the forces of neoliberal

globalization. Turner (2007) highlights the "deep contradictions between the economic need for

labour mobility and the state's political need to assert political sovereignty" (p. 287). However,

the state is not a unitary object but is, rather, a set of practices enacted through relationships

between people, places, and institutions (Desbiens et al., 2004). Rather than a coherent, hidden

strategy awaiting discovery, states are comprised of persons with distinct objectives and

perspectives, often struggling amongst themselves over state projects (Mountz, 2004). In the

context of the migrant-sending countries in Asia, Gunawardana (2018) uses the concept of

assemblage to contend that three distinct but interrelated, and at times contradictory, "gendered

regimes have emerged within the fractured logic of a neoliberal development agenda" to

facilitate migration and address harms faced by migrant workers (p.86). An assemblage

approach to the state involves recognizing the historical transformation of state power rather than

the erosion of sovereignty (Sassen, 2006). The state as assemblage creates new meanings and

forms, recontextualizing and refashioning relationships, including relations of power (Mezzadra and Neilson, 2013; Marcus and Saka, 2006). The assemblage as a concept "emphasizes emergence, multiplicity and indeterminacy, and connects to a wider redefinition of the socio-spatial in terms of the composition of diverse elements into some form of provisional socio-spatial formation" (Anderson and McFarlane, 2011; Venn, 2006). Texts are often sites of struggle in that they show traces of differing discourses and ideologies contending and struggling for dominance. Rethinking the state as an assemblage that works through economic and political processes to centre both security and economic interests, such as labor migration and capitalist accumulation (Elias and Gunawardana, 2014; True, 2012). Assembling is "a process of 'co-functioning' whereby heterogeneous elements come together in a non-homogenous grouping" (Anderson and McFarlane, 2011, p. 125). The case of Nepal shows these three seemingly contradictory but interrelated labor migration regimes. Together they make up a gendered state assemblage that produces mixed results for migrant workers.

Unmasking the vulnerability of the state: "*Sachai embassy ko manche afai kamirathyo*"

In contrast to the discourse of vulnerability of women that the state has constructed to impose a protectionist labour migration policy, it is the vulnerability of the state itself that can be revealed. The discourse of vulnerability of women is the ground on which the state has imposed restrictive policy to prevent women from migrating to the Gulf countries; however, this discourse indeed conceals the vulnerability of the Nepali state in the currently geopolitical regional and global structure that creates structural conditions where the state can neither curb transnational forces and processes that create conducive conditions for women to seek migration for their livelihood nor can it use its "sovereign" power to exert its sovereign power to put pressure on the countries in the Gulf where most Nepalis women migrate for domestic work. An embassy official interviewed in the Gulf remarked,

> How is it possible to file a case against the state here? You know what they said at the police station the other day. They said, if you have put a restriction, how could they come to our country? It's your fault, it's not our responsibility, and this is the responsibility of your state and the immigration office at your airport. (EMB7-Interview, Abu Dhabi, UAE)

There exists a nexus between state-based paternal protectionism and women's own views of the gendered moralities that frame their overseas employment. The voices and narratives of migrants can shape and change our understandings and imaginings of legal and political constructs. A participant in Kuwait said,

> Nepal government doesn't allow visa 20. This is something very sad because a lot of women are doing well, and they are working in good houses. One thing they should know is that those who are having problems and aren't happy with their work conditions won't be ready to come back. The most difficult problem I think for housemaids is not to allow them to come here legally, and directly from Nepal. The government should consider this. (WMW10-Interview, Kuwait)

Milliken (2001, p. 147) discusses the role of "authorized speakers" in defining discourses, setting terms, and framing common senses; they determine the dominant narrative and its permutations. In a study of the politics of migration, the "authorized speakers" are representatives of the sovereign power— policymakers, practitioners, and authorities—who enact and govern borders, certainly, but who are also implicated in the reproduction of dominant narratives of security, the system of states, and the interplay between borders, citizenship, and belonging. A focus group participant put it this way,

> I saw with my eyes myself, the embassy people are really scared abroad. You know what happened, when they took me to the court, my *kafil* said he'd paid for me, and he was shouting at me, he was going to beat me. At that time the embassy guy was trembling. I thought he'd support me and protect me but instead of doing any of this, he was so terrified. He didn't speak a word. Even Indian and Sri Lankan embassies are much stronger. The worst is that of Nepal. (WMR11-Interview, Arunkhola, Nepal)

The members of civil society and Nepali diaspora organizations also had similar views to share about the weakened role of the Nepali embassy officials. In an interview with a Nepali journalist who worked for a popular national daily based in the Gulf region shared about the Nepali delegates' and embassy officials' subservient roles in bilateral engagements with their counterparts of the Gulf countries. He noted that in such dialogues, the Gulf countries – instead of committing to protecting the Nepali migrants through policy reforms – place the sole responsibility on Nepal, but the Nepali counterparts cannot put pressure on the destination countries. In contrast to asking their counterparts to address Nepali migrant workers' problems, the Nepali authorities end up returning home making additional pledges to reform their own internal labour systems, policies and institutional practices. The journalist questioned the abilities of the Nepali government officials who participate in such bilateral talks and stressed on empowering them since these people are not mere individuals but represent the country to bargain for their citizens' rights. The discursive dimension of power often operates at the subliminal level and its effects become manifest through instrumental and structural mechanisms. The State's debilitated agency to press and bargain for Nepali migrant workers' protections in the Gulf is thus a phenomenon resulting from the 'sandwiched sovereignty.'

Slaughter (2004) contends that when the national bureaucrats "venture into foreign territory, they encounter their foreign counterparts – regulators, judges, and legislators – and create horizontal networks" based on which they sign bilateral agreements to govern their relations and institute regular meetings (p. 31). What happens within these national or inter-governmental spaces is crucial, but the state lacks both the political will and capacity. Chi (2008) notes that even where the political will exists, sending countries are frequently unable to implement measures due to their severely limited powers in the destination countries, inadequate funding, or lack of existing institutions to take on these responsibilities. An embassy official in Kuwait noted,

> Some go to the police station and the police station contacts the embassy and that is how they land at the embassy. When they come to the embassy, they have no money and what we do is we talk to the *kafils* politely because we can't fight a legal case with the sponsor. If we fight a legal fight, we are in a foreign land, so we try to sort things out in an amicable way, and to be frankly speaking, being subservient to them, being *sano* (humble) and calling them baba and mama - please give her money back whatever money you have because she is a poor person and something like that. (EMB3-Interview, Nepal Embassy, Kuwait City, Kuwait)

The states are ideally expected to be able to use their sovereign power as a bargaining tool to assure that others should also abide by common rules and practices. The subservient role of the embassy officials as reflected through the the phrase "being *sano*" demonstrates the vulnerability of the state when it comes to sareguarding women migrants' rights. An embassy official interviewed in Kuwait noted,

> It's very complicated. On what ground do you file a case against the government here? What happened just the other day when I was at the police office. The [police] officer said, if you've put a ban on women, how on earth they happen to come here in our country? It's the responsibility of your government to stop this. Your immigration office should stop them from coming. (EMB3-Interview, Nepal Embassy, Kuwait City, Kuwait)

The discourse of the vulnerability of women migrant domestic workers has shrouded the vulnerability of the state within the existing global political economy. However, discourses are not monolithic; they are often thin, unstable, and full of cracks (Bleiker, 2003). It is the dominant narrative that sets the contexts and frameworks of border politics where the narratives of "unauthorized speakers" contest this in dissonant voice to reveal the cracks (Bleiker, 2003). Engaging with the subjugated narratives by giving credence to the voices of research participants as authors provides moments of interruption that generate the potential to disrupt the fixity of the master narrative and its dominant concepts and relations (Johnson, 2016).

Within such a regional political-economic power structure, Nepal cannot exert any pressure on the Gulf states for fears that they might stop taking their migrant workers. This exemplifies how "power is the production, in and through social relations, of effects that shape the capacities of actors to determine their circumstances and fate" (Barnett and Duvall, 2005). In interviews with government officials, they stressed that the government's policy is to create employment in the country, but the contradictions exist in that on the one hand it claims to create employment in internal markets to prevent outmigration, but it is also negotiating bilateral understanding with other states. However, the Nepali government is passive about negotiating such mechanisms to protect women migrant domestic workers. Oishi (2005) argues that sending states negotiate bilateral labour agreements with the receiving states to secure quotas and the protection of their migrant citizens. However, the receiving states in the first place are not willing to enter into such bilateral agreements, and on the other hand, even if they do, such agreements lack enforceability and are just "toothless" (Oishi, 2005, p. 62). Therefore, the migrant sending and receiving states end up signing MOUs that lack legal obligation – can only serve as a frame of reference but fail to protect migrants (Oishi, 2005). The asymmetries of power have resulted from the larger globalizing processes and neo-liberalization have weakened the agency of Nepal to press the Gulf countries to defend its migrant workers' rights and adhere to the protections instruments and mechanisms in place.

The bilateral labour agreements that Nepal has signed with some of the GCC countries reflects how the asymmetries of power and Nepal's sandwiched sovereignty operate to shape the agreements their design, content, monitoring, implementation, and impact. Documents are produced, and they reflect the interests of their producers (Burawoy, 2019). Power can shape and define the structures states are embedded in and these structures become a resource of power by framing the rules of the game in favor of the actor (Barnett and Duavall, 2005). The bilateral agreements have had limited success, since they are confined to non-binding MOUs, which do not impose any enforceable obligations upon migrant receiving states and have hardly had any effects on improving the challenges faced by women migrant domestic workers. The MOUs aim to promote regional integration, control of irregular migration, foster cultural ties, and enhance migration and development linkages (Gamlen and Marsh, 2011). The protection of the Nepali migrants is rarely referred to in the MOU between Nepal and the three GCC countries. Structural

power determines how "to decide how things shall be done, the power to shape frameworks within which states relate to each other, relate to people, or relate to corporate enterprises" (Strange, 1988). The MOUs do not provide any clauses to protect women migrant workers' human and labour rights while an emphasis is placed on enhancing "the existing friendly relations between the two countries by developing cooperation in the field of manpower" and "recognizing the benefit to be derived by both countries from close cooperation in the field of manpower" (Nepal-UAE MOU). The use of the term "manpower" reflects the complete erasure of women migrants, let alone domestic workers, in the imaginaries of Nepal as well as the UAE.

The Preamble of the MOU between Nepal and the United Arab Emirates emphasizes enhancing "the existing friendly relations between the two countries by developing cooperation in the field of manpower" and "recognizing the benefit to be derived by both countries from close cooperation in the field of manpower."[133] O'Steen (2021) argues that though such bilateral agreements are forged out of mutual motivations and will, but their outcomes and benefits to the origin and destination countries differ due to their differing geopolitical positions. In signing MOUs, the GCC countries are reluctant to address inbuilt exploitative systems such as the kafala system (Wickramasekara, 2015, p. 21). The MOUs do not mention anything about the need to strengthen the overall monitoring mechanisms of the MOUs, and nor do they mention the need to reduce costs or to prevent recruitment malpractices, although they know they exist. Because of this structural power difference, the Nepal government is less likely to impose tougher hiring conditions on the GCC countries such as signing "standard agreements" that protect its migrant workers through provisions of competitive wages, decent working conditions, and other rights. In an interview, a migrant rights activist in Nepal remarked that the state should be able to assert its position and say that if they don't protect the rights of its migrant workers, then they will bring all its citizens back. Whatever the human rights situations of the migrant workers are, the Nepali state authorities have fears, so they can't strongly advocate for the citizens. At the same time, Nepal's internal politics and policy have an important bearing on its external relations with the destination countries. This weakens the bargaining capacity of the government officials since the receiving countries in the negotiating process will have an upper hand because of internal

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[133] Memorandum of understanding between the government of Nepal and the government of United Arab Emirates in the field of manpower. Centre for the Study of Labour and Mobility. Available from http://www.ceslam.org/

political instability - this is an example of how the internal policy/politics of a state has a direct bearing on its external relations. Since even bureaucrats have no clarity about the state's policy that they represent in the negotiating process, this weakens their negotiating capacity. When something happens, they ask migrant workers not to reveal [exploitation] to the media. Else that will affect the relations of Nepal with that country. A woman migrant domestic worker returning from Kuwait put it this way, "The Philippine embassy is much better than ours. They came to the house and took her away. But our embassy isn't like that." She added,

> What I want to say is that there are women from other countries abroad. Their governments tell them [governments of destination countries] not to treat them badly and behave them well. The governments from their side ask the governments to be nice with them. I wish our government could do the same thing and ask them to treat us well. The government should make sure that we get our rights, facilities, leave and salaries. Working straight even for eight-nine hours isn't possible, but for housemaids, you might need to work thirteen/fourteen hours a day. Also, when you apply for work permit, they should make this easy. (WMR10-Interview, Chormara, Nepal)

Another woman migrant returnee concurred,

> Philippine women get more, and their conditions are better. They've signed agreement with the government of UAE about minimum salary, at least 1300. Their embassy is very strict. If any Philippine woman is in trouble, the embassy rescues her within five minutes. If you go to Nepal embassy it takes forever. You never ever get your problem resolved. (WMR10-Focus Group, Chiliya, Nepal)

Instead of expanding its bureaucratic net, the state's policy in Nepal is primarily geared inwards toward its own domestic policy of curtailing women's movement. The state does not work toward mitigating the abusive and exploitative working conditions faced by many Nepali women migrants abroad, let alone address the root causes that drive the women away. The Philippines uses high level missions, model contracts, strict regulation of private recruitment companies and its bureaucracies, both within the country and abroad, render support during "pre- and post-departure stages of the migration cycle with the aim of constituting and influencing a diaspora" (Penafiel, 2015, p. 209). Slaughter (2004) argues that in the changed context the roles of the states are not now confined to their national borders, and their "domestic" jobs have "a growing international dimension" (p.16). Nepal could have effectively used migration to benefit the migrant workers themselves and the state through optimization of the positive externalities and minimization of the negative externalities. However, the embassies and consular staff acted as brokers between Nepali women migrant domestic workers and their *kafils* and private recruiters. A civil society activist interviewed in the Gulf country noted that the embassies – instead of

fighting for justice of the women migrant domestic workers abused and exploited by their *kafils* and addressing the root causes that produce their precarity – simply confine themselves to procuring air tickets to send them back to Nepal. Another human rights activist stressed that the Nepali embassy officials are either incompetent or unwilling to even leverage the legal systems that exist in the Arabian countries against abuse and exploitation of the migrant domestic workers.

Illicit at home, licit abroad

In the eyes of the Nepali state, women migrating to the Gulf countries through informal routes and channels are "illegal" while in the destination countries, they become legal. Hiring the domestic workers who left their countries of origin unofficially is considered legal in the Gulf countries. The blurred boundaries between state and market and between documented and undocumented activities are widely acknowledged in labour recruitment (Lindquist, 2010). The government is not lobbying at the state level and neither does it strongly raise a voice with the destination countries to ensure that they do not issue visas to those Nepali women migrant domestic workers who have not obtained official work permits from the Nepal government. There are two processes simultaneously happening: what the Nepali state considers human trafficking is called recruitment in the Gulf countries which is entirely legal. Rather than representing a dichotomy, the categories legal/illegal and regular/irregular refer to a wide variety of positions migrants take up during their migratory trajectory – migrants move in and out of legality and illegality because labour migration is differently legalized in countries of origin and countries of employment (Moors and de Regt, 2008). Like Moors and de Regt (2008) argue, the focus has generally been on state actors in debates about legal versus illegal migration. In the eyes of the Nepali state the women who migrate using informal routes and channels are considered "illegal," but the same women, once they reach the Gulf countries, are no longer deemed as such. In the global politics that are shaped by assumptions about the primacy of the nation-state, the unauthorized crossing of borders can be understood as an interruption of the sovereign power of the state (Johnson, 2016). Women migrant domestic workers migrating resorting to the informal routes and channels mostly through different Indian cities, and sometimes using a third country like Sri Lanka are, in the eyes of Nepal, are considered "illegal" since they have not obtained official work permits from the Nepal government to work abroad. On the contrary, when the women migrant domestic workers reach the destination countries in

the Gulf region, they are no longer considered illegal in the eyes of the governments of those countries in that the recruitment agencies are allowed to recruit and hire anyone whether they have left their countries of origin using official or unofficial routes and channels, and the governments, without any compunctions, issue temporary working visas for them.

The Nepali state could have requested the Gulf countries not to do so, but the government indeed refrains from having a sincere bilateral dialogue to negotiate an understanding. An Embassy official interviewed in Abu Dhabi noted, "The visa office therefore time and again says that we should send documentation to their foreign affairs ministry, but they don't want this to stop because they are taking advantage of this because their citizens can have cheap workers" (personal interview). In any given migration relationship, sending states will have limited influence over emigration decisions while receiving states with border control capacity exercise discretion over who to let in (Kaintz and Betts, 2021). Abraham and Van Schendel (2005) differentiate between licit and illicit: that is, the differences between the formally legal and the socially acceptable. Certain illegal practices may well be considered acceptable, while practices that are technically legal may be deemed unacceptable. Despite the ban in Nepal, the destination countries in the Gulf continued to provide work permits to migrants if they complied with their requirements. The Gulf countries allowed the recruitment agencies to legally hire them and these countries issue visas. If the Nepali state is indeed seriously willing to prevent women's migration for domestic work in the Arab states though irregular paths, it could have had candid bilateral dialogues with their counterparts and asked the authorities of the concerned countries to stop issuing visas to those Nepali nationals who do not possess official work permits from the government of Nepal.

The same gendered mobile bodies are thus inscribed with legality and illegality in different contexts depending on the interests of the states. As claimed by the Nepali state to justify the policy bans had it indeed been sensitive to the problems faced by women working as domestic workers in the Gulf countries, the government could have put pressure on the Gulf countries asking them to stop issuing work visas for the Nepali women traveling without the work permits issued by the Nepal government. When asked about this, the embassy officials in the Gulf countries and government authorities did not have a clear answer. Let alone putting pressure on

the Gulf states, an embassy official reported that it is the Gulf states and their officials, especially police authorities, that blame Nepal for failing to stop the "illegal" emigration of its citizens. In many instances, the Nepal embassy authorities fail to counter their argument or lack the ability or willingness to do so for fears of negative repercussions on Nepal's bilateral relations. A Qatar-based Nepali journalist pointed out that exerting diplomatic pressures to stop recruitment of unofficial Nepali women would enhance Nepal's bargaining capacity, but the Nepali authorities lack the ability to act assertively and present themselves as the representatives of a "sovereign" country in bilateral talks with their counterparts of the Gulf countries. This shows that instead of exercising its sovereign power as an independent country to bargain for the rights of Nepali women working as domestic workers, the Nepali state turns inwards and exerts its sovereign power on its female population as reflected through its gender-biased labour migration policy that imposes legal bans.

However, the state keeps quiet on this. When I asked this question with officials at the Nepalis embassies, they did not have a clear answer to the question. Some embassy officials admitted that the authorities in the Gulf countries make a counter argument and criticize Nepal for failing to prevent illegal outmigration of its citizens when the embassy tries to seek justice against the abuse and exploitation against women migrant domestic workers. Thus, the Nepal government can neither prevent their outmigration nor build pressure on the destination countries to protect its citizens. The state instead seems indifferent to this but when migrants' rights activists raise the issues of women migrant domestic workers and criticize the government, the state, instead of ensuring their protections, imposes bans as an attempt to protect them without considering the implications of such policy measures.

Conflating labour migration with trafficking

Irregular migration from Nepal to the Gulf countries tends to reduce the complex processes of migration to narratives of human trafficking. The circulation of such stories of abuse and victimhood may in turn pressure state institutions to restrict the migration of women domestic workers. Indeed, the distinction between these two categories is often amorphous, blurred, or co-constitutive – with women migrant workers seeking assistance from smugglers to navigate blocked migration pathways, encountering heightened risks of human rights violations,

exploitation and trafficking along their migration routes, in countries of origin, transit and destination. Women who are smuggled or trafficked may, at different points of time, be considered by legal, normative, and political systems, as falling within both definitions. In other scenarios, women who have been trafficked or who have been in conditions of extreme exploitation may seek the services of smugglers to escape or attempt to move across borders to seek protection, freedom from traffickers or an economic opportunity.

The main intent of trafficking is the eventual exploitation of people. The 2008 Human Trafficking and Transportation (Control) Act provides a restricted definition of human trafficking.[134] It does not clearly cover the trafficking of people from Nepal to a foreign country or vice versa in the name of foreign employment or for any reason, deceived with information to the victims and exploited. Such cases are registered under the 2007 Foreign Employment Act due to the ambiguity in Human Trafficking and Transportation (Control) Act. Smuggling of migrants involves an act of illegally facilitating the movement of people across an international border for profit.[135] Though smuggling may involve deception and/or abusive treatment, its main purpose is to make profits out of facilitating the cross-border movement of people. In many contexts, these two phenomena overlap and are intricately interlinked. The definition of trafficking emphasizes that people are transferred against their will, while the definition of smuggling stresses illegal entry to which the migrant agrees and for which he usually pays (Koser, 2005, p. 7). If someone travels abroad or is taken abroad for work without receiving official work permits that is human trafficking according to the national laws of Nepal. A CSO activist stressed that though the law defines this as human trafficking, the government does not take legal action against those involved in human trafficking. What this means is that in practice the people who leave Nepal illegally are considered regular and documented in the Gulf countries.

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[134] As defined by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, "trafficking in persons" refers to "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

[135] As per the Protocol against the Smuggling of Migrants by Land, Sea and Air, smuggling refers to "the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident" (Article 3).

The state looks at women's labour migration through a trafficking lens when it comes to producing the discourse of vulnerability and the need to protect them from harms by imposing legal bans and restrictions. There is a process of linking trafficking and labour migration. At the same time, when it comes to giving justice to women migrants who are abused and exploited by *dalals*, there is a process of delinking the two. Since the foreign employment act has given legal authority to the department of foreign employment to investigate the cases, and if deemed necessary, proceed with them for judicial adjudication through the Labour Tribunal. Due to this legal provisioning, the cases of abuse and exploitation related to migration are not dealt with by the local police and demonstrative authorities at the local level and instead they are asked to report them to the department which is based in the capital city. The local authorities show reluctance and unwillingness to intervene in situations of abuse and exploitation. A case worker of the SaMi project interviewed in Nepal, if the women who are trafficked in the name of foreign employment comes under the definition of trafficking and those involved in this are taken legal actions on then this can be stopped. For this to happen, there is a need for legal reform with a clear provision. The case worker added,

> when I talk to police administration and other local authorities it is difficult for me to make them understand that this is also human trafficking and if they can't understand this, it would be difficult to make the simple uneducated people understand. (CSO3-Interview, Kawasoti, Nepal)

In many cases, the local *dalals* could be identified, but when the case was reported to the local police authorities, they are reluctant to file the case on the ground that any foreign employment case does not fall within their jurisdiction but under that of the Department of Foreign Employment based in Kathmandu, the capital city. The CSOs working at the grassroots would not be in a position to have the *dalals* nabbed and punished despite the fact that they are involved in trafficking and/or smuggling of women across the border. Within the bureaucratic and policing department when it comes to *dalals*, labour migration is framed as being related to labour migration that, according to the 2007 Act, falls within the jurisdiction of the Department of Foreign Employment, leaving caveats for the *dalals* to be easily exempt from any impunity. Thus, most problems related to women migrant domestic workers fall in the gray zones of the legal and policy instruments as well as discourses.

Unholy nexuses and blame games: politics-bureaucracy-recruiters
When I started my fieldwork in Nepal, a corruption case against the then sitting Director General of the Department of Foreign Employment and other government officials was filed at the

Special Court by the Commission for Investigation of Abuse of Authority (CIAA) under the charges of taking bribes from "manpower" agencies. During the time, the country was in the throes of the first federal parliamentary elections after the 2015 new constitution came into effect. A CSO activist noted,

> I hear manpower people are also giving funds to the parties and at the time of cabinet formation these manpower people use their power to give the labour ministry portfolio to someone with whom they have links. The recruiters also have money power, and they have influence and access to politicians and policymakers. Even within recruitment agencies there are political affiliations to parties. Political parties trust them, and this trust doesn't come from nothing.

Since people operating private recruitment agencies for profits provide election funding to political parties and their leaders, and in some cases, people involved in recruitment business were even offered constituencies in the elections illustrates the ways in which labour recruitment has emerged into a lucrative covert easy-money industry in nexus with people in politics, bureaucracy and business. Even though the government-to-government (G2G) bilateral labour migration agreements have been in vogue, the international mobility of workers is increasingly being managed by private recruitment agencies with a minimum role played by the state agencies (Wickramasekara, 2012). Brokerage exists in migrant labour market everywhere in the world which occupies the "middle space" between migrants and the state, playing a critical role in helping migrants navigate the complex im/migration systems (Lindquist et al., 2012; Schapendonk, 2017). A plethora of private recruitment agencies that emerged following the open market liberal economy embraced by the Nepali state in the 1990s are thus able to influence the people in politics and bureaucracy. A strong nexus exists between politics, bureaucracy, and private recruitment agencies. Due to this nexus that benefits all, policymakers are utterly indifferent to the gender-biased labour migration policy and its negative implications for women migrant domestic workers. The state officials have overt or covert collusion with for-profit private recruitment agencies. Many such actors who run the circuits have collaborations with corrupt politicians. Most migrant rights activists in Nepal stressed on the institutionalization of corruption within the government bureaucracy and they get money from manpower agencies. Some recruitment agencies were lobbying to continue the bans and restrictions on women's labour migration because they were profiting from smuggling women through unofficial channels.

In an interview, the spokesperson of the Ministry of Labour admitted the challenge of reigning the "manpower agencies" since they have money and power to influence policymaking in their interests. Citing an instance, he revealed that the Ministry of Labour had proposed an amendment to the 2007 Foreign Employment Act with an intent of bringing about positive reforms to address the pervasive irregularities in recruitment, licensing of agents and attestation of demands in the destination countries, but the private recruitment agencies exerted their influence to delay the amendment process. The precarity of migrant workers is shaped by the market-making activities of the state and the increasingly state-like activities of empowered market actors (Endo and Afram, 2011; Strauss, 2018; Xiang et al., 2012). In many situations, the private sector acts as an extension of the state (Goh et al., 2017) and colluding with employers to cheapen and commodify migrant labour (Guérin, 2013; McCollum and Findlay, 2018). In the case of Nepal as the Spokesperson admitted, there is a "nexus between politicians, employment agencies and top-level bureaucrats" which was too complex to dismantle. According to an NGO affiliated migrant rights activist in Nepal, any attempts made to reform the labour migration policy and system are vehemently opposed by private recruiters who have the power of wealth to exert a high degree of influence on politics and bureaucracy. In policymaking processes, the government, as a human rights activist in Nepal revealed, holds consultations with various stakeholders, such as migrant workers, civil society, and recruitment agencies only for formality; when the policies and laws are formulated, they fail to reflect the voices and inputs provided by the migrants and civil society activists. In theory, the government adheres to the right policy processes; however, upon the feedback on the policy implications provided by the ministry of law, no changes, except grammatical corrections, are made, let alone conducting a thorough review and analysis of the policies and revising them before they are officially endorsed.

However, the people in politics and bureaucracy interviewed were involved in a mutual blame game, one holding the other responsible for the anomalies in labour migration. The people in politics argued that it is the bureaucrats who failed to implement the policies while the bureaucrats insist that it is the politicians who have failed to formulate good policy. In an interview, the Director General of Foreign Employment Promotion Board highlighted on the political leaders' real intent on labour migration and migrant workers this way,

> The state doesn't indeed give a damn to the problems of people going abroad for employment and the challenges related to foreign employment. These issues are not in their priority… someone might give high sounding speeches, in meetings,

> but as long as the rhetoric doesn't get translated in policies, it makes no sense…we have failed to make it a priority of the state … we've failed to make the state internalize this. (GOV3-Interview, Kathmandu, Nepal)

The government bureaucrat stressed that the Nepali state lacks a clearly articulated vision on labour migration stating three main issues paralyzing the labour migration sector in Nepal: a lack of institutionalization, highly skilled human and capital resources, and impartiality. The policymaking process took the opposite direction: laws were made prior to the policy followed by the directives and then the act, but it should have been the other way around- the overarching principle, laws, and the directives for their implementation. This upside-down process has left many policy taps. Also, the state lacks any farsighted national vision in migration policy and has failed to plan beyond the immediate needs. When he was posed with a question as to what he had done in his capacity to rectify the challenges, the Director blamed the ministers and politicians noting that,

> I have talked to the minister, prime minister, and other politicians as well, but what they do is that they listen to you carefully and even appreciate your proposals. But frankly speaking, they never take it seriously. It's just like crocodile's tears and this issue doesn't touch them. (GOV8-Interview, Kathmandu, Nepal)

The problems of migrant workers, as he stated, were non-issues for the political leadership, let alone the issues of women migrant domestic workers, since the politicians largely act under the influence of the "manpower agencies." A high-ranking government official at the Ministry of Foreign Affairs also criticized the political leadership giving an example of the minister for labour and employment working as employment entrepreneur some time ago. He pointed out the complexity of reforming the labour migration system in the immediate future stating that there is a stark contradiction between what the political leaders and parliamentarians say they will do and what they really do in practice. The government bureaucrat noted,

> When you listen to speeches of political leaders if they speak for forty minutes, they spend twenty minutes talking about labour migration starting from remittances to problems of migrants and rescue and repatriation and so on. Instead of giving a speech for twenty minutes, if they just reflect on the problems of migrant workers just for 20 seconds, that would be way better. Politicians have used labour migration as a means of doing their politics. (CSO11-Interview, Kathmandu, Nepal)

Amidst such a blame game between people in politics and bureaucracy, it is the recruitment agencies that are taking undue advantage by exerting their power of wealth on both poltical and bureaucratic spheres. A CSO activist interviewed in Kathmandu held the state responsible since it is the state that should intervene when the private recruitment agencies are not self-disciplined,

but the state has grossly failed to manage, regulate, and monitor the private sectors giving them an unbridled rein. He added, "I don't see that people in politics can escape putting all the blame on bureaucracy. Both parties are equally liable to be blamed. They are simply smearing mud on each other's face, but both are equally responsible."

The reflections that I had shared with my supervisor Dr. Jenna Hennebry from the field through an email also echo similar challenges existing within Nepal's labour migration system in relation to women migrant domestic workers. This was based on my interviews with the official personal secretary of the Labour Minister and other officials at the Ministry of Labour. The major challenges included: First, most Nepali women migrant workers going to the Gulf and Middle East countries had no skills, not even the very basic knowledge, such as cooking food, operating a gas stove, basic information about their social and cultural etiquettes (e.g., women covering their face in the Middle East). Most women migrant domestic workers even skipped the completion of their mandatory pre-departure orientation trainings, since the intermediaries would bribe the private orientation providing companies and have certificates issued without attending them in person. Not having even the basic knowledge and training adversely impacted their work performance leading to their exploitation and abuse in the Gulf countries. Second, the state lacked a negotiating capacity with the Gulf countries where most women migrant domestic workers go. Nepal lacked negotiating capacity because of an internal political instability which meant that the government and the Labour minister kept changing and so did the labour migration policy along with the change of guard.

Further, even if good policy provisions in place, implementing them on the ground is a big challenge. The private recruiting agencies, popularly known as "manpower companies," frequently evade these rules (Doherty et al., 2014). Citing the recruitment malpractices in Nepal, an embassy official in the UAE remarked, "See, people just hand over their passports to *dalals*, and these *dalals* make fake documents, even fake orientation, and women, without any knowledge, even the basic rules of the land, leave home." The government bureaucrats who are responsible for enacting the laws of the state are themselves, on many occasions, complicit with those who benefit from evading the laws. A bureaucrat interviewed at the Ministry of Labour, Employment and Social Welfare noted that they are aware of this; it has also formed a committee

consisting of representatives from different ministries such as foreign ministry and home ministry to discuss how different government ministries can better coordinate to stop the trafficking of women across the border. From my conversations with authorities at the ministry of labour, employment and social welfare, two dominant perspectives emerged about how the state looks at women's transnational labour migration using informal routes and channels: first, many officials stressed that the women migrating without work permits fall outside the labour ministry's portfolio noting that these women's issues should be dealt with by Home Ministry or the Ministry for Women; second, some authorities admitted that they were aware of the problems but simply displayed utter indifference to seeking any solutions *rajako kaam kahile jala gham.*[136] Freeman and Kessler (2008) describe this as "institutional inertia" (p. 658). Further, the ambassador's remarks in one of the Gulf countries that "[t]here's somebody else here who oversees issues of migrant domestic workers" reflected the inter-ministerial conflicts among officials even at the embassies in the Gulf countries. What the ambassador meant by "somebody else" was the Labour Attaché who unlike the other embassy officials who were all from the Ministry of Foreign Affairs was working for the Ministry of Labour.

In interviews with civil society and migrant rights organizations, it was pointed out that there was a lack of coordination between different state agencies (e.g., Home Ministry and Ministry of Labour) in curbing informal agents. Whenever a case related to foreign employment was taken to the local administration, the police would be reluctant to even file a case citing that labour migration related grievances fall under the portfolio of the Department of Foreign Employment, and not under their jurisdiction. If women migrants or their families succeed in filing the case against dalals, the Department of Foreign Employment simply invites both parties and facilitate negotiation or some sort of settlement, but it refrains from any legal proceeedings. A CSO activist criticized such a practice since this was not a legal but just semi-legal procedure which was key to encouraging fraudulent activities and malpractices to continue since those involved in such practices know that no legal action would be taken even if they deceived the migrant workers. A Foreign Ministry official interviewed in Nepal expressed his resentment that in most situations his ministry was informed of any amendments to the migration policy only after they

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[136] This is a proverb commonly used in the Nepali society and it means to refer to a situation where government officials dillydally in carrying out their duties since it is not their own work but that of the 'king' which refers to the state.

were formulated in a way that fulfils the recruitment agencies' and politicians' vested interests. He described the bureaucratic systems within the line ministries as completely "dysfunctional" so that the policymakers refrained from seeking inputs from the Foreign Ministry to avoid jeopardizing their self-interests. Thus, the Director-General of the Department of Consular Affairs of the Foreign Ministry in Nepal claimed that his ministry had a limited role in labour migration policymaking and governance, except carrying out rescue and repatriation tasks abroad. Though, as he pointed out, it is only the embassy that represents the Nepal government abroad and knows the ground realities about the labour and migration systems in the destination countries.[137]

The CSO activists and members of Nepali diasporic organizations in the Gulf interpreted such inter-agency conflicts in two ways. First, the major bone of contention pertained to who should have the authority to attest labour demands in the destination countries, and the second was related to the Foreign Ministry officials' reluctance to undertake the responsibility for migrant workers' labour related issues, arguing that the labour portfolio falls under the Labour Attaches posted in the Nepali embassies abroad. Migrant rights activists stressed the need for the embassy to tackle any labour related issues collectively as a single entity, rather than assigning them only to the Labour Attaché.

A Nepali diplomat based in Lebanon whom I interviewed at the Embassy of Nepal in Doha emphasized that the roots of Nepali migrants' problems abroad "lie in Nepal" and added that "when the fountain itself is muddy, many actors try to take advantage of the murkiness, but no initiatives have been taken to redress this" and what he referred to by the "fountain" was the sending country, Nepal (personal interview). The government bureaucrats who are responsible for enacting the laws of the state are themselves, on many occasions, complicit with those who benefit from evading the laws. The vulnerabilities of migrant workers result from not only by labour conditions in the destinations, but also by their sense of entitlement and their notion of rights at the country of origin (Mora and Piper, 2011). The Spokesperson of the Labour Ministry accepted the complexity of making policy reforms since such attempts, not they were not in

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[137] After my fieldwork was completed, the legislative framework was amended by the Nepal government introducing the provision of demand attestation from consuls at destination countries to avoid false representation and contract substitution.

favour of the recruitment agencies, would be foiled as evidenced through the delays in amending

Nepal's current Foreign Employment Act. Migrant rights organizations also deemed the politics-

bureaucracy-business nexus as standing in the way to policy reforms. A migrant rights activist

observed,

> There might be attempts and networks trying to have their influence on the
> government, especially the network of 652 manpower companies. They are so
> strong and have such a strong influence that if the minister and the prime minister
> is not firm with their vision and decision, they can buy them with money in no
> time. Having the courage to thwart such a strong network is a challenge and I feel
> that he is up to it. (CSO12-Interview, Kathmandu, Nepal)

Some civil society and migrant rights organizations pointed out that the practices of women

migrating to the Gulf countries through informal routes and channels have much deeper roots

connected to the broader issues of polity and people's views of the state. A migrant rights activist

stressed that in a society where people have massive mistrust on state agencies and official

procedures, it is completely natural for aspiring migrants to trust local brokers who are linked

through their networks of families and friends and are thus deemed more reliable. The activist

described the Nepali society going through a transition between the rule of morality and the rule

of law and as part of the society this equally applied to both general people as well as the state,

policymakers, and policy executers. He asserted,

> the country [Nepal] is not a country ruled by laws. The rule of law is just an ideal
> for our country, only the target, but in reality, the way our society is functioning is
> based on the Parashruti and Manusmriti… our society is a morality-based society.
> (CSO9-Interview, Kathmandu, Nepal)

As a result, the people at the grassroots have faith and trust on local dalals since they believe that

they will not be betrayed, and that even if they are deceived, they at least expect to seek justice

through *kachahari* which means assembling wiseacres and other community members to have a

grievance publicly heard. The other reason as why potential women migrants tend to resort more

to *dalals* rather than the state is that the state apparatuses, especially those pertaining to labour

migration governance, are centrally located in Kathmandu, despite the fact that Nepal has been,

at least constitutionally, federally restructured. The "lowest possible level" could be local,

regional, national, or supranational depending on the nature of the actors and processes involved

in governance, and it is based on "practicability" and not "a preordained distribution of power"

(Slaughter, 2004, p. 30). Since these institutions are Kathmandu based, people living in the

remote villages cannot afford to travel to Kathmandu frequently and they do not know or have

connection with government officials and lack knowledge of the legal procedures if something

goes amiss.

Nepal's bilateral labour relations: whither are the women?

"I can't talk about this issue, but I can speak about bilateral relations"

In Abu Dhabi of the United Arab Emirates, I had an interview scheduled with the ambassador at

the Nepal embassy office. When I asked him about the issues of Nepali women migrant domestic

workers in the UAE, he expressed his reluctance to make any comments, but he was willing to

speak about the "bilateral relations" between Nepal and the United Arab Emirates. The

Ambassador remarked,

> I don't want to talk about this issue. We have someone else at the embassy who
> oversees issues of migrant workers. If you want, you can give him a call and set
> up an appointment, and then have a conversation. I can't talk about this issue, but
> I can speak about bilateral relations between the two countries. (EMB3-Interview,
> Abu Dhabi, UAE)

Evading my question, the ambassador started elaborating on Nepal's cordial diplomatic relations

with the UAE ever since they started in 1977, in areas such as tourism, investment, trade, and

labour including the UAE's assistance to Nepal. He portrayed the UAE as the third largest

trading partner though Nepal had a huge trade deficit. Like Tickner (1994) asked why women's

lived experiences are considered as far-fetched in IR as a discipline, I raise a similar question:

Why are the issues of women migrant domestic workers so peripheral to and remain excluded

from the domain of bilateral state relations and international political life? States and the

interstate system have been fundamentally gendered structures of domination and interaction,

and in particular the IR which is "one of the most gender-blind, indeed crudely patriarchal, of all

the institutionalized forms of contemporary social and political analysis" (Keohane; 1989;

Walker, 1992). I was, although not astounded, struck by the ways in which the issues of women

migrant workers were rendered not even worthy of being treated as part of the "bilateral

relations" by some embassy authorities in the Gulf countries. And, as Enloe (2014) states,

making feminist sense of international politics "requires us to follow diverse women to places

that are usually dismissed by conventional foreign affairs experts as merely 'private,' 'domestic,'

'local,' or 'trivial'" (p. 17), the issues of women migrant domestic workers did not even fall

under the radar of bilateral relations. This particularly applied to the case of those women

working as domestic workers since they "belong to the State's sphere of personal autonomy" and

are made "analytically invisible" (Knop, 1993) in the state-centric bilateral relations. The state-

centric political system shapes our knowledge about IR and continue to render women invisible as international subjects and actors (e.g., Peterson, 1992; Tickner, 2001; True, 2005). Another Foreign Ministry official interviewed in Nepal went to the extent that it was a matter of disgrace for Nepali delegates to be representing such a country in bilateral dialogues with their counterparts.

The above vignette clearly shows what the ambassador thought constitutes the interstate "bilateral relations" completely effaces the lived realities of women migrant domestic workers. This also reveals the ways in which the critical survival exigencies confronted by people on margins, such as women migrant domestic workers, do not constitute the serious subjects in international politics. The Nepali state understands and defines its bilateral relations in terms of "high politics" that entail bilateral trade and commerce. It also illustrates the ways in which women migrants are not just marginalized in inter-state relations but also how violence is perpetrated on them. There is a need for the international relations to break out of the masculine world of "high politics" among bureaucratic elites by adopting a topsy-turvy angle based on the "subaltern" and "grassroots" experiences and ethics that connect with realities and lived experiences of people. In particular, the dominant discourse of inter-state relations needs to be reframed and re-situated to foreground the issues of women migrant domestic workers whose presence gets excluded and effaced in geopolitics and international relations. As Jones (1996) emphasizes on reclaiming women as the subjects of international relations and politics, it is necessary to reclaim the issues of women migrants in the discourse of Nepal's inter-state relations. Doing so is crucial to making their issues "visible" and producing knowledge that provides an alternative analysis to transform the ways in which inter-state affairs are conceived and conducted (Smith, 2018).

As the conversation progressed, the ambassador, however, admitted with diplomatic overtones that there were some outstanding labour issues pertaining to making Nepali migrant workers' labour migration system "safe, organized and systematic" and added that efforts were being made to resolve the issues with the full cooperation and support of the UAE government. He also pointed out that the two countries were in the process of negotiating a new bilateral understanding on labour with a separate protocol on domestic women migrant workers. In

keeping with most government officials, the ambassador vindicated the policy bans on women

migrant domestic workers arguing that the imposition of the bans had drastically reduced the

number of women migrant domestic workers coming to the embassy's shelter which was called a

"safe house." He claimed the reduction in the number of women migrant domestic workers

reaching out to the embassy for refuge as clear evidence of the effectiveness of the Nepali state's

proactive policy measures. He noted,

> When it comes to bans, I hear some people opposing it, but I think we should look at it more broadly. Some even link it with human rights issues, and they say that this is against the principle of equality between men and women. What is indeed important is to look at the intent of the bans. The purpose of bans is not to curtail women's freedom and confine them to homes, but to prevent their unsafe working conditions. The government is working hard and serious about it. The state cannot be unidimensional; it must focus on policies which benefit not only certain sections but all and even if not all, majority people should be benefitted. (AMB1-Interview, Abu Dhabi, UAE)

Nepal has entered into bilateral labour migration agreements, including six with the Arabian Gulf

countries, but they maintain an odd silence relating to women migrant workers, particularly

domestic workers, who are excluded from the national labour laws. In many Gulf countries,

domestic work is not even incorporated under national labour laws while most women migrant

workers work as domestic workers (Wickramasekara, 2015). The bilateral agreements, such as

BLMAs and MOUs, can serve as important instruments that may be used to negotiate better

protection of the rights of domestic workers who are often excluded from the domestic labour

laws of the Gulf countries (McCarthy, 2021). However, all MOUs keep silent on addressing the

situations of domestic migrant workers who are, as stated above, in situations of more

vulnerability and at risks of abuse and exploitation.

Table 7: Bilateral instruments singed between Nepal and migrant destination countries

Destination countries	Years of agreement	Names of agreement
Qatar	2005	Agreement between the Government of Nepal and the Government of the State of Qatar Concerning Nepali Manpower Employment in the State of Qatar
United Arab Emirates	July 3, 2007	Memorandum of Understanding between the Government of Nepal and the Government of United Arab Emirates in the Field of Manpower
United Arab Emirates	2007/ 2019	Memorandum of Understanding between the Government of Nepal and The Government of the United Arab Emirates in the recruitment, employment and repatriation of workers
Republic of Korea	2007	Memorandum of Understanding between the Government of Nepal and the Government of the Republic of Korea on the Sending of Workers to the Republic of Korea

Bahrain	2008	Memorandum of Understanding signed on 29th April 2008 in the areas of Labour and Occupational Training between the Government of Nepal and the Government of the Kingdom of Bahrain
Japan	2009/2019	Directive (With First Amendment, 2010), 2009 for sending Nepali technical interns to Japan
Jordan	2017	General Agreement in the Field of Manpower between the Government of the Hashemite Kingdom of Jordan and the Government of Nepal
Mauritius	2019	Memorandum of Understanding between the Government of Nepal and the Government of the Republic of Mauritius on the recruitment and employment of workers from Nepal. The agreement was signed on 11th June 2019
Malaysia	2018	Memorandum of Understanding signed on 29th October 2018 between the Government of Nepal and the Government of Malaysia on the recruitment, employment and repatriation of the workers.
Israel	2020	Cabinet meeting of the government of Nepal held on September 17, 2020, decided to delegate authority to the Nepali ambassador of Israel to sign a bilateral labour MOU with Israel

Source: Adapted from Labour Migration Report, 2020

As Dalby (1994) asserts, women are not only "rendered invisible, but the fact of their invisibility has substantially been ignored" (p. 595), the bilateral agreements are not only gender-blind but gender-absent in significant ways, let alone adopting a gender responsive approach as stipulated in the Global Compact on Safe, Orderly and Regular Migration.[138] McCarthy (2021) observes that in negotiating such bilateral instruments, policymakers have deprioritized the issues of migrant domestic workers. Enloe (1989) posed the question "where are the women?" to IR scholars to recognize the spaces of women in global politics and see them as essential actors in the international system. She had deconstructed the personal-international dualism and demonstrated how global politics impacts and are impacted by women's mundane activities. The exclusion of women migrants, and particularly those working as domestic workers, from the bilateral labour migration agreements[139] shows the states' domestic views of women and their transnational migration.

When asked about the silence of the bilateral agreements on the issues of women migrant domestic workers, a diplomat involved in the negotiation processes revealed that the Gulf

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[138] Guideline 4.5 of the ILO Multilateral Framework on Labour Migration urges states to ensure that "labour migration policies are gender-sensitive and address the problems and particular abuses women often face in the migration process."

[139] I use the phrase "bilateral labour migration agreement" (BLMA) to generically refer to both formal and legally binding bilateral agreements as well as informal and legally non-binding Memoranda of Understanding (MOU), which set out broad frameworks of cooperation committing to address common concerns, as well as to other arrangements, including between specific government agencies.

countries where most Nepali women migrant domestic workers work are reluctant to provide any

clauses relating to the terms and conditions of employment, contending that they cannot

intervene since domestic work is a private affair. Even if they agreed to provide clauses in

bilateral agreements relating to insurance and minimum salary, the negotiations would reach a

deadlock when the receiving countries denied any interference in case the private recruitment

agencies or *kafils* failed to abide by the clauses. Slaughter (2004) argues that when the national

bureaucrats "venture into foreign territory, they encounter their foreign counterparts—regulators,

judges, and legislators— and create horizontal networks, concluding memoranda of

understanding to govern their relations, instituting regular meetings, and even creating their own

trans-governmental organizations" (p. 31). What happens within these national or inter-

governmental spaces could play a key role in reconstituting and reconfiguring the global

migration governance regimes. However, in negotiating such instruments with a specific focus

on migrant domestic workers is likely influenced in part by asymmetrical power dynamics and

negotiating capacity between Nepal and destination countries (McCarthy, 2021).

However, the structural position and bargaining power of the state is shaped by where it is

located in terms of being a primarily sending, receiving, or transit country (Betts, 2011). The

Gulf states where most Nepalis migrate for employment have abundant options to choose their

labour-force from different South Asian countries, including Nepal, India, Bangladesh, Pakistan,

and Sri Lanka, and which in turn enhances their bargaining power. The gendered policies reflect

external policy reality that the countries of origin have a weaker political position compared to

that of the destination countries, since the international labor market is "basically the buyers'

market" (Oishi, 2005, p. 61). What largely comes into play is Nepal's crypto-colonial legacy for

both creating the gendered structural conditions for women's labour migration as well as for the

country not being in a position to assert its equal "sovereign" power to bargain for and insert

stricter clauses and protection mechanisms into the bilateral labour agreements as well as on

regional multilateral mechanisms.

Migrant rights and civil society activists criticized the Nepal government for remaining

indifferent to negotiating bilateral agreements with the destination countries with a focus on

women migrant domestic workers. However, the Secretary of the Ministry of Labour claimed

that the government was in the process of negotiating bilateral agreements, but he also pointed out the lack of will and commitment at the political level. The officials at the Labour Ministry though hesitated to answer and simply indicated the efforts being made to negotiate bilateral agreements with the Gulf countries. The Nepali state was indifferent to proactively working to negotiate such bilateral agreements for two reasons: First, the patriarchal gender norms were so strongly rooted in the people in politics, bureaucracy and policymaking that they were indeed not in favour of lifting bans and allowing women to migrate in the informal sectors, such as the domestic work. Migrant rights activists in Nepal claimed that the state, under the pretext of the directives of the parliamentary committee to discontinue the transnational labour migration of women unless the government signed bilateral agreements that ensure their protection, had the ulterior intent of protracting the bans and restrictions. Second, a certain segment within the state apparatuses was aware of and relatively more sensitive to the challenges faced by women migrant domestic workers, but due to the strong resistance from the private recruitment agencies that are benefitting from the continued imposition of the bans and restrictions, they were on the defensive side in the country's domestic politics. At the same time, given the geopolitical position of the country and its weak political clout, their efforts failed to deliver positive outcomes in relation to protecting the rights of women migrant domestic workers in the Gulf countries.

The Nepali state has thus failed to negotiate any bilateral agreements that protect the labour and human rights of women migrant domestic workers, resorting to the continuation of the gendered approach to women's labour migration. Many government authorities also emphasized the transitory nature of the migration bans and restrictions noting that as soon as the state enters into bilateral labour agreements with the destination countries, such provisions would come to an end. In this way, not having bilateral agreements has been used to justify the bans and restrictions on women's transnational labour migration. Even the parliamentary committee report that directed the government to prevent migration for domestic work stressed on negotiating bilateral agreements with the destination countries to ensure women migrants' full protection of their human and labour rights. What most government officials interviewed in Nepal said revealed that the signing of the bilateral agreements with the Gulf countries would provide a solution to the problems of Nepali women migrant domestic workers in the Gulf countries. Civil

society and migrant rights activists also sounded quite optimistic about the outcomes of the bilateral agreements with the Gulf countries. As Hennebry et al. (forthcoming) state, the bilateral agreements in the Asian context at least ensure the official pathways for labour migration and offer a legal status in the destination countries, but such instruments equally entail the risks of further entrenching gender inequalities by channeling women into the "low skilled" feminized occupations with a high degree of precarity (Lee and Piper, 2017). The various bilateral agreements existing globally on the migration for domestic work rarely include clauses on workers' rights but tend to be about technicalities (Bastia and Piper, 2019; Likić-Brborić, 2018). Bilateral migration agreements do not necessarily lead to improved protections for migrants, and that the negotiation of migration policies and migrant rights remain predominantly within the purview of the receiving state, particularly in temporary migration regimes (Hennebry, 2014; Zhou, 2013). BLAs fashioned and based on neoliberal ideologies thus help shape the "international division of reproductive labor" (Parrenas, 2001, p. 61). Enhancing these potentials to the benefits of the individual migrants is possible only through pushing states to embrace a rights-based approach to migration governance which is promoted by civil society and trade unions with the support of some international organizations, such as the ILO and UN Women (Piper and KC, forthcoming).

Gender-blind consular services

During my fieldwork in Kuwait, I had an interview scheduled with the Deputy Commissioner of Mission (DCM) of the embassy of Nepal. Upon reaching the embassy, just outside the embassy in the reception waiting room, I met a Nepali woman who looked completely bewildered and who I later knew was working as a *kadama*[140] under Kuwait's emigration Article 20 visa. She was denied exit by the Kuwaiti immigration authorities at the airport on her way back to Nepal following the competition of her three-year contract, and had gone to the embassy directly from the airport. Without giving any reason as to why she was prevented from returning to Nepal, she was asked to visit the Nepal embassy. Fearing that she might miss her flight for which she had been anxiously waiting and preparing for all those three years, the woman had rushed to the embassy for help. Losing the flight would also mean the 80KD she had paid for the air ticket to Nepal would be gone. She was enraged and complaining about her agent whom she was trying to

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[140] In the Arabian Gulf countries, this word literally means a housemaid.

contact by telephone, but there was no answer from the other end. She said that the agent picked her phone a couple of times, but instantly hung up pretending to be having a hard time hearing. When she was told by the embassy officials that she could potentially be taken to the police custody, she was frustrated. I learned that hers was not a unique case, but a normal one many returning women migrant domestic workers were facing. *Kafils* would often file a case accusing domestic workers of theft out of ill-intent in case they absconded the original employer to escape abuse and atrocities. Under the kafala system that gave absolute power to the citizens over their *kadamas*, they would be barred from leaving the country without the case being settled. The woman I met at the Nepal embassy was constantly denying of any wrongdoing and argued that she had not committed any criminal offense.

Diplomatic missions can play a crucial role in the Gulf countries with which Nepal has not signed any bilateral agreements pertaining to migrants working in the informalized domestic work. Embassies and consulates play a crucial role in providing advisory services, advocacy, safe spaces, and welfare centers (Frantz, 2013). In the case of Nepal where most Nepali women migrants working as domestic help are not included under the national labour jurisdictions in the Gulf countries, the consular services such as those undertaken by labor attachés become even more critical. Further, since migration is a gendered experience and men and women migrant might experience and face different challenges, the consular services provided by embassies should be gender sensitive. However, A woman migrant domestic worker pointed out,

> If someone has a problem, they must go to Nepal embassy which is in Abu Dhabi and if you go there taking a day off, you cannot get work paperwork done immediately, there is always a long line. Maybe those who give bribes can get their work is done faster. I find embassy people not cooperative at all—they never ever pick up phone calls. (WMW18-Interview, Dubai, UAE)

Migrant rights activists claimed that the lack of political will and efficiency of the government and the missions abroad are at the core of the problem. In addition, the 2008 Rules require the appointment of a woman labour attaché in the destination countries where 1000 or more Nepali women workers are employed. Foreign policy is an extension of the domestic policy of a country in relation to other nations and international agencies. In the changed context, the roles of the state's policymakers and policy executors have likewise changed. What they should do is to protect their citizens' rights in these changed contexts and to address any issues pertaining to their nationals, resolve their problems that "result from citizens going global—from crime to

commerce to civic engagement" (Slaughter, 2004, p. 16). Playing this role is not limited to a

nation-state's boundary, and it should therefore constitute an important aspect of global

migration governance (Slaughter, 2004).

> I've been to the Nepali embassy, and I know they aren't going to help even if you
> get into trouble. If you can pay for the ticket, the best idea is to come back to
> Nepal directly, rather than go to the embassy. We haven't been there to listen to
> their speeches but for making money. If you go to the embassy for help, then they
> say things like- if you've come here to work or just take rest (sarcastically). Is that
> the way to behave? They're there to help you and ask you what your real problem
> is in a nice way, so I don't like the way they deal with people. (WMR10-
> Interview, Chormara, Nepal)

In an interview, a woman migrant domestic worker living in the shelter at the Embassy of Nepal

in Abu Dhabi said, "They don't take it seriously, otherwise we wouldn't have to stay here this

long. I've been here for one and a half months. If they'd been serious, I could have gone back

home much earlier."

Figure 21: The gender-responsiveness scale
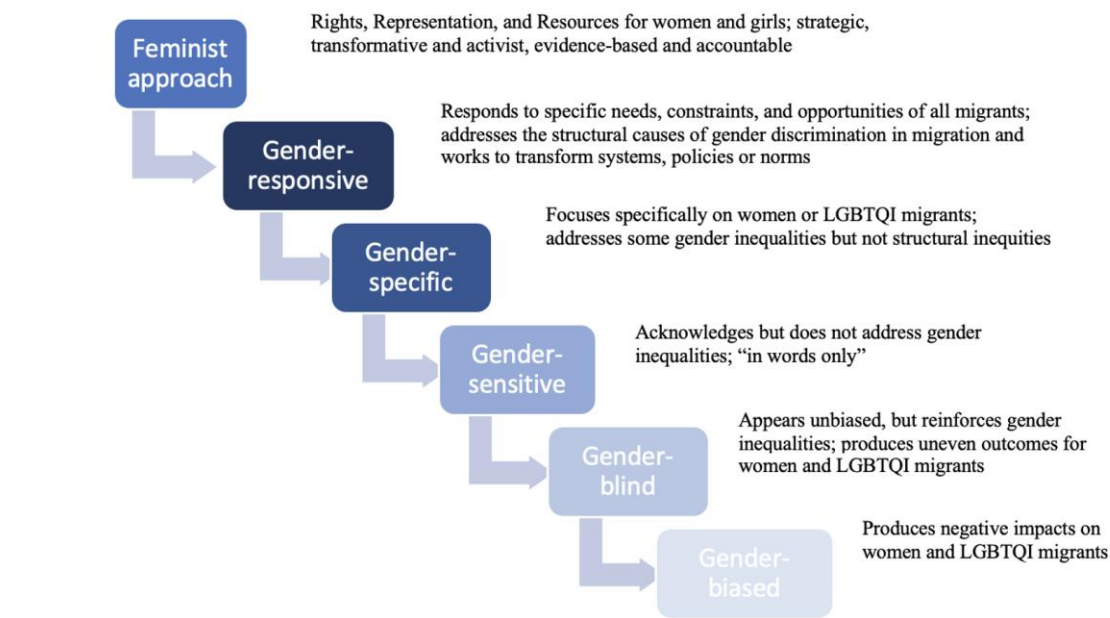
Source: Adapted from Gender+Migration Hub https://gendermigrationhub.org/

Many women migrant domestic workers revealed that they abstained from approaching the

embassies for help fearing that they would be turned away from the embassy because they had

not migrated through the proper channels.

> I told them I can't stay here any longer. This is like a prison, so I want to go back
> home as soon as possible. I've told them upfront that I might even commit suicide
> if they don't do that. Only then they've become little bit active and giving a
> priority to my case. They haven't told me why it's taken such a long time. They
> should let me know what's happening with the case. Only after they started
> following my case seriously, they've taken me to the court twice so far. (WMW1-
> Interview, Abu Dhabi, UAE).

In the case of undocumented women migrant workers, the situations are much more complicated. Migrants who have emigrated through official routes and channels are entitled to support from the Nepal embassies in the destination countries. Due to their undocumented status in the eyes of the state, most women migrant domestic workers were deprived from accessing the consulate services and raise complaints against their perpetrators. The Acting Director of the Department of Foreign Employment stressed that the government was not obligated to help the domestic workers who have migrated through illegal doors without obtaining work permits. His claim was that the complaints filed by women migrating through "legal" channels were far less than those of men migrants. However, a Foreign Ministry official noted that the Nepali embassies provide necessary support and rescue any Nepali citizens who are in trouble, notwithstanding their documented or undocumented status. Nepal consulates operate shelters for women migrant domestic workers leaving their employer within their contract owing to abuse or harassment.

> It is the local court that investigates labour issues. As soon as the migrant worker files a case at the labour court, it will call the employer to be present at the court and that further angle client. Therefore, even if the worker is abused and oppressed the worker feels compelled to have negotiations with the employers. If the worker could be provided with food and shelter as well as the fees for lawyer to fight for his case until his case is finalized that would have produced a different outcome. (GOV7-Interview, Kathmandu, Nepal)

Authorities at the Ministry of Foreign Affairs cited the lack of adequate human resources and labour attaches in proportion to the number of migrant workers as the main barriers to provide both immediate support to victims and long-term services in terms of seeking justice. They also pointed out that since all the local labour laws, rules and regulations and directives are written in the Arabic language, there was a desperate need for lawyers with expertise on the local labour laws and international labour laws, as well as interpreters who can speak English, Nepali and the Arabi language. As Slaughter (2004) argues, the state institutions and policy executors' jobs are not now confined to their national borders; their "domestic" jobs have "a growing international dimension" (p. 16), the embassy authorities can and should at least go and talk to their counterparts in the Gulf countries in situations of abuse and exploitation of women migrant domestic workers.

Summary

In this chapter, I have argued that the gendered policy is the outcome of an interaction between the masculine sovereignty and sandwiched sovereignty against the backdrop of Nepal's crypto

colonial history that has continued to largely condition and shape the country's sociocultural, economic, and political power relations. Nepal's gendered labour migration policy is closely linked with the idea of masculine sovereignty that conjoins with neoliberal capitalism to further entrench women migrant domestic workers' vulnerabilities across multiple scales and sites. In contrast to women's vulnerability, this chapter unravels the fragility of the Nepali state. Gender has operated as a deeply embedded governing code in Nepal's labour migration governance. But these gendered moves and codes do not happen in a vacuum. I havemploy the 'gendered local-global entanglements' as a conceptual framework to explore how the state is involved in the production, reproduction and perpetuation of the gender ideologies and gendered outcomes. Indeed, they are embedded throughout all levels of governance and policy domains in Nepal. And these codes and governance acts are enacted through policy and practices with consequences for a particular group of embodied migrants - namely women. When women feel suffocated due to the structural conditions that intersect various local and transnational forces, they decide to migrate; however, the mobility of even those who are forced to migrate for livelihoods is often rendered immobile due to the securitization of migration and restrictive laws. I have explored in what way the gender code has shaped the state's labour migration policy, laws, governance instruments, and institutional practices at all levels (from the local, subnational, national to the transnational) and scales (from the family and society to the state). In the policies adopted by the state and the Directives, Acts and Regulations issued at different periods, women willing to migrate overseas for employment, especially in the Persian Gulf countries, have been discriminated against. In labour migration governance, gender has operated as a governing code deeply rooted in the policymakers' and legislators' patriarchal mindsets. The policy is counterproductive in two ways: first, the restriction has pushed women to resort to unofficial means and channels of migration and this has put them into greater risk; and second, it is also argued that the government is so sensitive to the violations of rights of women abroad while their rights are being violated and abused inside the country.

CHAPTER 6: GENDERED GEOGRAPHIES OF LABOUR MIGRATION, ENTANGLED PRECARITY AND GRASSROOTS MIGRANT RIGHTS ACTIVISM

This chapter provides textured accounts of the processes of what I call entangled precarity in the face of the gendered local-global entanglements. Building on Sassen's concept of the "counter-geographies" of globalization, the gendere geographies bring to the fore the complex entanglements of the local - global, playing a key role introducing, reproducing and perpetuating precarities within transnational social spaces (which are the spaces anchored in but that extend beyond the borders of the state); and on the other hand, this research demonstrated that within these geographies, women migrant domestic workers exercised agency at multiple geographic and analytic scales. I argue that such acts of resistance and agency have taken place under the structural conditions created by the local and transnational forces that interact and co-constitute one another in subtle ways – there has thus been a complex interplay between women's agency and resistance on the one hand, and the systemic processes and phenomena on the other hand.

The chapter has five sections. In the first section I describe the ways in which women migrant domestic workers have circumvented and subverted the state-imposed bans and restrictions which are the forms of resistance. I mainly draw on data gathered from interviews with women migrant domestic workers, especially using their stories and narratives to discuss the gendered geographies of labour migration. The first section explicates the ways in which the labour migration of the Nepali women for domestic work in the Gulf countries – despite the prohibitive gender ideologies and the policy bans imposed by the state – represents acts of resistance. The second section illustrates the gendered geographies of labour migration in Nepal by presenting the stories and migratory trajectories of three women migrant domestic workers. It brings to the fore the stories and narratives of women migrant domestic workers to chart out the gendered geographies of labour migration. As Johnson (2016) claims, it is through focusing on the experiences and narratives of individuals, using ethnographic methods, that the global become perceptible and the everyday politics recognizable as powerful. The narratives in qualitative work contains within it the potential to interrupt dominant discourses that reify a separation between the "local" and the "global" (Johnson, 2016). These gendered geographies which simultaneously reflect personal troubles and structural disasters demonstrate how the gendered labour and migration systems in both the origin and destination countries produce the entangled

precarity. The intersections between the local gender oppressive systems and the global forces have produced what Sassen (2002) calls the "counter geographies of globalization" that heighten the risks, precarities, and vulnerabilities faced by women (p. 503). The acts of agency and resistance of the Nepali women migrant domestic workers in my study, entail precarities and risks as evident through the gendered geographies of labour migration. I propose these precarities can be conceptualized as 'entangled precarity' to describe the gendered geographies of labour migration that focus on the lives and experiences of women in different social and geographic locations" (Staeheli et al., 2004, p.1–2) that are produced by gender codes which enmesh with one another in complex ways. The gendered local-global entanglements, thus, function in complex and co-constituting ways, that conjoin to produce what I call 'entangled precarity' in overt and covert complicity with the Nepali State.

In the context of political institutions in the Gulf countries being extremely hostile to migrant workers (Piper and Grugel, 2015), as well as the absence and/or failures of bilateral and multilateral regional labour migration governance mechanisms, I discuss the critical role of civil society activisms in advancing women migrant domestic workers' rights and protection. I argue for the need for a feminist migrants' rights politics and activism that simultaneously speak to the entangled precarity produced by the intersecting and interlocking local-global gender codes at multiple levels and scales in multiple sites. Indeed, it is because of this reality (that both women migrant worker' precarity and the sites of struggle are entangled locally and globally) that civil society organizations have shown interest in the recent emergence of multi-sited governance of migration, as it makes space for the possibility of a new activism leading to the promotion of migrant rights (Piper and Grugel, 2015).

Resistance against the masculine state and its gendered policy

Many women migrant domestic workers and returnees indicated that they were aware of the risks that migrating through the "Indian routes" to the Gulf countries for domestic work might entail while some noted that they had at least heard about the dangers they might potentially go through in the Gulf countries. The narratives and experiences shared by women migrant domestic workers revealed not only the gendered politics of labour migration but also the ways in which women challenged the state's discriminatory restrictive migration policy. A woman interviewed

in Abu Dhabi in the UAE stressed that given the bans and restrictions obstructed their regular

migration pathways to the Gulf, they were left with no option but to resort to *dalals* who indeed

helped them, "So instead of putting a ban what they should do is to give us work, and if they do

that, we won't have to go abroad. Otherwise, they should open, and that would at least allow

women to go officially" (personal interview). She posed a question about the Directives[141]

pertaining to the clause on age-based bans restricting women under 30 years of age from

migrating for domestic work,

> Does the government think that it's only those above the age of 30 need to be economically independent? Anyone after 17 should be able to stand on their own feet. Does the government want them to wait until their daughters turn 30 so that they will go abroad and start earning? Some people have only daughters and not sons. The government should create employment or open it. (WMR5-Interview, Abu Dhabi, UAE)

The ways in which women migrant domestic workers circumvented the gender-biased labour

migration policy exercising their agency are acts of resistance. As noted by Harcourt et al.

(2017), resistance cannot be reduced only to the conscious and organized political action of

defiance but it rather describes the "everyday" practices which are shaped and motivated by

people's struggles for survival depending on their structural positioning within the society.

Foucault (1997) therefore describes resistance not as a negation but a creative process and states

that it means to "create and recreate, to transform the situation, to participate actively in the

process" (p. 168). The bans and restrictive policies have created a boomerang effect in that

many women aspiring to go abroad for work turn to "illegal"[142] and unlicensed *dalals* by thus

producing new migration channels and routes since the Nepali state blocked the legal routes and

channels of migration. Like Jones et al. (2017) observe, when restrictions are imposed on

migrants, they seek new corridors and routes by subverting the state authority, the circumvention

of the migration bans and restrictions enforced by the government against women are acts of

resistance. However, these women who resisted against the state's discriminatory policy are not

seeking for systemic transformation of the society, but simply to pursue their own choices and

plans in situations where doing this would evoke a challenge to gender norms (Abrams, 1999).

Since the margins are both sites of oppression and resistance (hooks, 1990), the state's restrictive

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[141] The Directives for Sending Domestic Workers for Foreign Employment 2015

[142] In common parlance as well as in the state's perspective, the term "illegal" is used to refer to those migrants who migrate not fully abiding by the state laws and such migrants are made "illegal" by institutional processes and structures.

policy and discriminatory institutional practices and the resistance exercised by the Nepali

women migrants demonstrate this twin process.

Though Oksala (2013) suggests that feminists should analyze the structural conditions of global

capitalism, rather than the individual acts of resistance, one of the consistent themes in the

narratives of women migrants was resistance of women migrants at different levels and in sites.

The women migrant returnees who participated in the first focus group in Nepal are resistant

women who, in the face of the gendered local-global entanglements as discussed in chapter 2,

actively sought and navigated economic opportunities through migration. One of the focus group

participants challenged the government, "*Ki rojgari deu, ki bidesh jana deu*"[143] (personal

interview). She added,

> They are overly vigilant at the airport. They give unnecessary trouble, they ask all
> sorts of questions like, why do you want to go, where do you want to go? Don't
> they know we have no work here? Either they should give us work or not give us
> any trouble when we go out. No one goes for fun, leaving little ones home. We
> aren't begging anything for free, but we are asking them to give us work, so that
> we can have some income, then who would want to go abroad? (All agree).

The drivers of migration for work exist, but in sharp contrast to the state's policy discourse that

considers women migrants as "helpless victims" of structures, the means and manner through

which they challenged the discriminatory bans and restrictions are acts of resistance against the

gendered state. Herr (2014) contends that the feminist analyses of Third World women's

oppression and resistance should both be historically situated, it is necessary to look at Nepali

women's resistance within their own specific contexts. These acts of agency and resistance must

be situated within a more nuanced understanding of power relations. As Harcourt (2016) argues,

not everyone deliberately challenges an oppressive system but even the mundane acts and

strategies for survival qualify as acts of resistance. Resistance then becomes a way of life, a

survivor response, which is consistent with the ways in which Sassen (2000) describes women's

migration as the "feminization of survival" to refer to the conditions where the survival of

women depends on migration.

In context of the Asian migration, Oishi (2005) uses the concept of "social legitimacy" to refer to

the extent and the ways in which women participate in the transnational labour migration depend

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[143] The phrase literally means 'either give us work, or let us go abroad.'

on a specific society. Citing the example of Bangladesh, she observes that there exists a low level of social legitimacy for women's transnational labour migration which is externalized into the state's restrictive migration policy that in turn gets further internalized by women. There was a risk of being labeled as a "victim" and associated with a "loose" character in the Nepali society where even those women who migrated obtaining official work permits also entailed the risks of being reproached and criticized from families, communities, and administrative officials (McCarthy, 2021). In Nepal's case, many women migrant domestic workers, despite the lack of social legitimacy, demonstrated the courage to migrate by circumventing the structural barriers. The women who bypass the state's authority are challenging and calling into question the very legitimacy of the state's policy.

Bennett (1983) provides insightful observations about the ways in which Nepali women, within the patriarchal system, use even the mundane ritual performance of *jal khane*[144] as a private strategy to please husbands to strengthen their positions and increase self-esteem within the family. Bennett's observations of the ways in which women use the mundane but subtly powerful strategies to enhance their status in the family are similar to my own childhood experiences in the village. The neighbourhood *bhaujus*[145] would resist against *buhartan*[146] perpetrated by their in-laws, especially mothers-in-law, through mundane acts, such as refusing to eat or simply absconding to their parental home. Trivial though such acts of resistances seem on the face of it, if seen within the specificity the specific patriarchal social and cultural structures of the Nepali society, they are indeed valiant acts of resistances that would require a great deal of courage and agency on the part of women to enact them. However, as Abrams (1999) argues, given the silent and indirect character of such responses, it is difficult to discern the resistance that lies therein. Many women migrants with whom I engaged and interview in the field challenged the government either to create employment opportunities inside the country, or otherwise at least refrain from exacerbating their precarities by imposing policy bans and

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[144] It is a Hindu ritual in which a married woman cleanses the feet of her husband in the morning before eating anything and sprinkles that water over her head to show her devotion and fidelity to him. Though the ritual no longer remains intact, it is still in practice in many parts especially within certain sections of the so-called upper caste Brahmins and Chhetris.

[145] Women married to older men in the neighbourhood, even though they are not part of relatives, are addressed as *bhauju*, which literally means sister-in-law.

[146] The term refers to the suffering, exploitation, and abuse that mostly newlywed daughters-in-law have to go through in the house of the in-laws.

restrictions. Some women migrants were, however, vocal and vehement about giving vent to their anger and expressed their resistance against the state's discriminatory policy as evidenced through what one woman interviewed in Dubai posed a powerful rhetorical question to the government, "What would I do if I stayed home? The government should give us work and if they can't give us work, no one wants to leave children and family and go abroad to serve strangers, they should let us go and not impose restrictions" (personal interview). These remarks also demonstrate the need to distinguish between what states consider to be "legal" and what women migrant domestic workers consider to be "legal" as Schrover (2008) observes that many people moving across the borders are "illegal" in the eyes of the states since they defy the authority, but the people who are on the move consider it quite "licit." Another woman migrant returnee in Nepal also posed a similar question, "If the political leader were here right in front of me, I would ask him right to his face. Why do you stop me to go abroad when you can't give me work? Who would go leaving children behind if there is work available here?" (personal interview).

As discussed in Chapter 2, feminist analyses of Third World women's oppression and resistance should be historically situated; and while agency has long been present among Nepali women, the resistance shown by these migrant women, to circumvent legal barriers to migration, has taken place against the backdrop of several social cultural and political changes and transformations that have taken place in the Nepali society such as the access of information technology, globalizing processes, and political consciousness. The concepts of vulnerability and agency are often considered as oxymoronic (Butler et al., 2016) where the conditions of victimization prevent individual and collective agency (Banet-Weiser, 2018). However, as seen in the Nepali women's acts of resistance, they should be taken as what scholars describe as "non-hegemonic instances of agency" (Gamez Fuentes et al., 2020) that means that the vulnerability is compatible with agency and is a condition which offers the possibility of enacting agency (Butler, 2015).

The individual resistance tactics are not part of a collective politic, but I see them as necessary strategies for survival. Through small but powerful ways, women migrant domestic workers have thus demonstrated resistance and agency at multiple levels and sites, from the family society,

agents, the state and *kafils* in the Gulf countries. The decisions to migrate overseas and seek livelihoods for themselves and their families, despite the legal bans and restrictions, were acts of resistance at multiple levels – against the family, community, the state, and the global forces. A woman migrant domestic worker in Nepal shared,

> I want to go back to my work. I know I can't live in a foreign land forever, but if I work for two more years, then I'll come back home and do something on my own. But they don't let us travel from the international airport in Kathmandu because the government has put restrictions. I hear they're thinking about lifting restrictions, but this hasn't happened though they say they'll do within just ten days or twenty days, but it never happens. As soon as the government lifts restrictions, I'll immediately leave home and go to Kathmandu. (WMR13-Interview, Rupandehi, Nepal)

Since women's labour migration has always been scrutinized by the state, some women decided not to fly from Kathmandu directly to the Gulf for fears of being grilled at the immigration office. Deshingkar (2019) argues that migrant strategies for negotiating precarity and how the processes of mediation themselves may create opportunities for exercising agency. Women migrant domestic workers use intermediaries to exercise agency by taking advantage of irregular migration routes and informal employment. A migrant returnee woman who was on vacation to visit her family in Nepal put it this way,

> Since I want to go back anyways, I will turn to a broker, and he does everything and you don't have to worry, *kaam milauchha* [gets work done with links]. He has links with officials, and he will manage work permits and then I will go back through India. He is asking for one lakh. I don't want to really pay this much money, instead if the government does this officially, I'd be happy to pay fees to the government. Leaders go to Dubai – Prachanda, Vidya Debi and others – they listen to us but do nothing. Some women also made a video in Dubai and sent it to the government and let the government know of their problems caused by the restrictions put in place.

Women migrant workers themselves are forced to fight against and negotiate with such structural challenges in individual ways (Lohani-Chase, 2008). In an interview, a female political leader, however, argued that the CPN-Nepal led government is sensitive to the issues of safety and rights of women migrating for domestic work in the Gulf countries, but she accused the women themselves of resorting to *dalals* to migrate to the Gulf countries despite the state's proactive media campaigns about the risks that migrating through India using "illegal channels" would entail. Most Nepali women migrants come predominantly from poor rural areas, possess limited English skills. The stories of pain, suffering, injustice, abuse and tears as well as varied forms of social costs that they had to negotiate but at the same time their stories also shared completely antithetical experiences: there was the sense of newfound freedom when they talked about

gaining financial freedom, escape from gender-based violence, caste discrimination, discriminations against widows.

Gendered geographies of labour migration

Women are not passive lacking agency to act but through migration they want to alter, subvert and challenge the oppressive systems of domination, albeit not without the risks these acts entail, which I describe as the gendered geographies of labour migration presenting the migratory trajectories of two women. The protectionist labour migration policy has expanded and strengthened what Sassen (2000) calls the "counter-geographies of globalization" that consist of brokers, human traffickers, and private "manpower" agencies, run by people in power (Kharel, 2016; Lohani-Chase et al., 2008). These counter geographies get further deepened when they intersect with the state's gendered governance strategy of containing women's migration through the enactment of differential forms of governmentality. In the Nepali context, the national institutional processes, and structures blend with the extra-national and transcend the state borders in shaping women migrants' lives. The gendered geographies of labour migration bring to the fore several complexly entangled precarities of the women migrant domestic workers at multiple sites and scales within the gendered local-global entanglements of various gender-biased structures, forces and ideologies operating within them. I have used the spatial term "geographies" to capture an understanding that gender operates simultaneously on multiple spatial and social scales of the body, the family, and the state across transnational terrains (Mehler and Pessar, 2001).

Bridgen (2018) places a central value on the stories and trajectories as retold by the research participants, since in this process the researcher gets to collaborate with migrants as they re-imagine their routes and make sense of the violence and suffering that they experienced during the journey (p. 114). Nelson (1995) observes that individuals articulate their sense of themselves by telling stories. Since the narratives create the possibility of reinterpreting past events as well as of devising different continuations of a story in progress, it enables women to mobilize creative powers and thereby to reshape their lives. The stories revealed multiple contradictory processes simultaneously happening. The spatial trajectories of Rita and Abina were reconstructed by paying close attention to their testimonies that included reviewing the transcribed interviews and field notes to locate their spatial trajectories to observe how the

precarity and subjectivation were simultaneously produced within the gendered local-global entanglements.

"*Khadama bhagi…khadama bhagi!*": Rita narrates her story

I met Rita in Bur Dubai in the Al Fahidi Shopping Mall located downtown in the city of Dubai in the United Arab Emirates. Close to the shopping mall was a park where Nepali women migrant domestic workers would gather on Fridays. It was Rita's day off from her work as a housemaid. Rita had been working as a housemaid in Dubai since 2008, although her first country of migration was Kuwait where she had worked as a housemaid. All her migratory trips were mediated by local *dalals* with whom she was connected through her personal acquaintances in the village. Rita shared, "I married early on with someone of my own choice because the force marriage of my sister with al old guy had scared me. You know my brother married her off to an old person. In our family, rather than parents, we'd have to listen to our brothers. My eldest brother was one who would make family decisions."

Figure 22: Rita's migratory trajectories

Rita recalled her first trip to Kuwait which she had made with several other Nepali women. After eight hours of transit in Dubai, when she landed at the airport in Kuwait City, a Nepali *dalal* had come to receive them in a small van and, on the way back he dropped off all other women at different locations which she later knew were recruitment offices. Although at the beginning she thought that the Nepali person would help her find a good job, she was scared to death when she was the last person in the van, and all kinds of fears gripped her, "What if he sold me?"

At the recruitment office she was told that the perspective Arabi employers would come and pick her up, but her fears had run high hearing about the horrendous experiences from other Nepali women migrant domestic workers who were waiting to be redeployed after having returned from their previous *kafils*. On the second day of her arrival, she was taken to the office along with other women and everyone was asked to stand in line so that the prospective *kafils* would select the one of their likings. Rita noted, "It was just like selling goats, selling animals." Rita recalled her first employers, a woman and her husband clad in all white, who interviewed her with the agent's interpretations and asked about her skills in cooking, cleaning, and taking care of children. Rita was told that that she was selected with a monthly salary of KD 45, though the thought of having to go with complete strangers chilled her to the bone.

Upon arrival in the house, the first thing Rita was asked to do was to wear an Arabi dress with strict instructions of always putting them on just like an Arabi woman covering the whole body. It was a blue gown that she later knew was a *khadama's* uniform. Then began her work with cleaning pots and pans. She learned some basic Arabi words from two other Nepali housemaids working in their daughters' houses close-by. Three days after she had been to the house, she was taken for a medical test for visa processing, though she internally thought that she would not be able to continue working like that in the house. Fernandez and Regt (2014) observe that migrant workers should receive residence permits called iqama, a permit which can only be sponsored by a citizen *kafil*. Like Baey (2010) comments about the domestic workers being treated as mere "alien labouring bodies" (p. 23), Rita's day would begin at 6 am and continue until around 2 am, and she would hardly get enough time to sleep and eat when the workload was so much so that she would drink water working. and the commodification leaves not only physical but also psychological repercussions. Many Nepali women migrant workers working in the Gulf countries as domestic workers experience "terrifying and shocking ordeals yet have been unable to hold accountable their abusers" (Gurung and Khatiwada, 2013; ILO, 2015). Many domestic migrant workers are deprived of basic needs and met with physical and sexual assaults from their employers, and many are trapped inside the employer's house with their mobility completely curbed (Weissbrodt and Rhodes, 2013). Not understanding the language added to the difficulty, but the only thought that would make her happy was that of the other two Nepali "sisters" who would occasionally come to the house with their employers and comfort her, though it was tough

for everyone. If something went wrong by accident, they would always find faults with her. One day when a child cried, she was accused of having beaten the child in the sly. Their son also lived in a house nearby where there were three other housemaids from India, Sri Lanka, and Ethiopia. The Ethiopian woman would help her sometimes, but she also had to look after a child. When the workload was too much to bear and she thought she would not be able to carry on like that, she contacted the recruitment office, but the agent shouted at her, "Just keep quiet and do your work. This is what everyone is supposed to be doing. No one will give you food for free." Migrant domestic workers are subjected to slavery-like conditions, with many having their passports confiscated and being denied wages, rest periods, annual and sick leave, and freedom of movement (ITUC-CSI, 2014).

There were six children of school going age in the house – she had to wake them up, prepare breakfast and get them ready for school. Then there was an old lady and an old man for whom she had to make breakfast. The work was plentiful and there was no end to it, during the first nine months, Rita was paid in time. Though she was allowed to talk to her family in Nepal, she was completely forbidden later. They would always keep an eye on her even when she went to throw garbage, fearing that she might abscond. Many migrant domestic workers are locked inside their employer's house and are allowed to leave home only with the employer's permission (Weissbrodt and Rhodes, 2013). As per the kafala system, in case the *kafils* are not satisfied with the housemaid, their money would be refunded in full within the first three months of hiring beyond which the recruitment agencies would not refund. Due to the risk of losing the money the employers would tighten their control and surveillance on their housemaids.

One day Rita and one of her Nepali friends, with the help of an Indian driver who would frequently come to the house for delivery, could purchase a mobile phone secretly. But it so happened that a child in the family heard the ringtone one day and reported this to his grandmother, though she managed to luckily hide the phone and never used it afterward. The other friend, being accused of talking to a boyfriend, was also badly beaten and deported, though she was actually speaking to her family in Nepal at night. Rita said how she felt very sad for not being able to say a proper goodbye prior to her deportation, but from that day on she could never put her heart into her work. After one year, she expressed her desire to return to Nepal, but

despite her willingness, they extended her visa for two additional years, claiming that they had "bought" her for DR 550, and if she wanted to discontinue, she would have to return all the money. The kafala system in the Gulf, which Johnson and Wilcke (2010) describe as a "state-produced and -sanctioned relation" between migrants and employers, grants its citizens unregulated power over domestic workers with impunity. After deportation everything changed for the worse, and they even stopped paying her salary. That was when Rita and one of her friends started planning to run away from the house. The Philippina women working in the daughters' houses who were also planning to run away advised them to do the same. Although they were anxiously waiting for an opportunity to run away, the opportune moment never came since they would always keep gate locked and the walls were too high. restrictions that their employers can impose on them coupled with their isolation, placed them in a situation where they became invisible. Rita noted,

> You can never keep anything secret or locked, they regularly check your space. Occasionally when their daughters came to stay with their parents overnight, we'd insist and sleep together, though they wouldn't let us do that.

Coupled with policies which tie the domestic worker's work permit to a specific employer and at a specific address, as well as the power vested in the employer to repatriate the domestic worker at will, the live-in transnational domestic worker often works under conditions of constant surveillance and starkly asymmetrical power relations.

During the festival of Ramadan, everyone was celebrating until 2 am one night. The men, living in a separate space called *duwaniya*,[147] were making a loud noise. Her friend with whom she had planned to escape was also there in the house with her *kafil*. Before going to bed, they packed up their stuff and set an alarm for 5 am, but when they woke up with the alarm, the old woman, to their great surprise, was still awake and sitting on the corridor. With all hope lost and fearing that they would never be able to run away, they went back to bed planning to try again. At 7 am they woke up again when everyone was still asleep, including the old woman whose room was right in front of hers. They put on the Nepali dress fearing that the onlookers might suspect absconding if found in a *khadama* dress. In such situations, as Faulkner and MacDonald (2009) argue, resistance becomes a way of life, a survivor response, or a political action. Though they

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[147] As described by the participant, this refers to a big hall which is separate but close to the house where male members in the family among Arabi communities hold parties or have gatherings/celebrations.

had packed up their stuff, they could not carry anything, except 20 KD with herself and another 30 KD with her friend. When they were walking down the street, they heard someone shouting, the "*khadama bhagi…khadama bhagi!*"[148] They kept running through houses crossing many streets until they reached a big road without turning back, though they had no idea which direction they were heading for. It was a huge sigh of relief. An Arabi man in the passing car signalled them to get in when they were waiting for a taxi, but pretended not to have seen him, scared of being taken to the police. They stopped an Indian taxi driver and asked him to take them to the Nepal embassy and told him the truth that they were running away, though they were still scared of being taken somewhere else and "sold" again. The sponsor confiscates passports of migrant workers and the kafala systems is thus "used as a powerful mechanism of control since if migrant workers run away, they immediately become undocumented and run the risk of being caught and deported" (ILO, 2015, p. 9).

On the way, the taxi driver tried to lure them saying that if he would find good work if they stayed with him, but they denied and said they would take another taxi if he was not willing to take them to the Nepal Embassy. They had become "undocumented" migrants along with their fleeing the exploitative situations of employers. When the taxi driver stopped at one place and did not return for quite some time, they nearly decided to run away. Having an undocumented status further disadvantages women migrant such as depriving them of seeking any state assistance in situations of exploitation and abuse (Amnesty International et al., 2011; Grossman-Thompson, 2016). Finally, when the driver said, "There you see the Nepali flag?", they felt like being back home. After they shared all the details about the agent and their *kafils*, the embassy officials contacted the agent and asked him to take them back to the office, but the agent never showed up. The embassy officials contacted the *kafils* and asked them to return the passports, but they refused claiming that they had paid the agent.

Rita stayed at the Nepal embassy, and they had a room that they called a "safe house" where there were about 8/10 other women. The shelter where they were taken afterwards, there were 6 hundred Nepali women who were all waiting to return to Nepal. For about four months, Rita stayed in the shelter which she described as a "jail." What she learned later was that her *kafil* had

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[148] The phrase literally means "*Khadama* is running away! *Khadama* is running away!"

filed a police case against her. The embassy officials advised her to tell the truth in the court and she was treated fairly and well by the embassy officials. Rita noted,

> the embassy was like my god. Some officials there were so good and helpful. In particular, there was an official, and he treated me like his daughter. Even after I was back to Nepal, I used to sometimes give him a call. (WMW3-Interview, Dubai, UAE)

After four months of stay at the shelter, the embassy was able to get the *kafil* to pay Rita her salary in the amount of NRS 70,000. Though Rita was not quite sure, but it was because the *kafil* lost the case, he also returned her passport so that she could finally return to Nepal, but she was devastated to hear about the heartbreaking news of the death of both of her parents during her stay abroad. In the interview, Rita pointed out that one main reason behind her decision to migrate was to give a proper treatment to her asthmatic mother: "And mum died when she was around 65. The reason I decided to go abroad was for the sake of my mum, but I didn't get a chance to spend money for her." This forcible separation from the comfort of their natal homes to join a household of strangers in the least autonomous and most onerous domestic role is the defining experience of Nepali womanhood (McHugh, 2001; Desjarlais, 2003).

Rita did not want to live in the village because that would refresh the sad memories of her `parents, so she moved to Kathmandu with her husband and started a small fancy store. Her daughter did not want to go with them. When Rita left for Kuwait, she had left her three-year-old daughter in the care of her mother, but after her death, she was living with her married elder sister with whom she still lives. In the case of Filipina women domestic workers, Parrenas (2000) describes the formation of a three-tier transfer of reproductive labor in globalization: the middle-class women in migrant-receiving countries, migrant domestic workers, and the Third World women who are too poor to migrate. Livelihood strategy unveils how care networks, conceptualized as care chains (Parrenas, 2001; Yeates, 2009) or more horizontal and fragmented sets (Kofman and Raghuram, 2015; Vaittinen, 2014) occur not only transnationally. Rita shared how the memories of her little daughter running away from her still tormented her. In Kathmandu, the income from the store was barely enough to meet their expenses, so her husband tried his luck for America, but the agent took all the money promising a "visa for America" but he had to return from India. That was the point when Rita and her husband decided to try

baidesik rojgar[149] one more time. As migration scholars (e.g., Mansouri and Tittensor, 2017; Paret, 2016; Paret and Gleeson, 2016) describe precarity and agency as simultaneous and inseparable processes, Rita, as illustrated above, has demonstrated agency to act even in the face of her extremely horrendous living and working conditions.

The *kafils* who had confiscated her passport did not go to the embassy either. Migrant domestic workers are subjected to slavery-like conditions, with many having their passports confiscated and being denied wages, rest periods, annual and sick leave and freedom of movement (Amnesty International et al., 2011; Grossman-Thompson, 2016; ITUC-CSI, 2014). Advani (2019) describes the kafala as "citizenship rents" that refer to the exclusive citizenship regime in the Gulf that structures the kafala system also provides a powerful perk and source of unearned income for the citizen population (Advani, 2019). Brokers are often connected to other formal and informal brokers in complex chains – resulting in "pyramidal" structures (Wise, 2013) providing employers a way of circumventing the responsibility to protect labour enshrined in traditional employment relations (Deshingkar, 2019). The ways in which brokers are deeply imbricated in global and national systems of labour recruitment and the structure of labour markets. Exploitation is facilitated by legal frameworks in GCC countries that both exclude migrant domestic workers from the scope of domestic labour laws and the kafala sponsorship system which grants employers extraordinary control over the migrant worker. Even though the kafala system is ultimately a product of state policy, one of its unique characteristics is that the state delegates to employer-citizens its authority over migrants' entry into the country and their exit (Advani, 2019). Parrenas (2012) uses the concept of "partial citizenship" that many destination countries grant foreign domestic workers and illustrates how states often 1) refuse to recognize their need for foreign domestic workers and consequently limit them to an irregular status or 2) refuse to recognize domestic workers as laborers and limit them to a conditional residency status that binds them to a sponsoring employer. Dito (2014) notes that "this delegation acts to fuse the power of both the state and employers, with both spheres controlling the right of entry of the migrant into the Gulf" (p. 81).

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[149] The phrase in the Nepali language literally means "overseas employment."

Although differences and similarities exist within the legal systems in relation to women migrant domestic workers, all the Gulf countries partially or wholly exclude domestic workers from the scope of labour laws and subscribe to a restrictive kafala[150] system. In the Arab States, 94 per cent of domestic workers are excluded from the scope of national labour laws and covered only by subordinate regulations (ILO, 2021). Johnson and Wilcke (2010) describe this system as a "structural violence" that grants its citizens "unregulated power" over domestic workers with no impunity (p. 136). Consequently, the migrant domestic workers are "doubly privatized" by a "state-produced and – sanctioned relation" between migrants and employees that consolidates the citizens' power and control over domestic workers (Johnson and Wilcke, 2010, p. 137). The Gulf states have created "a distinct sort of labouring body that is low-cost, productive, hyper-mobile, disposable, and held in – liminal status – everywhere and nowhere, constantly available to work yet never permitted to live" (Baey, 2010, p. 24).

"It's just like selling goats, you know": Abina recounts her experiences

Abina was a young girl in her early twenties originally comes from Butwal in Nepal. I met Abina in the shelter that they called the "safe house" provided by the Nepal embassy in Abu Dhabi of the United Arab Emirates where she had lived for 23 days. At the time I met her, she had just returned from the court hearing on a case that her *kafil* had filed against her in accusation of theft. She said that she had been frequenting the court for 22 days, since the embassy was not pursuing her case seriously. Only after she cried in front of the ambassador, her case was being prioritized. Abina's father had migrated to India years ago, but he was completely unheard of for a long time, and no one knew his whereabouts. One day a *dalal* from her own village who had previously managed to send many village women to different Gulf countries like – Oman, Kuwait, and Saudi – approached proposing her for "*baidesik rojgar*" to which she readily accepted.

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[150] As Human Rights Watch has highlighted, migrant domestic workers are at risk not only due to their exclusion from labour laws but also "as a result of the highly restrictive immigration policies that rely on sponsor-based visas". Under the kafala system, a worker's visa and legal status is tied to the employer and the employer is responsible for the worker's recruitment fees, completion of medical exams and possession of an identity card and the worker must obtain permission from the employer or sponsor to transfer employment or leave the country. This creates "a profound power imbalance" and gives the employer "an inordinate amount of power over the worker's ability to change jobs or return to her country of origin".

Figure 23: Abina's migratory trajectories

As her trajectories on the map show, she along with seven other girls was first taken to New Delhi in India where she stayed for over a month, since the agent said that she was underage to be issued a visa from the destination company. From Delhi, she was then taken to Columbo in Sri Lanka where there were fifty other Nepali women waiting to be flown to the Gulf countries. Abina said, "*Sri Lanka ko dalal le pheri paisa magyo*"[151] although she had paid NRS 60,000 to the agent in Nepal. Scared of being stranded in the "foreign land" she contacted her family in Nepal for additional money, and upon paying the extra money demanded by the Sri Lankan agent and two more weeks of stay in Columbo, she finally reached Abu Dhabi with a transit in Qatar. At the airport, she was received by an agent who took her directly to the recruitment agency. In course of our conversation, Abina paused and further shared her experience,

> They had in fact bought us. From Nepal, they first took us to India, and from there they got us here. The next day people came to see us, men with long beards in turbans and white cloth. I don't have the dress on my mobile, otherwise I'd show it to you. All of us were kept standing in line in the office, and there were girls from all over, India, Philippines, Indonesia, Bangladesh, and other countries. What they did is, they kept us standing in line and the *kafils* would come and take a look at each of us, and whoever they liked, they'd pick up… they also fixed our salary, you know. It really depends, some people give 800 or 1000 or even 1500. It's just like selling goats, you know. (WMW2-Interview, Embassy of Nepal, Abu Dhabi, UAE)

Even before making her decision to migrate, she knew she could potentially be sold, but she still decided to go because of the financial situation of her family. Precarity as a negotiated strategy shows the ways in which people interact with systems and institutions and foregrounds their agency (Jinnah, 2020). There were many Nepali women already at the recruitment agency in

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[151] This literally means "the agent in Sri Lanka asked for more money again."

Abu Dhabi. What the agency people would do is to take them to the office every day and the prospective *kafils* would come, observe, and pick whoever they liked. Abina considered herself to be lucky in that she was picked by an Arabi family and did not have to wait too long at the recruitment office where there were women waiting for many days. At the *kafil's* house, the workload was so excessive that it nearly killed her. Only after one week, she also had an accident in which she broke one of her arms when a gas cylinder fell over her body. When she was no longer able to work after the incident, the *kafil* took her back to the recruitment office where she stayed for eight months. As Advani (2019) notes that in case the sponsor is a recruitment agency, the vulnerabilities become more complicated and the legal responsibility difficult to locate, Abina pleaded the recruitment office to send her back to Nepal, but they consistently denied and said that she would have to return $5000 if she wanted to return. In the recruitment office there were 35 other women from different countries like India, Philippines, Sri Lanka, Indonesia, but she was the only one from Nepal. The agent would ask everyone to line up once every day in the office so that the Arabis would come and pick them if they liked. Otherwise, they would go back to the shelter again.

> *Dalals* sell three/four times during the migration journey. The local agent sells us to Indian *dalals*, and they sell us to *dalals* of the recruitment agency here in the Gulf country. These *dalals* sell us again to the Arabi *kafils*. Even inside Nepal, there are many *dalals* with links with each other, and all of them get money in advance from the Arabi employer. Rates are also different. If you're an old woman, the rate is 10000, and if it's a young woman, someone who can work hard and run and rush, her price is 20000. Your rate also depends on your health and beauty. (WMW2-Interview, Embassy of Nepal, Abu Dhabi, UAE)

Abina became completely disconnected from her family since she had no means of contacting them. Among them, there was one Sri Lankan woman, one day she, before returning to Sri Lanka, gave her a mobile set which she kept secretly hidden inside a pillow. She managed to secretly talk to her brother in Nepal and told him everything about her situation. Abina recalled that she was emaciated and getting weaker and weaker day by day and out of desperation she would bang her head on the windows and walls. The kafala system locks women migrant domestic workers into immobility and isolation.

Out of the blue Abina received a phone call from a Nepali person who asked her to provide him with all the information about her situations and whereabouts. Though she had no inklings at all as to what was being done, she was happy to be contacted by a "Nepali" who said he lived just fifteen minutes away from her. She did not either have any clue about her exact location, so she

looked around and saw big billboards written in English which she shared with the person. Later she knew that that person had obtained a copy of her passport from her brother in Nepal and given it to the Nepal embassy along with all other details. Within the next few days after that, she also received a phone call from an embassy official who also asked to provide him with additional information.

One day several people suddenly rushed into the office, who were indeed the local police officers in casual dress and officials from Nepal embassy, but she was scared assuming that they could perhaps be potential "*grahak*" which in English literally translates into "clients", but in common parlance, the Nepali word both carries the common core meaning of "customers" and also connotes customers for sex. The two policemen, in casual dress, went upstairs to where they were living along with the boss of the office while another policeman was also holding and reading some paper. They told her to take her stuff out, and as she took her bags out and went downstairs, she was astonished to see many people, and some were taking photos. Abina recalled when the embassy officials along with the police reached the recruitment office, it was around 5 am and the *mudri* (the main person of the office) was begging them to only take the Nepali girl out. They arrested the *mudri* and took her downstairs with shackles on her hands. When Abina saw the main old lady scared, she was very happy. Amnesty International has reported that numerous women have experienced "terrifying and shocking ordeals yet have been unable to hold accountable their abusers" (ILO, 2015). The day they were rescued, there was nothing left – no water, no food, nothing. There was not even water in the toilet. The police went to the kitchen and rooms and searched everywhere and took photos. Abina along with all the women from other countries who were living there were taken to the police station and then to hospital where they received treatment. After the hospital they were taken back to the police station, and after some paperwork, she was taken to the Nepal embassy. Adults from some of these countries travel willingly to the UAE to work as domestic workers, security guards, drivers, gardeners, massage therapists, beauticians, hotel cleaners, or elsewhere in the service sector, but traffickers subject some of them to forced labor or sex trafficking after arrival.

Tourist visas could be converted into work visas for workers looking to circumvent their home countries' recruitment ban in the UAE – a practice that exacerbated the risk of trafficking for

these workers, as they often paid fees to multiple recruitment agencies in both their home countries and in the UAE and had no protection under UAE law when they arrived on tourist visas. Precarity of one kind may aggravate other precarities and the entangled precarity is thus the migrant existence confronted by multiple forms of precarities which reinforce one another and collectively producing multiple vulnerabilities such as deportation and state violence, exclusion from public services and basic state protections, insecure employment and exploitation at work, insecure livelihood, and everyday discrimination or isolation. As Neilson and Rossiter (2008) argue, instead of a singular precarious subject, precarity represents an "experience" which is far from uniform.

Stranded women raise the collective voice: "*Bidama chorachori bhetna jau bhane farkera auna paidaina*"

In Kuwait, I interviewed and interacted with women migrant domestic workers at a cultural-cum-consort[152] program organized by a Nepali community organization at Indian Central School located at Jleeb in the city of Kuwait. When I reached the venue in the afternoon, there was a lot of fanfare going on with Nepali *panche baja*[153] was being played amidst a huge crowd of Nepali men and women migrant workers including the Nepali ambassador to Kuwait. Almost one half of the attendees were women most of whom had been to Kuwait under Visa 20[154] that, in Kuwait's immigration system, referred to the category of migrants working as housemaids. There was a food stall selling traditional Nepali food, such as *selroti, chana, achar*.[155]

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[152] Rajesh Payal Rai, who is a famous Nepali singer, was invited from Nepal to present his songs.

[153] The Panche baja five musical instruments') is a set of five traditional Nepali musical instruments that are played during holy ceremonies, especially marriages. Panche bajas are usually played by the Damai and the Gaine cates in the Hindu tradition. They are played using the rhythm of folk Nepali songs. It is named as Panchje Baja because in Nepali means 5 and the set includes five different types of instruments and baaja means musical instruments.

[154] According to Kuwait's Immigration Regulations, 20 visas are issued to for domestic workers, but the resident has to sponsor the worker who is between ages 20 and 50 years.

[155] These are traditional food items in Nepal.

Figure 24: Women migrant domestic workers at a cultural event in Kuwait

Such a huge presence of the women migrant domestic workers, their active participation in various activities along with their cultural performances was painting an entirely different image from the ways in which they are depicted as the victims to abuse and exploitation in the destination countries, especially in the Nepali media and the state's restrictive policy toward women migrant domestic workers. A domestic worker interviewed at the event said,

> I am a member of Laliguras [a Nepali community organization] and we are here because they invited us to the event. I am involved in many community organizations. I was first a member of Nepal Cultural Society and then for one year now, I've been coordinator of the Forum. I am also active in an organization of people coming from the districts of Morang and Sunsari [two districts in eastern Nepal]. This is also my birthplace and the land I live and there are a lot of people from there and we help each other whenever anyone has problems. I was a member and now I am coordinator, and I am also involved in International Artists Association. I am a social worker and trying to do my best. (WMW07-Interview, Kuwait City, Kuwait)

In sharp contrast to the discourse of vulnerability that the Nepali state has constructed about women migrating for domestic worker, many women I interviewed were actively involved not only in Nepali community organizations and events but also leading fund-raising campaigns to provide financial support to people in Nepal during the times of natural disasters such as the earthquakes and floods. One of the dominant themes among interviewed was that the government should not place all women migrant domestic workers into a single basket assigning them the tags of victims. Most participants pointed out that there were cases of abuse and exploitation inflicted upon Nepali women migrants in Kuwait, but their contention was that the solution to their problems was not in enforcing legal bans and restrictions but what they needed to do was to investigate and identify the root causes and seek solutions accordingly. One participant noted that the government should lift the bans against women migrant domestic

workers and if it is sensitive to their issues, the prospective employers hiring the Nepali women can be thoroughly investigated to determine their eligibility based on their past records. What they were most concerned about was the restrictive policy of the Nepal government so that they were "trapped" not being able to visit their children and family members out of the fear that if they did they would be prevented from returning to work. All participants were unanimous in stressing that despite the bans and restrictions women would find ways to migrate through India seeking help from the brokers who indeed were taking advantages of the state's policy.

> Why discriminate those going to work as housemaids? Many women I know are angry with the government. The government doesn't know their pain, they don't know the pain of having to leave children behind for years. Even when it's time to return, they can't come home because if they come, they won't be able to go back. They don't want to give up their work. What's worrying us is the government doesn't let us return to work, our lives will end up in the foreign land. (WMR20-Interview, Kuwait City, Kuwait)

Most women migrant domestic workers interviewed in the Gulf felt proud of being able to send their children to school and support family members. Parrenas (2021) examines the analytic limitations of reducing unfree labour to slavery or structural violence by imposing a deductive reasoning of unfree labour. Despite the bans if they wanted to go back, the only option for them to come back was through *dalals* giving them good sums of around NRS 150000 per person equivalent to 3/4 months of salary.

> I've come back home with my visa cancelled, so it isn't a problem for, but those who are here on vacation to see their family, and those who are doing well abroad, it's a big problem. What the government is doing isn't good. With the little money we make doing the domestic work there, we can't afford to bribe the *dalal* and give one lakh and a half just to get us through India. How can we pay this amount to the police? (WMR20-Interview, Chormara, Nepal)

These women, though they considered themselves lucky, refrained from claiming that everyone was doing well, but rather that the ban had exacerbated their return migration, let alone produce any positive results. One woman migrant interviewed in Dubai said, *"Bidama chorachori betna jau bhane farkera auna paidaina."*[156] Their argument was that many women were still travelling to Dubai through *dalals*, which made them even more vulnerable. They posed a question to the government authorities, "Would they want to return to work had they not been happy and felt good about themselves?" (personal interview). A focus group participant in Nepal noted, "Especially for those who are here on vacation and want to go back, they do so because they are

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[156] The is a phrase in the Nepali language meaning "if I go to see my children on vacation, they won't allow me to come back to work."

happy, and they know what is good for them. If they have any problem, they know what to do and where to go. So stopping them from going is not a good thing. If they are making money and want to go then they should be allowed to do this" (personal interview). After I completed my fieldwork, Nepal lifted the ban on re-entry of migrant domestic workers in September 2019, allowing certain migrant domestic workers to visit their families in Nepal on vacation and return to work in the destination countries, however, this measure only applied to those who had originally migrated with official work permits from the government of Nepal (McCarthy, 2021).

Entangled precarity and the gendered migration and labour systems

At the Nepal Embassy in Kuwait where I was waiting for an interview with the Deputy Commissioner Mission (DCM), two women drew my attention: one was in her late forties and clad in an Arabi dress with a hijab, and the other was in her late thirties in a brown gown which I later knew was a uniform of a *khadama*.[157] At first, I assumed that they could perhaps be female *kafils* visiting the embassy for some administrative work. When I heard them having a conversation in the Nepali language, that whetted my curiosity to know more about them. The woman in the *khadama* dress was attending a small baby of around four/five years of age while her *kafil* was interacting with an embassy official for a visa renewal. Since I was cautioned about Kuwaiti employers punishing their *khadamas* if found engaged in a conversation with a male stranger, I refrained from approaching the woman in gown in the presence of her employer.

The woman wearing a hijab had lived in Kuwait for 24 years since she migrated as a housemaid. She was at that time staying with her daughter who was born in Kuwait, and the reason she had been to the Nepal embassy was to arrange a travel document so that she could go back to Nepal along with her daughter. As the conversation continued, she revealed that her husband was a Kuwaiti national who had abandoned both herself and her daughter, denying that he was the father of the girl, and as a result her daughter was deprived of obtaining the Kuwaiti citizenship. The woman had recently lost a case that she had filed in the Supreme Court of Kuwait claiming for her daughter's right to citizenship; however, after the court's verdict against her, she had lost all her hope and decided to return for the sake of her daughter's future. I inquired about the

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[157] The word in the Arabic language means a servant, and the woman migrant domestic worker is called a "*khadama*."

woman during my interview with the embassy officials who noted that the case was a "chronic" problem and the woman had left no stone unturned to seek justice in Kuwait, but with no avail. All the three-tiered courts had denied her daughter citizenship since the Kuwaiti man had nexus with people in power. Ironically though, the woman and her daughter were provided with a small house where they were staying. The woman had even appealed for having the man's DNA tested as part of investigation, however, the court had denied the appeal prima facie. In my interviews when I asked the DCM and other embassy officials about it, they commented that acceding to the woman's appeal for the DNA test would upset the apple care opening the Pandora's Box given that many Kuwaiti men had extramarital affairs and children from *khadamas*.

During my fieldwork in Nepal, with the support of the GEFONT in Nepal, I was connected with Radhika, a woman migrant returnee, who was from the western district of Dang. She was separated from her husband 17 years ago and added, "But I couldn't put it up. I went to my parents' village. And to make my living I started to run a small eatery" (personal interview). Although at the time he was living with his second wife in a different town, he used to frequently visit and threaten her and walk away with the money which she was making to raise and educate her only son. In the meantime, she was connected with a local dalal in the village who convinced her to migrate promising a good job in the Gulf. Radhika said, "This is my second life. I had no hope that I would be alive and be back home" (personal interview). In the house where she was deployed as a domestic worker, she was frequently thrashed and beaten but she was one day able to escape and went to the Nepali embassy for shelter. After staying in the embassy shelter for about two months, she was rescued and repatriated with the efforts of the GEFONT, some Nepali diaspora organizations and the Nepal embassy in Kuwait. Even after she returned to Nepal, Radhika reported the case to the local police office, but she was discouraged from seeking justice and the police was at the beginning reluctant to even file the case against the local dalal who had mediated her migration processes. She sounded extremely frustrated in her efforts to seek justice and noted that both the employers in the Gulf and the people and police treated her "like things" (personal interview). She expressed the utter apathy of the police administration and her resilience,

> People in the village, and even some police personnel said I should step down. But I said to their face, the one who's done the wrong must be punished. If you don't want to punish the agent, you should prove that I'm not a Nepali citizen. I know the pain I've suffered, and you can't feel this, you can't understand this.

> Even if none from the whole district of Dang supports me, I'll keep fighting for my justice all by myself. Only then they stepped putting pressure on me. (WMRD1-Interview, Kathmandu)

The migratory trajectories of Rita, Abina and Radhika as well as the narratives and the experiences of women migrant domestic workers stranded in the Gulf countries and barred from visiting their families in Nepal on vacation provided powerful insights into their precarities which were produced through intricate entanglements between the patriarchal gender systems between Nepal and the Gulf countries. Unlike the conventional migrant rights discussions that look at the migrant precarity from the receiving country perspective, these accounts offer powerful insights into alternative ways of understanding the relationality in the production of women migrant domestic workers precarities disrupting the dominant discourses of conceiving the origin and destination countries' systems separately. Grosfoguel (2011) conceptualizes the "coloniality of power" as an entanglement of multiple and heterogeneous global hierarchies. Chi argues that in terms of institutional capacity, poorer countries have a problem - they have malfunctioning institutions, no resources, hence migrant rights can't be delivered.

The gendered local-global entanglements operate to link the gender ideologies in both the country of origin and destinations in the production of the transnational circuits for funneling women to the Gulf region. The relational thinking (Alexander and Mohanty, 1997; Marchand and Runyan, 2000) of local and global connections and interlinkages revealed the ways in which gender codes are grounded in and interlinked with the local and global processes. These structural systems existing within Nepal's and the GCC's labour and migration policies and institutional practices operate in nexus with and reinforce each other. Grosfoguel (2011) describes this as the notion of entanglement which he argues is close to Wallerstein's notion of historical systems understood as "integrated networks of economic, political and cultural processes." As Enloe (1990) observes taking gender seriously not only adds to the analysis at hand but produces a different analysis, putting the experiences of women migrant domestic workers at the centre allows us to see the ways in which the immigration system operates in the Gulf countries and their domestic politics affects the personal embodied experiences of women migrant domestic workers. The availability of foreign domestic workers forms part of a social contract between the state authorities and middle-class people through which states provide a comfortable life for their citizens while receiving political support in return (Bergem, 2006). As

highlighted in my interview with a journalist based in the Gulf region, the root of human

trafficking is therefore not the "manpower agencies" in Nepal but the company there and the

manpower company is just a means to the company's end. Lindquist (2010) argues that labour

recruitment system should be a starting point in the studies of migration, since it is at this site

that the local, national, and the global processes clearly intersect. As a central source of informal

labour, the private household space has become an emblematic site of globalization (Fish, 2021).

Labour emigration system that exists in the Gulf countries is at the roots in conceptualizing

women's transnational labour migration. The modern kafala system is better described not as a

continuity of Islamic kafala principles, but rather an extension of British colonial policy in the

Middle East - the conditions endured by women domestic migrant workers exist at the

intersection of patriarchy-capitalism-colonialism, as performers of the gendered, devalued labor

that domestic labor represents (AlShehabi, 2019).

To understand the precarity of Nepali women migrant domestic workers, it is crucial to examine

them within the broader contexts of how the gender codes and conceptions of masculinity and

nationhood have been constructed and deeply embedded in the social, cultural, political, and

economic structures of Nepal and the destination countries in the Gulf. The governments in the

Gulf countries have invested in transnational recruitment of women as housemaids by putting in

place the necessary instrumental and institutional infrastructure. A crucial element in the state's

stability has been the link between the kafala system and the wider social contract between states

and citizens. Anti-kafala reforms were generally unpopular and opposed by citizens and

recruitment-based interest groups defending an income-generating process for locals (Diop et al.,

2015), what can be called a "secondary rentierism" (SaadEddin, 1982). Global labour-

exploitation governance takes different forms, out of which two clear-cut scenarios can be

outlined. The first is the tacit tolerance, by governments, of large populations of undocumented

migrants, coupled with low efforts towards workplace control. The interactions between the local

and the global (masculine sovereignty and sandwiched sovereignty) create further precarization

or vulnerabilization by creating counter-geographies of labour migration. Employers' need for

foreign labour is therefore met informally, often through reliance on all kinds of intermediaries

and brokers (Pecoud, 2021). Looking at the ways in which women migrant domestic workers'

lives are impacted by how the kafala system works in the Gulf countries helps make sense of

how the global is personal. The system's role in creating a social contract between the state and the citizen, which effectively promises the latter a ready source of revenue and significant control over migrant labor in return for reduced social and political freedoms (Qadri, 2020). The precarity of Nepali women migrant domestic workers is produced not only their individual employers and in particular contexts, spaces, and times but it is also deeply imbedded in much larger global and regional economic power differences. Most women interviewed in Nepal and the Gulf shared that they had migrated through such unofficial channels and routes which as Kharel (2016) notes multiplies their vulnerabilities, precarities, and risks.

Figure 25: Excerpts from ads for the recruitment of Nepali women migrnat domestic workers[158]

We are looking suppliers from >>> CAMBODIA, VIETNAM, NEPAL, SRI LANKA, PHILLPINES & INDONESIA. Please contact us for more discussing to share hands for mutual benefit of both of us. We will pay you highest commission for your service

We are Nepal Government approved Housemaid supply agency. If any maid agency in Qatar, UAE, Kuwait, Bahrain, Oman, Saudi Arabia would like to tie up with us to recruit maid from Nepal, please feel free to contact me.

We are Housemaid supply From Nepal

Dear Sir , We are Manpower supply From Nepal; we supply skilled and non-skilled workers for overseas country. Please let us know if you have any required position for Nepalese workers.([email removed])
We are Housemaid supply From Nepal .([email removed])

Malit et al. (2018) describe the structural dependency on domestic workers as "*khadama* dependency syndrome" which will not only intensify due to complex micro- and macro-level factors, but also transform into a long-term dependency. Issues related to work directly affect immigration and residency status and the rights denied to noncitizens and their subsequent precarity also have a significant effect on the nature of working and living conditions in the Gulf (Advani, 2019). Malit et al. (2018) observe that as the UAE government increasingly invested in education and localization initiatives to increase the local workforce participation, many local women were also able to participate both in the public and private sectors, working in a variety of jobs from clerical positions to top-level managerial appointments (Malit et al., 2018). Employing migrant domestic workers in many families in the UAE is a marker of social status

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[158] This is a screenshot of an ad from a Gulf-based recruitment agency called "Just Landed" which was available from https://www.justlanded.com/english/Qatar/Forums/Business/Looking-for-manpower-agencies-in-Qatar/Kuwait-Employment-Agency-is-looking-for-Housemaids-Recruiting-partner.

among their peers while giving them more leisure time to enjoy their social lifestyle (Malit et al., 2018).

Women migrant domestic workers, as well as the people of Nepali diaspora communities in the destination countries reported that the *kafils* prefer the housemaids smuggled through unofficial channels, rather than those who have migrated officially, since that increases the exploitability of the workers as they are placed in what Piper et. al (2018) describe as the "grey zones of migrant legality and multiple forms of precarity, which create ample opportunities" their exploitation (p. 123). The case worker reported that the *dalals* involved in the transport of women migrant domestic workers are especially asked to send women through the unofficial route from India, rather than Nepal. It is because when women migrate through "illegal" means and channels, the employers in the Gulf countries would not be held accountable and legally responsible in the event of any abuse and exploitation. The case worker added, "Since she has gone through India, the employer would not be responsible for retuning her back to Nepal and everything would be at the will of the employer. The employer could keep the woman working for him as long as she has energy on her body and could serve him" (personal interview).

Although the workspaces of women migrant domestic workers are behind the closed walls of private homes, it is the geopolitics of the national and the transnational that intersect and interact to produce the lived precarities. The kafala system has enabled Gulf rulers to subcontract their governing responsibilities to private citizens. Malit et al. (2018) contend that in the Gulf countries' contextual position as transitioning, (middle-income) countries, they have responded and adapted to some of the dynamic social and economic changes but not the cultural and political dimensions of globalization. The kafala illustrates the complex interweaving of public and private interests in "migration infrastructures" (Xiang and Lindquist, 2014) and the relationship between state policies and brokerage (Triandafyllidou, 2018). If noncitizen workers approach the official channels to resolve such issues, the state can deflect responsibility and argue that the matter must be dealt with privately between the employer and the employee (Advani, 2019).

Most migrant domestic workers are highly unlikely to pursue legal remedies for breach of contract before the courts given the difficulty accessing the courts and lawyers, the time and expense associated with litigation and the likelihood of retaliation. Comparing kafala migrants' experiences to a form of contract slavery, Gardner (2010) argues that there are four mechanisms through which this structural violence occurs: "the transnational character of the contracts and debt incurred in their sojourn to the Gulf, the control of the guest worker's passport by the *kafil*, the linguistic and cultural barriers that limit their strategic responses to the dilemmas they face, and the spatial aspects of this system of dominance" (p. 211). Neilson and Rossiter (2008) argue that there is no singular precarious subject, suggesting instead that precarity represents an "experience" which is far from uniform.

To better understand gendered migration governance in Nepal, it is essential to look at in relation to the gendered construction of the Nepali nationhood. The imaginaries of the state and nationhood are built on agender code that frames women as mothers and caregivers, and men as economic rational actors constraining women's power. Within this framing the concept of precarity has central significance, as it connects the micro and the macro, situating experiences of insecurity and vulnerability within historically and geographically specific contexts (Paret and Gleeson, 2016). Like the concept of the "scattered hegemonies" (Grewal and Kaplan, 1996), the forms of oppression and patriarchies in Nepal simultaneously encompass and intersect the multiple scales of the body, family, nation-state, and the transnational. The gendered forces and processes are intricately entangled with one another in complex and co-constituting manner as reflected through the ways in which the *"cheli,"* the masculine imaginary of the Nepali state is entangled with gendered and racialized conceptions of the "*khadama*" in the Arabian Gulf states. The concept of what I call 'entangled precarity' remains at the core of examining the precarization of Nepali women migrant domestic workers in the Persian Gulf countries. Piper and Withers (2017) describe this as "protracted precarity", and the truncated rights shaped by structural inequalities throughout the global and regional economy, and buttressed by institutional incapacity and lacking integration of labour governance within migration governance. The concept of the protracted precarity refers to the state of prolonged and extended precarities faced by women migrant domestic workers. I argue the precarities of the women

migrant domestic workers are not only spatially protracted but also structurally entangled in the production of the precarities – hence my use of the term "entangled precarity."

Figure 26: Entangled precarity: From a 'Cheli' to a 'Khadama'
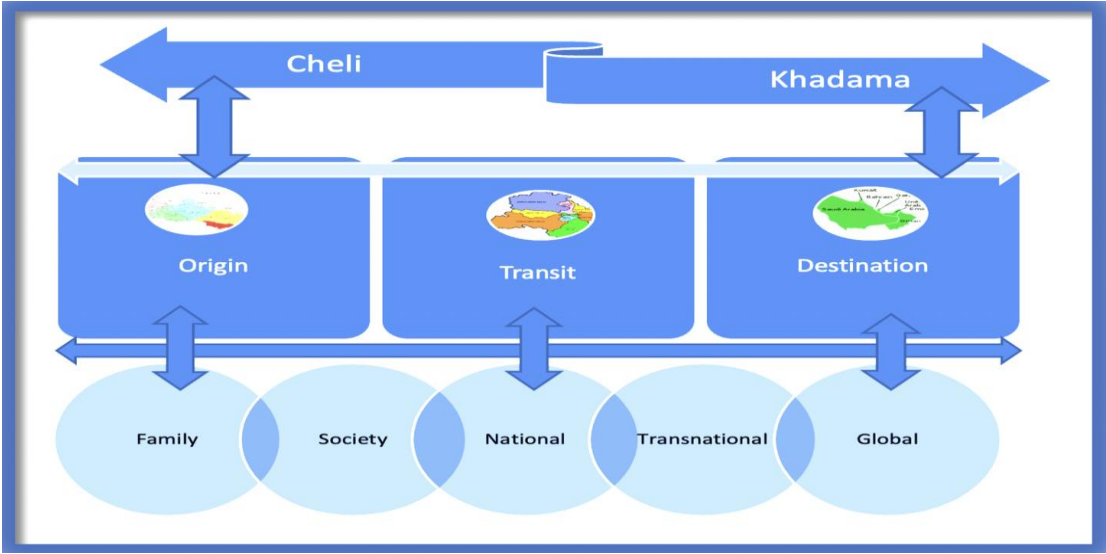
It is not only the legal system in the country that determines whether women are allowed to migrate, but also the gender relations within the home. In light of globalization, Grewal and Caplan (1994) use the concept of the "scattered hegemonies" to refer to "global economic structures, patriarchal nationalisms, 'authentic' forms of tradition, local structures of domination, and legal-juridical oppression on multiple levels" (p. 17). I argue that the precarities are produced in the context of the scattered hegemonies. This is a form of "entangled precarity" which is how I refer to the precarious conditions of women migrant domestic workers. This concept of entangled precarity builds on what Mahler and Pessar (2006) call the "gender geographies of power" that was used to conceptualize gendered relations negotiated across international borders, as they relate to multiple axes of difference operating across many sociospatial scales of "the body to the globe" (p. 42). The concept of the "gender geographies of power" composed of four core components: geographical scales, social location, agency and imagination. The model is meant to capture the understanding that gender operates, usually simultaneously, on multiple spatial, social, and cultural scales, for example as within the body, the family, the state, gender hegemonies and counterhegemonies (Mahler and Pessar, 2006, p. 42).

Even though Nepali women migrant domestic workers interviewed in this study have been subject to abuse and exploitation, this is not the whole truth. The concept of precarity "is double-edged as it implies both a condition and a possible rallying point for resistance" while referring to the lifeworld characterized by uncertainty and insecurity (Waite, 2009, p. 412). Precarization

and agency should not be examined as two opposing poles but rather as an inherent part of the migration process where one cannot be separated from the other (Deshingkar, 2019). Many domestic workers have used their agency to negotiate rights and resist against the violation of their rights in the Gulf countries. Under the kafala system, migrant domestic workers must solely work for their employer, secure their approval to leave the country, and obtain their consent to terminate a job (Parrenas, 2021). The morals create employment standards domestic workers, and these morals are disseminated by the "moral entrepreneurs" that include the media, international and national legislation, and domestic workers (Parrenas, 2021). In the case of Nepali women migrating to the Gulf countries through unofficial channels and routes, the morals emanate from the agential power of domestic workers themselves, rather the moral entrepreneurs. For example, several Nepali women migrant domestic workers I engaged with in the field have performed what Parrenas (2021) describes as the "acts of morals claims-making" and negotiated their employment conditions and rights on their own agential power. A woman migrant returnee in Nepal shared how she asserted her dissatisfaction when a male member of the employer's family complained against her,

> I was very angry and when they noticed my anger, she asked me why I was angry
> when we were in the parking lot. We were coming back from shopping that day. I
> I said, I don't like to talk about such matter outside, and I'll talk about this when
> we get home. When we were home, I said to her, I don't really like a man
> complain about me. And I said, if there is anything, you have to tell me, like if
> anything I've done is wrong. (WMR10-Focus Group, Kathmandu, Nepal)

The agency of women migrant domestic workers while exposing and highlighting the abuses and exploitation that they should suffer both inside Nepal and abroad in the destination countries. Women resist by circumventing the legal restrictions; however, the acts of agency and resistance are shaped by structural conditions. On this ground, the restrictive labour migration governance paradigm of the state has become "grossly ineffectual and in fact pushed women into dangerous migration routes" (Grossman-Thompson, 2016). The other facet of such "irregular" or "unofficial" channels of migration is that women migrants become even more vulnerable to risks and precarity (Grossman-Thompson, 2016; Kharel, 2016; Lohani-Chase, 2008). In the context of women migrant domestic workers in the UAE, Parrenas (2021) looks at domestic work not only in terms of market rationality, but morals propagated by various "moral entrepreneurs" such as the Philippine government, Human Rights Watch and the ILO. Parrenas (2021) examines the mobility pathways of migrant domestic workers which refer not only to migratory practices and

processes but also concern shifts in one's employment, legal and social status (Parrenas, 2021). However, women migrants themselves are held solely responsible for their victimization, precarization or for the exploitation and abuses they have encountered during their migration journey whether it is inside Nepal, in transit, or in destination countries in the Gulf. A focus group participant in Chiliya said,

> In the house there were just two people, a daughter and a mother. Mother was a patient of paralysis and the daughter used to go to college. In the name of food, they used to give me just a piece of dry bread, you know (emotional). It was a two-storied house, the window, you know they called it manzil. The work was killing me- I had to take out every bit of dirt from manzil. So much dust. And they'd give me dry bread. Then I reported this to office and said, I can't do this job anymore. They took me back to the office and sent me again to another house, but it was no different. That's how I spent six years. In two houses, I feel like this happened just yesterday, they thrashed me so badly and accused me of not taking good care of their children. (Tears roll down her eyes). Please note this. They said they'd nail me to death. On the walls. (Sobs). That's exactly what they said. (Gesticulating with her hands and body). They tried to strangulate me, kill me, then I said, I don't want to stay here either, and I said, please take me out of this house. (WMR11-Focus Group, Rupandehi, Nepal)

Piper et al. (2017) employ the concept of "protracted precarity" wherein migrants move between two modalities of precarity, one at home and one abroad (p. 1090). Parrenas (2017) discusses how women migrant domestic workers are caught legally "at sea" as they do not have full juridical protection from sending states and are exempt from labor protection in most receiving states, resulting in their relationship of indenture vis-à-vis their employers. The Gulf states have created "a distinct sort of labouring body that is low-cost, productive, hyper-mobile, disposable, and held in—liminal status—everywhere and nowhere, constantly available to work yet never permitted to live" (Aldama, 2002; Baey, 2010).

Deshingkar (2019) contends that precarisation and agency are not two opposite concepts but integral part of the migration process where one cannot be separated from the other. Fear of abuse is a significant factor driving female migration policy and has led to the contradictory discourses of migrant women being depicted either as victims or heroines on account of being trafficked or abused, or for sending much of their salaries home as remittances to help alleviate poverty and boost the economy, both of which raise the issue of agency. There is the image of the "sacrificing heroine" who sends home more money than her male counterparts, which goes towards healthcare and education rather than conspicuous consumption, and there is the "beautiful victim" (Schwenken, 2008). However, both narratives indeed represent women migrants as the "victims" and present them as having no agency (Tittensor and Mansouri, 2017).

Nepal has not undergone industrialization in the way that many "peripheral" countries in the global south have. Nepal's workforce has not experienced the feminization of migration in ways that women from many other global south countries have. However, the same processes of neoliberal globalization and global capitalism have interacted and intersected with varied forms of local/national gender oppressive systems to create structural conditions for women's labour migration for domestic work. Economic globalization has led states to what Sassen (2008) calls a "two-way traffic": they open national economies to foreign firms while also participating in global markets. However, as evidenced from the country's trade deficit that increased by above 27 per cent in 2018 vis-à-vis the preceding year while exports further shrunk by more than 11 per cent (Department of Customs (2018), its participation in the global economy has rather become a one-way traffic in that the country has opened doors to global markets and commodities while its role in the global economy is that of predominantly exporting low-skilled labour exportations.

Nepal has not undergone industrialization in the way that many "peripheral" countries have. In contrast to other examples of industrialization in South Asia, there has been no creation of either export-oriented processing zones in Nepal. The gendered processes resulting from the forces of globalization differ depending on women's location in the matrix of local power structures as well as geopolitical spaces. critical work on patriarchy has neglected a key central dimension: the potential and actual interrelationships of historically and geographically specific patriarchies to such transterritorial and transnational processes (Patil, 2013). Nepal's workforce has experienced the feminization of migration not through the export-oriented industrialization but through their participation in the global reproduction work. Yet the same processes of globalization, urbanization, industrialization, and the marketization of the economy are nevertheless occurring in Nepal.

As said previously, the immobilities created against women are as salient as the mobilities that have been produced through globalization. The feminization of migration invokes the notion of the hypermobility of women across national borders. Some scholars describe this as the "mobilities turn" mainly focusing on themes of movement, travel, transnationalism, cosmopolitanism, and the diaspora. The relatively equal shares of women and men in migration

flows may hide significant differences in the circumstances of movement and the opportunities available. In the context of South-South migration, in the context of Nepal in particular, what is equally important to look at the immobilities produced and reproduced by patriarchal gender codes through legal restrictions and regulations in multiple sites and at multiple scales. There has been a substantial increase in the number of women migrating independently for work in Nepal, but at the same time women are also discouraged and prevented from migrating at all scales – family, society, and the state. In Nepal, women's labour migration therefore refers not only to an increasing number of women migrating transnationally for work, but it also indicates heightened precarity – or, more accurately, the feminization of precarity. Figure 27 below summarizes the relationship between women's transnational labour migration at the intersections of local-global gendered labour and migration systems and represents the various ways in which the feminization of precarity is produced.

Figure 27: Women's migration for domestic work – from feminization of migration to feminization of precarity
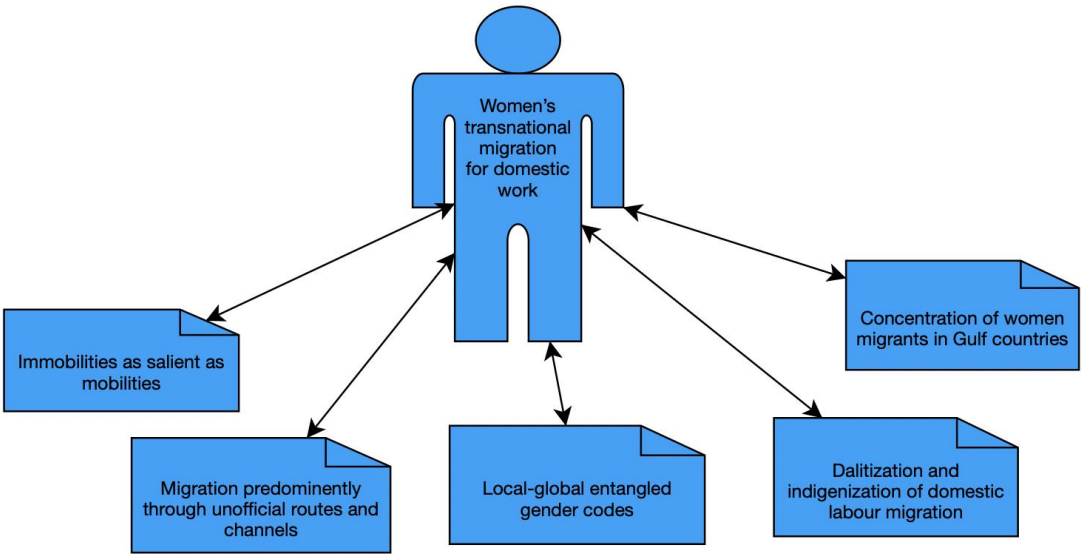
Civil society activism and the rights of Nepali women migrant domestic workers

Indeed, as precarity is what defines women migrant workers' transnational migration experiences, it is not surprising that CSOs have emerged around safeguarding the rights of domestic migrant workers in the Gulf region. Given the fact that the state-led, though non-binding and informal mechanism such as the Abu Dhabi Dialogue and the Columbo Process have grossly failed to safeguard the rights of migrants and their families, civil society activism is key to protecting the rights of women migrant workers, particularly domestic workers. For instance, the Columbo Process which principally aims to unite migrant sending countries to push for collective bargaining with the migrant receiving countries has not been able to deliver as far as the rights of temporary labour migrants are concerned. Concerning the consolidation of BLAs,

the competition between migrant sending countries for the labour market has resulted in what William Gois, the Coordinator of the MFA, calls "a race to the bottom" wherein the origin countries strive for more quotas and better wages, thereby creating a hierarchical order among sending countries themselves. Indeed, historically, little to no solidarity exists among major sending countries toward collective bargaining on governmental level, caused by the fear to lose their market share to others (Lim and Oishi, 1996, p. 108). This is in part explained by the unequal distribution of political economic power, which is exacerbated by the intense competition among migrant-sending countries for employment positions and remittances (Koh et al., 2017). Human Rights Watch in 2013 wrote a letter to the SAARC Secretariat in Kathmandu asking its member States to join together and launch a regional protection initiative, seeking greater protections of their migrants' rights in the GCC countries.[159] A SAARC regional protection initiative could significantly enhance the living and working conditions of workers in low-paid sectors from India, Pakistan, Sri Lanka, Nepal, and Bangladesh, who routinely face violations of international labor standards and human rights law in the six Gulf states.[160] Similarly, the Abu Dhabi Dialogue[161] which came into existence in 2008 as a forum for dialogue and cooperation between migrant sending and receiving countries in Asia has not been as functional as envisaged.

In view of governments' inability or lack of political will to deal with labor migration issues from the perspective of migrant workers' well-being, it is very much up to non-state actors, such as NGOs, to take up the role as advocates to assert pressure on policymakers. In the context of the failure of the states, as evidenced through the failure of BLMAs to protect migrants, and the intra-regional state-led mechanisms, such as the Abu Dhabi Dialogue and the Columbo Process,[162] local and transnational non-state actors, including CSOs, private sectors and international organizations, have come to the forefront of migrants' rights activism. The Gulf countries have not ratified the main UN conventions relating to migrant workers and resisted the

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[159] Human Rights Watch. "Letter to SAARC on Improving Protections for Migrant Workers." December 17, 2013. Available from https://www.hrw.org/news/2013/12/17/letter-saarc-improving-protections-migrant-workers
[160] Ibid
[161] It consists of the twelve Member States of the Colombo Process (Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, and Vietnam), and seven countries of destination (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, and Malaysia).
[162] The current membership of the Colombo Process includes 12 member states: Afghanistan, Bangladesh, Cambodia, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand, and Viet Nam.

diffusion of the international norms into their domestic policymaking. There is a lack of political will to deal with the protection or empowerment of migrant labor at both the sending and receiving states' level, against which the responses and type of activism by pro-migrant lobbyists or NGOs as a potential force for change − or what Phizacklea (1998) calls "transformative politics" − have gained great significance (p. 21). Given that the governance of migrant domestic work in the Gulf countries is largely a missing link, civil society is at the forefront of migrants' rights activism and organizing. Since the Nepali women migrant domestic workers are at the margins owing to a variety of reasons, it is critically important that civil society and migrant rights organizations, such as NGOs, grassroots organizations, and trade unions, have direct lines of communication with migrant domestic workers in all stages of migration, as well as have a voice in BLA negotiations and global dialogue on labour migration. Advocacy-oriented groups "embody independent viewpoints and assessments that potentially compete with the given policy values and programs of government and its agencies" (Yeoh and Annadhurai, 2008, p. 560). Such groups attempt to fill the vacuum in areas where the government has left unattended, or not done enough, through advocacy work that often tests the boundaries of the structural framework of the state to "shape the agenda, address new priorities, and mobilize public opinion" (Yeoh and Annadhurai, 2008, p. 560). In their activism and advocacy, these non-state actors invoke – either explicitly or implicitly – the labour and human rights, and economic justice of migrant workers, through programs and initiatives launched individually as well as collectively. However, in an interview a government policymaker criticized civil society for adopting "a double standard" about the restrictive policy of the state arguing that they "are always after the government; if the restrictions are put in place, they raise the issue of their human rights and the rights to mobility and if the state lifts the restrictions, then they raise the issues of abuse and exploitation." In Nepal, CSOs are co-opted by the state and often viewed by the government apparatus as largely adversarial and as threats to its own legitimacy, thereby leading to heightened surveillance of the groups' activities.

Although the MFA and other trade unions were not involved in such state-driven labour migration governance mechanisms, the MFA because of its persistent lobbying was given a

space first time in 2011.[163] Piper and Rother (2020), using the case study of the MFA, argue that

expanding political spaces at various levels (national, transnational, regional and global) in

which political advocacy in the form of organizing strategies and the framing of political issues

has 'travelled' and this is done via the diffusion of political remittances within advocacy

networks and that such diffusion generates counter-hegemonic knowledge to state-led

interpretations of the governance of migration. Rights-based activism does not only focus the

rights of migrants but also the rights of family members staying back home, including the right

to economic security and the voting rights of the absentees (Grugel and Piper, 2007). Seen from

this perspective, migrant rights activism, in relation to women migrant domestic workers in the

Gulf countries, entails both potentials and the dangers of co-optation.

Migrant rights activism at the grassroots: Nepali civil society's modus operandi

In Nepal, CSOs working on issues of labour migration through the National Network for Safe

Migration (NNSM) synergize civil society activism for policy advocacy to protect and promote

the rights of migrant workers and their families while engaged in network and capacity building

activities. Further, a key pragmatic and strategic modus operandi adopted by CSOs working in

migrants' rights pertains to working in partnership with the state agencies to deliver immediate

services to the migrant workers and their families. Such a pragmatic approach combines

cooperation with and resistance against the state: partnership in service delivery while

simultaneously pressing the state for policy reforms and their effective implementation. Despite

the significant challenges to their agendas, feminist social movements remain robust and adopt

innovative strategies to contest the neoliberalization of feminism and influence states and

corporations, at times playing oppositional roles and at other in solidarity (Rasche et al., 2013).

Conway (2018) argues that feminist scholars, within the ongoing contests over neoliberal

globalization, are increasingly focusing on forging alliances with non-feminist others around

common struggles, both locally and transnationally. This is indicative of a broader shift in

transnational feminist politics from intra-movement to inter-movement alliances (Conway,

2018). This is evident through the Safer Migration Project's (SaMi) bilateral initiative with the

government of Nepal. This project is currently running in nineteen districts, and it is operating

under two models. since this issue is the responsibility of the government of Nepal in the main,

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[163] MFA Report: Civil Society Consultation for the Colombo Process 17-18 April 2011 BIAM Foundation Dhaka, Bangladesh. Available from
https://www.shareweb.ch/site/Migration/Resources_Migration/library/Documents/resourcessharewebResource_en_7476.pdf.

and the swiss government is providing support to the government and with the intension that the government could also be responsible for this in nine districts the district development will operate its activities and run information centres while in the rest nine district the HELVETAS itself is with the support of NGOs running programs and information centres. The main task of the information centre is that it is located close to district administration office since our target is those people who come there to make their passports. The process is that to make their passport they must have a stamp of the information centre and people although take it as an administrative process for making passport but what we do when they come here is to provide them counselling for ten minutes. with the aim of reaching out to hundred percent people we are coordinating with the district administration office and have meetings with them to ensure that they come to the information centre. This is not policy but mutual understanding. The Coordinator of the SaMi project noted that the objective was to develop the Nepal government's ownership over the program while aligning it with the state's commitments as articulated in national policies and strategies and initiatives on migration. At the same time, it is also seen that the NGOs and even migrant rights organizations have been appropriated the discourse of women's vulnerability and partaken in strengthening it through surveillance, awareness campaigns, public service announcements from radios.

Adopting an interlinked approach with both the state agencies and other national partners, such as the Pravasi Nepali Coordination Committee (PNCC),[164] the SaMi project programs were launched in 39 districts focusing on information dissemination, skill training, justice, psychosocial counselling, financial literary. Operating in 20 districts under the auspices of the Ministry of Labour, Employment and Social Protection, its migrant resource centres provided skills training, awareness programs for foreign employment and financial literacy programs for departing and returning migrants. It also offered psychosocial counselling, access to justice and financial support to start small businesses, and skills development activities for returnees. The team leader of the SaMi project noted,

> The program primarily aims to identity the root causes of their migration. It is based on the idea that involuntary migration can be mitigated if we could address those root causes. The value we associate with work is equally important. For example, domestic work and work in informal sectors like restaurants is available inside the country, but they don't want to work there even if they get paid the same amount. What they earn in Gulf countries is around $100 to $150 a month,

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[164] Safer Migration Project (https://www.sami.org.np/about-us).

> at the beginning, but even if they are paid the same salary, they aren't interested here. It is because people look down upon work, so they feel humiliated. If they do the same work in the Middle East, they are happy to do, so creating a situation where people respect work is crucial. (CSO10- Interview, Kathmandu, Nepal)

In the field of the SaMi project in Nawalpur district, I got the opportunity to conduct participant observation in a meeting of the SaMi project's Migration Program Local Committee consisting of migrant returnees aiming to raise awareness among local people about migration. They were trying to write a proposal to organize an awareness generating program for potential migrant workers, their families, and returnees. An NGO official affiliated with the SaMi project based in Kawasoti in Nepal pointed out,

> The issue of migrant workers is not an issue even for the local government so what we do is, when someone comes to our office with a problem, we ask the person to knock on the door of the local representatives, even though we know they wouldn't be able to solve the problem, or at least they wouldn't pay much attention. The main idea of doing this is that they'd at least be compelled to listen and get to know how severe the challenges of migrant workers are. (CSO4- Interview, Kawasoti, Nepal)

Some CSOs (e.g., PNCC and Pourakhi Nepal) were led by migrant returnees themselves, and this demonstrated that migrants and migrant rights organizations could organize to exert pressure within national legal-political spaces as well as transnationally. Both through service delivery and advocacy, the PNCC was actively involved in the "process of changing systems, actions and priorities by enabling and empowering migrant community to claim and realize their economic, social, cultural, civil and political rights including the right to development of the communities."[165] The migrants' rights activism in Nepal can be located within the broader transnational migrant rights movement in Asia, particularly through a number of CSOs actively engaging with the MFA which is a regional network of CSOs from across Asia working in areas of migration, human rights, and democracy. Even at the global level, migrants' rights activists have mobilized efforts by building on grassroots migrant activism and transnational advocacy networks (Piper, 2015). The migrant rights networks and movements are pushing for the rights-assuming advocacy that transcends the conventional thinking about global governance and human rights; and (2) such practices are participatory and rights-producing politics that transgress the interstate political arenas (Piper, 2015).

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[165] Pravasi Nepali Coordination Committee, available from https://pncc.org.np/strategic-approach/.

The migrants rights activism and advocacy[166] in Nepal is part of the broader transnational migrants rights movement as evidenced through an active engagement of a number of Nepali migrant rights organizations with transnational and regional networks, such as the Migrant Forum in Asia (MFA)[167] which is a regional network of migrants' rights organizations from across Asia.[168] The MFA brings together non-state actors and stakeholders "to share information, dialogue, strengthen their analysis and develop joint positions on current and emerging issues on migration" and to provide "essential space for lobbying and pressuring governments and international bodies to look at migration from a human rights perspective and to make governments accountable to their international human rights and development commitments." The MFA links the "bottom up" activism below with the "top down" governance above. Through its networked workings with local/national CSOs at the grassroots as well as with global and other regional migrant rights networks and fora, the MFA has indeed acted as a conduit in creating dialogues and conversations for the rights grounded in migrant workers' lived realities in migrant receiving Asian countries. Further, since migration is a cross-cutting issue, the MFA strategically partners with non-migrant organizations and networks (e.g., Sustainable Asian Democracy Networks, Lawyers Beyond Borders) to create synergies across cross-cutting issues. Piper and Rother (2020) argue that the MFA has created and expanded the political spaces at national, transnational, regional and global levels for political advocacy through organizing strategies and the framing of political issue. Such "a diffusion of political remittances" that produces "counter-hegemonic knowledge to state-led interpretations of the governance of migration" (Piper and Rother, 2020).

In the Gulf countries, however, the spaces for civil society activism and their potential to organize for the rights of migrant domestic workers and influence the immigration and labour systems was severely curtailed due to the circumscribed freedom on civil society in terms of

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[166] Manju Gurung, Chairperson of Pourakhi Nepal, is in the executive committee representing South Asia.

[167] A total of seven Nepali civil society organizations are currently members of the MFA that include: All Nepal Women's Association (ANWA), Asian Forum Migrants' Center (AFMC), Pourakhi Nepal, Women's Rehabilitation Center Nepal (WOREC), Pravasi Nepali Coordination Committee (PNCC), Aprabasi Mahila Kamdar Samuha AMKAS) Nepal, and Youth Action Nepal (YOAC).

[168] Currently, MFA has networks across a total of eighteen Asian countries: Bangladesh, Cambodia, Hongkong, India, Indonesia, Israel, Japan, Korea, Lebanon, Malaysia, Mongolia, Nepal, Pakistan, Philippines, Singapore, Sri Lanka, Taiwan, and Thailand. Similarly, it has a number of partners working at regional and international levels across various cross-sectoral issues, such as education, environment, gender, human rights, labour, trade and development.

expression, assembly, and association. Despite this, I observed governments tilting toward some lenience for limited civil society activism that particularly focused on awareness-raising among *kafils* at the grassroots. For instance, in Doha, the capital city of Qatar I, as a participant observer, had the opportunity to attend a meeting organized at Kava Coffee in the Katara Cultural Village by Migrant-Rights.Org, the Gulf-based migrants' rights organization. In this meeting, five Qatari men and eight women who had "housemaids" in their homes had participated. The activist affiliated with Migrantrights.Org along with two other local female volunteers who had facilitated the discussion noted that what they wanted was to galvanize grassroots organizing as a strategy to change people's attitudes in the Gulf countries. Although most of the meeting was conducted in the Arabi language, from what I could gather from occasional use of English words, I observed two themes prominently surfaced in the meeting. First, the facilitators of the meeting mentioned the international legal frameworks and emphasized on the need for them to adhere to those documents, cautioning the locals about the danger of shaming Qatar and Qataris in the international community if they failed to do so. From the heated discussions where they referenced ILO documents several times, I noticed some traction and possibility of employing such strategies led by Arab women leaders and activists themselves, instead of people from outside their ethnicities, since external interventions could entail the danger of such campaigns being taken as an imposition. In her efforts to dismantle the stereotyping a certain nationality as the country of migrant workers, at one point in the meeting, the facilitator, using a blend of Arabi and English, referred to me as a PhD scholar in Canada, though many Nepali nationals looking like me were working as temporary migrant workers in Qatar.

Further, pertaining to domestic workers' rights organizing, Kuwait was an outlier vis-à-vis the other Gulf countries in that the state created limited spaces for domestic workers' rights organizing. An activist affiliated with Migrant-Rights.Org pointed out a huge difference between Qatar and Kuwait in terms of civil society activism in that activism in Qatar was almost a nil and most initiatives were initiated and led by state agencies, however, there was a great deal of civil society activism in Kuwait without the state's objection to such activities. In Kuwait, I had the opportunity to interview some migrant domestic worker activists from the Philippines who were

affiliated with Sandigan Kuwait Domestic Workers Association (SKDWA)[169] which was a

transnational network of migrant domestic workers working for the rights and protections of

women migrant domestic workers not only in Kuwait but also in other countries of the Gulf

region. Women migrant domestic workers themselves or the community organizations working

for the rights of domestic migrant workers also represented the organization which had – with

the support of the International Domestic Workers Federation (IDWF) – launched several

projects, events and information campaigns mainly pertaining to rescue, awareness raising,

justice of housemaids. Sandigan was officially recognized by the Kuwait Trade Union

Federation (KTUF) which had also signed an official agreement[170] with the GEFONT. The

KTUF had provided an office space where representatives from both Sandigan and GEFONT

would staff creating a common platform where migrant workers including "housemaids" could

report abuse and seek legal assistance. Such an alliance between informal migrant workers and

the formal trade unions indicated a shrinking divide between the two which have collaborated

organizing workshops, trainings, and awareness-raising events regarding labor rights for migrant

workers.

Figure 28: Sandigan and GEFONT representatives in the newly installed office at Kuwait Trade Union Federation

Source: The Solidarity Centre, Washington, United States

The cooperation between the KTUF and the SKDWF suggests that there is a certain degree of

government knowledge and acceptance (Advani 2019). The union focused mainly on charitable

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[169] The word "Sandigan" meant "something to lean on" in the Tagalog language, and this is an organization led by a Philippine woman migrant worker in Kuwait which started in 2010. The Sandigan Kuwait Domestic Workers Association (SKDWA) is a brainchild and a product of the advocacy of the Sandigan Kuwait.

[170] "KTUF-GEFONT Memorandum," International Trade Union Confederation, January 16, 2012, available from https://www.ituc-csi.org/ktuf-gefont-memorandum

and social work, as opposed to workplace organizing and collective bargaining, however, such an alliance reflected some aspects of such transnational organizing.

Conundrums confronting civil society and migrant rights organizations

Despite the critical political spaces that civil society activism has created within labour migration governance in Nepal, there are some critical challenges facing the CSOs on the ground. Despite the indispensability of the local and transnational migrants' rights organizing and activism, the civil society was fraught with challenges and contradictions of a neoliberal logic. As Rai (1996) argues, civil society is not "a space of uncoerced human association" and neither is the state a unitary entity (p.17-18). The data collected from ethnographies from multiple sites revealed several conundrums confronting the migrant rights organizing and activism in Nepal. First, the proliferation of service-oriented civil society organizations and their predominant focus on delivering services to women migrant domestic workers as reflected through providing psychosocial counselling, housing to returnees, literary about the risks of using unofficial routes and channels of migration and the like – though integral components of civil society activism – resulted into leaving the structural roots of such consequences. Parpart et al. (2002) claim that such CSOs, instead of pushing for alternative policy agendas and systemic changes, fail to diverge from those of the state and entail the danger of being "co-opted" by the state. For instance, the state has cleverly used the signing of the bilateral labour migration agreements as a strategy to continue its gendered bans and restrictions on migration for domestic work migrant rights organizations CSOs are sometimes found entangled with the neoliberal ideologies in that they tend to be more focused on bureaucratic processes, and there are situations where they rival with each other for funding. Migrant rights activism should equally prioritize is to build alliances to put pressure on the state to create conditions where migrant workers could enjoy their rights not to migrate out of necessity in the first place.

CSOs were often entangled with the neoliberal ideologies in that they tended to be more focused on bureaucratic processes, and there are situations where they rival with each other for funding. NGOs are caught up in relations with funding sources, governments, and neoliberal processes that create a double bind for NGOs, situated between the powerful forces dominating them and the disenfranchised communities they intend to serve. This is, however, a conundrum in which many CSOs in the Global South find themselves. Commenting on the modus operandi, an official in the leading role of an NGO working on issues of women migrant workers noted that

their organization adopts a neutral stance on migration with the slogan "If possible, create employment in the country and if not, go for foreign employment being informed and skilled." The NGO official moved on to say that they do not even ask women not to migrate through an "illegal process" but just point out the dangers of migrating through informal routes and channels. Losing touch with the agenda of structural changes in such ways demonstrates what Grosser and McCarthy (2019) call the "neoliberalization of feminism" that entails the co-optation of the feminist agendas by giving primacy to individualistic decision-making, rather than addressing the structural roots that are key to what and how the decisions are made. In the Nepali context, the women who opt to migrate resorting to unofficial routes and channels are left with no better options in the event of the gendered inequalities that intersect with multiple other axes of marginalization which however are left unaddressed in the first place. Keck and Sikkink (2018) observe that the CSOs as part of the international society simultaneously participate in domestic and international politics and should depend on funding from states and international organizations made by states and it thus always comes with strings attached (Keck and Sikkink, 2018), limiting and even blunting the radical edge of the transformative agendas as observed in the Nepali context. Most women interviewed had received no government-provided messaging on safe migration, prior to their migration, and even those who did receive this information from NGOs posted a counter question to the NGO officials to give them the alternative. In an interview one of the field staff of the SaMi project noted that she was helpless and could give her any alternative.

As Conway (2018) emphasizes on engagement with new partners on non-traditional issues, there is a need for synergy between labour rights and migrants' rights activists which are currently working in relatively separate silos; migrants rights CSOs and labour unions need to come together and put their collective efforts. Such a fusion between labour and human rights is necessary, however, given the fact that unions which are in Nepal affiliated with some political parties do not tend to prioritize migrant workers' agenda as much as the CSOs while the CSOs that at times do not embrace as much political activism on the ground. On the other hand, very few organizations seemed to have adopted a transnational approach to organizing and advocating for the rights of women migrant domestic workers.

CSOs, including those working for the rights of women migrant workers in Nepal, have delivered critical service and advocacy for the rights of women migrant domestic workers; however, many of such organizations have loyalty and affiliations with certain political parties in Nepal. Civil society, migrant rights activists, labour unionization and even private recruitment agencies are politically divided being affiliated with political parties and thus work as per their party's vested interests. Nepal's civil society organizations, rather than citizen-centric groups, indeed resemble lobbyists and interest groups lacking political neutrality (Ghimire, 2019), and further, as Tamang (2009) observes, the NGOs that led the women's rights movement in Nepal maintain informal alignments with political parties.

Even in Qatar, Kuwait and the United Arab Emirates, numerous Nepali diaspora organizations affiliated with different political parties in Nepal were active. In Qatar, I attended the Nepali New year program at Nepal Embassy in Doha, and the program was organized by NRNA along with 55 other organizations which many participants I interviewed described as "ideology-based" organizations. The proliferation of such many community organizations in the Gulf countries and the inter-organizational network was instrumental to providing support to Nepali migrants but listening to their speeches at the events portrayed the diaspora communities as microcosms of intra-party-political hostilities inside Nepal. Both in mutual interactions and speeches, the people from party-affiliated organizations bashed each other but no one raised the issues of Nepali migrant workers, let alone women migrant domestic workers, whose representation was almost non-existent except in Kuwait. The Nepali journalists interviewed in the Gulf countries indicated that top-brass of the political parties pay frequent visits to these countries, but the community organizations, which serve as "sisterly" or "brotherly" organizations in the diaspora do not raise any concerns about the challenges faced by migrant workers, let alone put pressure on them, resulting from the government's domestic policy, political will and its proactive engagements with the destination countries; what most community organizations do is to collect levies for their political patrons in Nepal and flatter them for some petty interests inside Nepal.

O'Neill (2001) argues that the Nepali NGOs and the media, by conflating women's labour migration with forced prostitution, have deployed a compelling discourse that undermines the

agency of women migrants. The creation of the discourse of women migrants' "vulnerability" has given rise to a rescue industry, and many civil society and non-government organizations (NGOs) have contributed to the consolidation of the female migrant "vulnerability" discourse. This enables the perpetuation of policy narratives which view migrant women as helpless victims in need of protection rather than as individual citizens whose rights must be upheld. Joshi (2001) argues that the roots of the anti-trafficking movement emerged within this amorphous state when the feminist activists in Nepal were still struggling to define the gendered space for women's citizenship in the wake of the political movement for democracy. Such a movement was dominated by urban, middle-class Bhramin-Chettri women who used the language of kinship to establish the women-as-victims narrative of trafficking (Joshi, 2001). Similarly, embedded in such a discourse on trafficking was the consolidation of the rescue and protection discourse (Fujikura, 2003). Media also play an important role in influencing the above processes and dynamics. Media reporting on women migrant workers and migrant domestic workers in Nepal focuses disproportionately on harrowing stories of exploitation, smuggling, trafficking, and sexual abuse while presenting little information on the positive outcomes of women's migration experiences (ILO, 2015a; Kharel, 2016).

Dissecting the state: the case of Nepali women migrant domestic workers in the Gulf

Nepal as a country of origin not only lacks the political will but also actively produces, reproduces, and perpetuates the precarities of women migrants or is complicit in their production. However, the role of the Nepali state cannot be ironically undermined when it comes to protecting the rights of women migrant domestic workers in the Gulf countries. Amidst the precarities faced by Rita (discussed in this chapter above), she appreciated the support provided by the embassy officials noting the "embassy was like my god" (personal interview). Similarly, Abina (discussed in this chapter above) was happy with the embassy for providing a shelter and all other necessities, such as access to the internet, food, water, air conditioning and other basics. However, she was enraged at the lethargy of the embassy officials in actively pursuing the case filed by her former *kafil* in the court. In the embassies in the Gulf region, Nepal has operated "safe houses" to provide immediate rescue and services to women migrants absconding the tortures and exploitation of their *kafils*. As Parashar et al. (2018) argue, despite the failures of states to guarantee their citizens' protection, the states may, in some cases, be the only guarantor of human rights and justice as in the context of women migrants in the Gulf. Feminist scholars

(e.g., Armstrong and Connelly, 1999; Connell, 1990; Yeatman, 1997) therefore argue for more complexity in theorizing the patriarchal state. As some feminist scholars (e.g., Youngs, 2000; Rai, 2004) emphasize the need to continue engagements with the state, it crucial for civil society and migrant rights organizations to engage with the Nepali state.

Through legal, social, discursive, and economic power structures and institutions, the Nepali state is actively involved in further entrenching the patriarchal relations as reflected through the discriminatory legal bans and restrictions. Feminist nationalism links struggles for women's rights with struggles for group identity rights and/or national sovereignty in their goals of self-determination. Placing women at the center calls for the feminists to redefine nationalism (West, 1997). Considering the state as a unitary entity undermines Third World women's interests since the states have crucial relevance for their activisms (Rajan and Park, 2005). The state is seen as a monolith, undifferentiated and homogeneous, rather than as a fragmented set of institutions with complex and uneven relationships (Connell, 1990; Desbiens, et al., 2004; Kim et al., 2005; Mishra, 2015; Peterson, 1992). State is not a fixed ideological entity but an ongoing process and "a changing set of aims, as it engages with and disengages from other social forces" (Peterson, 1992, p. 4). The state is not static, but it is in the continuous process of making and remaking. I argue that the women migrant domestic worker rights activism should therefore work both with and against the state.

Even within the Nepali state apparatuses, contradictions and tensions could be palpably discerned in the field. The Secretary of the Ministry of Labour noted that the ministry was planning to replace the policy of promoting labour migration as reflected though the establishment of the Foreign Employment Promotion Board with an agency that focuses on managing labour migration while putting an equal emphasis on generating employment opportunities inside the country. The state consists of an ensemble of the different parts of the state and its heterogeneous character (Dahl, 2017; Kantola and Dahl, 2005; Schlichte, 2005). Chow (2002) also considers gender not as a "permanent result of early socialization, but as a lifelong process in which people construct, deconstruct, and then reconstruct the meaning, discourse, and accomplishment of gendering" (p. 43). Chow (2002) claims that the process of

"engendering, degendering and regendering" constantly evolves in everyday practices and interactions (p. 43).

However, engaging with the state is not devoid of risks. Kantola (2006) notes the "catch-22" of this dichotomy- either engage with the state or stay out of it- and if feminists engage the state, they risk compromising their feminist agenda and become co-opted to state interests and risk being defined by the state's patriarchal structures; yet if they stay out of it, they remain in the margins. Feminist geopolitics decentres but does not dismiss the idea of empowering the state (Young, 2003, p.109). The then Secretary of the Labour Ministry was in favour of lifting bans and had submitted a proposal to the cabinet to that effect, but the cabinet failed to endorse due to the pressure from the recruitment agencies. As Kantola and Dahl (2005) stress the heterogeneity of the state and its changeable and differentiated nature, there were certain sections within the state apparatus who profited from the status quo and intended the bans and restrictions to continue so that they could make money from this system. At the same time, there was a section within the state machinery that was aware of migrant domestic workers' issues and wanted to introduce policy reforms. However, the progressive power within the state faced impediments at two levels. On the one hand, there was internal resistance that benefitted from the gendered migration bans, and on the other hand, their efforts were thwarted given the nature of Nepal's fragile geopolitical power. Specifically, since the Nepali state was sandwiched between global/regional and local pollical economic stressors, labour migration was inextricably linked to national survival while the very idea of the nation was imbued with gendered conceptualizations of Nepali identity and culture.

Summary

In this chapter, I have featured the migration trajectories of two women migrant domestic workers (Rita and Abina) to explore what I have called the gendered geographies of labour migration. The chapter has also featured the voices of a group of women migrant workers in the Gulf countries who were stranded not being able to visit their families on vacation fearing that if they did, the Nepali state would not allow them to return to their work which, as they stressed, was key to their survival and the future of their families, particularly their children's education. The migratory trajectories of Rita and Abina and their narratives as well as the stories of the

stranded women migrants revealed the ways in which the precarity they encountered was intricately entangled at multiple scales and levels and across multiple sites which I have described as the 'entangled precarity.' Such an entangled precarity was produced, reproduced and perpetuated by the gendered labour and migration systems in both the country of origin and the countries of destination. At the same time, the narratives of the featured women migrants revealed the agency and acts of resistance that they exercised in the face of those situations of extreme vulnerability.

Further, given the situation where the Nepali state itself is implicated in creating the precarity in implicit and explicit complicity with the global and translocal forces and processes, the chapter has highlighted the crucial role of civil society and migrant rights organizations in addressing the situations of vulnerability faced by women migrant domestic workers through concerted and networked multiscaler activism and organizing. Additionally, I have argued that, despite all the imperfections and gendered systems, the role of the Nepali state cannot be undermined when it comes to the rights of women migrants domestic workers in the gulf countries as illustrated by the stories and experiences shared by Rita and Abina. As feminist scholars observe, the state is not a unitary entity and it is not a completed thing but changeable and always in the making, it is crucial for the civil society and migrant rights organizations to dissect the state and strategically adopt the policy of solidarity and resistance. Thus, there is a need for the civil society and migrant rights activism to adopt the strategy of simultaneously engaging with the state while being wary of the danger of being co-opted by the Nepali gendered migration state.

CHAPTER 7: CONCLUSIONS

This research was informed and inspired by my own lived experience as a racialized person in Canada, as well as my cultural insider's perspectives into Nepal's gendered labour and migration policy, politics, and systems deeply embedded in patriarchal ideologies. I therefore began this research with a clear concern for the challenges faced by Nepali women migrating to the Arabian Gulf countries for domestic work and a deep commitment to their justice and labour and human rights. Thus, the research explicated the highly gendered labour and migration systems in Nepal and the Arabian Gulf countries and their intricate entanglements linking Nepali women's status as the "*cheli"* in Nepali with that of the "*khadama"* in the Gulf countries. In the context of scant attention given to the ways in which gender operates as a governing code across multiple scales, sites and levels in producing, reproducing and perpetuating the precarity of Nepali women migrant domestic workers, this research uncovered entangled gendered systems by placing the lived experiences of women migrant domestic workers at the centre of analysis. For this, I conducted multi-sited ethnographies in Nepal, Qatar, Kuwait, and the UAE, engaged with women migrant domestic workers in the Gulf and returnee women in Nepal and interviewed a range of state and non-state actors in analyzing the gendered labour migration policy and governance.

Listening to the women migrants' views and experiences produced an entirely different picture fraught with both precarity and agency: their narratives revealed migrant women's agency and acts of resistance at multiple levels and scales and across national and transnational sites, as well as the entangled precarity produced, reproduced and perpetuated by intertwined gendered local and global labour and migration systems. The research has thus debunked the patriarchal and state-centric "victimhood" narrative and foregrounded the experiences and subdued voices of women migrants themselves, as viewed from their own standpoints, instead of homogenizing all women migrant domestic workers as a "vulnerable" group of hapless victims with no agency to act. Although as reflected through the 2030 Agenda for Sustainable Development Goals and the GCM, migration has been acclaimed by the international community as a means of achieving gender equality, development, and women's empowerment, the case of Nepali women migrants illustrated that even the fundamental mobility rights of women migrants were constrained and

curtailed by the gendered labour migration policies, let alone the "safe, orderly and regular" migration paths for women migrants.

I thus employed the gender code as a leitmotif that permeated the sociocultural, economic, and political fabrics of the Nepali society, including the minds and imaginations of individuals, communities, institutions, state agencies and their policies and institutional practices governing women through subtle and non-subtle discriminatory and inequitable systems. As elaborated in Chapter 1, patriarchy in the context of globalization did not remain confined only to the private sphere of the household, but it was first extended to the state as reflected through the code of the nation (Muluki Ain) that embedded and institutionalized patriarchal ideologies into the country's entire polity and politics. The gendered migration policy of the state took a transnational dimension across the border to India and ultimately to the Gulf countries resulting into what I have called the transnationalization of state patriarchy. As Kaplan and Grewal (1994) stress on the particularity of women's "relationship to multiple patriarchies as well as to international economic hegemonies" (p. 17), the complex and transnationally entangled gendered systems in Nepal and the Gulf countries produced unique experiences of Nepali women migrant domestic workers.

Key research findings

As discussed below, this research has made some key empirical, conceptual and theoretical contributions to the existing scholarship on gender, the state and labour migration policy and governance, pertaining particularly to women migrant domestic workers. As noted earlier in Chapter 1, an IO official related to migration remarked, "If you don't know the exact number, that means not many Nepali women work as housemaids in the Gulf" and this reflected the neglect and erasure of Nepali women migrant domestic workers' visibility even at the global level. In the context of their invisibility at the global level and the ways in which their experiences are being either ignored, misrepresented, or distorted by the masculinist state at the local/national level, this research has made an important empirical contribution through visibilizing them and centring their experiences and voices in analyzing labour migration politics and governance. The research has thus brought to the fore the subjugated and silenced voices of the women migrant domestic workers which, as discussed in Chapter 5, were largely considered

unworthy of policy and political debates within the masculinist interstate bilateral and international relations of "high politics."

The conceptual framework: the 'gendered local-global entanglements'

By proposing the 'gendered local-global entanglements' as a conceptual framework, this research has made a key conceptual contribution to examining women's transnational labour migration, policymaking and precarity in a holistic and comprehensive way that considered both the endogenous gendered systems and the exogeneous forces and processes created by globalization. The conceptual framework enabled me to trace the entanglements of local and global gendered structures and processes that transformed the *cheli* in Nepal into *khadamas* in the Gulf countries. The conceptual framework therefore combined the scaler, spatial and locational approaches to explicate the entanglements between the local/national and global forces and processes and their gendered impacts and implications for Nepali women as well as their mutually co-constituting relationships. The conceptual framework is informed by the theoretical framework (discussed above in this chapter) that draws on some key concepts of transnational and Third World feminist theories which, I contend, can offer useful insights into: 1) the phenomenon of Nepali women's transnational labour migration, the gendered labour migration policy of the Nepali state and the precarities of Nepali women migrant domestic workers going to the Arabian Gulf countries. Further, this conceptual framework can serve as a tool to frame the migrant rights politics and organizing that attend to the lived realities of women migrant domestic workers.

Intersectional feminist scholarship on gender and migration

This research has made key theoretical contributions to the intersectional feminist scholarship on gender, labour migration and the state using the case of Nepali women's transnational labour migration in the context of neoliberal globalization. In this research, I have developed and proposed some theoretical concepts in order to theorize the women's transnational migration, the state and its labour migration policy and governance: the Dalitization and ethnicization of migration for feminized work, gendered migration state, masculine sovereignty, sandwiched sovereignty, and exception to neoliberalism labour migration policy.

Additionally, as de Haas (2021) argues, despite the diversity of individual migrants' micro experiences that seem to defy any generalizations, a nuanced analysis of the micro-macro phenomena helps discover certain regularities and patterns resulting from some fundamental shifts in economic and political structures and their transformative impacts on social relationships. In a similar vein, despite the diverse experiences and stories shared by women migrant domestic workers in the Gulf and returnee women in Nepal, both preceding and following their migration, the data have revealed the four-pronged processes (discussed in Chapter 4) which are instrumental to shaping Nepali women's transnational labour migration for domestic work in the Arabian Gulf countries. Further, the research has provided a nuanced analysis and understanding of the ways in which these transformations and processes have created the feminization of poverty which, however, does not come alone but comes along with what I have called the 'responsibilization of livelihoods' given the Nepali collectivist culture that burdens women with additional responsibility, ultimately paving the structurally fertile grounds for their labour migration. However, as I have argued in Chapter 4, the four-pronged gendered processes and their associations and entanglements have not deterministically created the set paths for women's labour migration, but only conducive conditions where women's decisions to migrate are the agentic responses to the transformed lived realities.

Further, the research has offered an intersectional analysis of the transnational labour migration of women (as elaborated in Chapter 4) and demonstrated the ways in which the gendered local-global entanglements have produced differential impacts and outcomes for the so-called Dalit and Janajati[171] women who were triply disadvantaged due to their gender, caste and class which were further intersected with various other axes of discriminatory systems and practices (e.g., widowhood, disability, marital status and age and the nationality in the Gulf countries). Such overlapping and intersecting multiple forms of exclusion and marginalization of Dalit and ethnic women were evident through their overrepresentation in labour migration for domestic work in the Gulf countries through irregular channels and routes. As discussed in Chapter 4, I have proposed the concepts of the Dalitization and ethnicization of labour migration to refer both to

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[171] In the book *Janajati Vikash Samanwaya Kendra* (1999), Gurung et al. write, "Generally the words Janajati (nationality) and Adivasi (the indigenous people) are used as synonyms. Of course, Janajati is related to social composition and Adivasi has its relations with the time period. The word Janajati or Jati refers to the group of people outside of caste system and Adivasis are the ancient inhabitants or the indigenous people" (p. 1).

their predominance in precarious feminized work in the Gulf and to the differential impacts and outcomes engendered by the gendered local-global entanglements.

Gendered migration state and exception to neoliberalism policy

I have described Nepal as a gendered migration state that actively promotes the exports of its male citizens through the institutionalization of neoliberal labour migration policy and institutional infrastructures.[172] However, in relation to the female population, Nepal has embraced an exception to neoliberal labour migration policy toward women willing to migrate for domestic work in the Gulf countries. Such a highly paternalistic restrictive policy that trumps economic benefits over their "symbolic value" (Oishi, 2017) makes Nepal the gendered migration state. Such an exceptionalist gendered labour migration policy toward women is deeply embedded in the notion of what I have described as the Nepali state's masculine sovereignty that conceives of women as symbols of nationhood and the subjects to its sovereign control while anything that defies, tarnishes, or enfeebles such a masculinist notion is deemed a loss of and a threat to its sovereignty and sovereign power. The gendered labour migration policy reflects the masculinist notion of sovereignty which indeed emanates from patriarchal ideologies that conceive women as the "*cheli*" and a "vulnerable" group subject to men's protection and surveillance. However, as discussed in Chapter 5, the periodical lifts in migration bans reflected the tensions and contradictions within the Nepali state apparatuses on the one hand, and on the other hand, such policy oscillations suggested the pressure felt by the state under the forces of neoliberal globalization.

Entangled sandwiched and masculine sovereignties: the vulnerability of the Nepali state

Apart from the patriarchal ideologies, the gendered labour migration policy of the Nepali state, as I have argued in Chapter 5, is tied to the broader global neoliberal forces and processes which I have described by conceptualizing the notion of 'sandwiched sovereignty' which is the outcome of a concurrent force of neoliberal capitalism on the one hand, and the state's fragile political clout on the other hand. The research has thus contributed to theorizing the Nepali state's gendered labour migration policy within the context of Nepal's crypto-colonial legacies and the forces of neoliberalism. Thus, the gendered labour migration policy of the state, as I have

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[172] Although as I have discussed in chapter 5, the Nepali state is not a fully what Rodriguez (2008) describes the "labour brokerage state" in the case of the Philippines (p. 761), since Nepal fails to maximize the benefits of labour migration through a proactive policy to expand the labour markets in the true neoliberal spirit.

argued, has resulted from the entanglements between the Nepali state's masculine notion of sovereignty and the fear of emasculation. Thus, in contrast to the discourse of "vulnerability" of women and the bans and restrictions enforced based on this, placing the experiences and stories of women migrant domestic workers, both in the destination countries in the Gulf and Nepal, produced a completely contrasting narrative that laid bare the fragility of the Nepali state, rather than the "vulnerability" of women migrants.

Entangled precarity: from the 'cheli" to the "khadama"

This research has contributed to a nuanced understanding and theorizing the precarity faced by Nepali women migrant domestic workers by proposing the concept of 'entangled precarity' which has resulted from the complex entanglements between local and global gendered labour and migration systems and patriarchal ideologies enmeshed with one another in complex ways in the context of globalization. They operate simultaneously on multiple scales of the body, the family, the state, and the transnational spaces resulting into the entangled precarity which continues to be perpetually produced, reproduced, and perpetuated. As discussed in Chapter 6, the labour and migration policies and institutional systems in both Nepal and the Gulf countries are embedded in the patriarchal ideologies and gender codes which conjoin in creating the networks and channels through which Nepali women are funneled to the Gulf countries for domestic work by taking advantage of Nepal's geopolitical position. These entangled gendered states (Nepal and the Gulf states), in which patriarchy is endemic, have created the entangled precarity for women migrants, in which women's status as the *cheli* in Nepal has come to be conjoined with that of the *khadama* across the border in the Gulf region. Given that the precarity experienced by Nepali women migrant domestic workers has been produced through the entangled gendered labour and migration systems which are deeply embedded in the patriarchal ideologies of the respective countries, it requires that precarity is seen not only through the perspective of the destination country but also the country of origin i.e., Nepal.

Further research and reflections on policy and praxis

In the first place, as a male researcher from an upper caste, there were limitations to disclosure of information, especially from women migrant returnees in Nepal. Upon my initial engagement with women migrant returnees in Nepal, I decided to focus on domestic workers, my initial plan was to include different categories of Nepali women migrants in the Gulf countries to as to be able to comparatively examine their gendered experiences. Women migrants working in other

sectors, either informalized or formalized, have thus fallen outside the scope of this research. However, from my fieldwork that allowed me to notice the increasing trends of women migrating to work in many other sectors (e.g., hospitality, customer service, cleaners in companies), extending the analysis beyond domestic care work would be crucial. Future research could potentially be undertaken to study those transformations taking place in the transnational labour migration of Nepali women and comparatively examine the experiences within the gendered labour and migration policy and politics in Nepal and the Gulf countries. In addition, as noted in Chapter 5, many Nepali women migrant domestic workers indicated that those working as domestic workers from other Asian countries (e.g., the Philippines) were better paid and protected but their governments. Future comparative analyses could also be undertaken between women migrant domestic workers originating from other Asian countries with more institutionalized labour migration regimes (e.g., the Philippines) to understand and illuminate the extent to which the geopolitical and economic power of the origin countries could play into the labour and human rights situations of women migrant domestic workers in the destination countries in the Gulf.

Additionally, as discussed in Chapter 4, given the current predominance of Dalit and Janajati women migrating for domestic work in the Gulf countries which I have described respectively as the Dalitization and ethnicization of migration for feminized work. As I further argued, despite the precarities produced through the complex intersectional axes of oppression, the labour migration for domestic work was found to have empowered Dalit women in particular which I have described as the 'demarginalization' resulting from women's transnational labour migration. However, given the intra-Dalit and intra-Janajati differences based on their regional origin (e.g., *pahad*, terai), future research could potentially investigate those intersectional experiences as well as the gendered impacts and implications of labour migration.

Additionally, while gender was theoretically understood as a broad-based concept that encompasses migrants belonging to multiple sexual orientations/identities including those belonging to LGBTQI+ groups, gender in this research is mainly used to refer to women migrants in relation to male migrants. Future research could adopt this more fulsome gender

approach to looking at the lived experiences of migrants with gay, lesbian, transgender individuals at the centre of analysis.

Finally, I started the fieldwork for this research prior to the onslaught of the COVID-19 pandemic and completed the analysis of the data during the period of the pandemic, future research could look into the impacts and implications of the pandemic on women migrant domestic workers and their unofficial channels and paths of migration, as well as on the structural conditions exacerbated by the pandemic. This is particularly important since throughout the pandemic, women migrant domestic workers were among the most disproportionately impacted groups, either due to the increased risk of COVID-19 infection, restricted access to health services and social protection, job losses or additional workloads, discrimination, protracted family separation, inability to access child services or unsafe and undignified returns (UN General Assembly, 2021).

In terms of policy recommendations and implications of this research, I note that translating feminist research into practice is neither easy nor straightforward. The feminist praxis of this research therefore must aim toward reframing women migrant domestic worker rights organizing and politics in relation to civil society (inclusive of migrant rights organizations) and the Nepali state. Though these policy reflections are in no way exhaustive, I propose the following policy and praxis relevant recommendations and reflections for the state and the civil society and migrant rights organizations.

Simultaneity of organizing and activism: local-interstitial-transnational spaces

Given the entangled precarity spanning from the gendered labour and migration systems in Nepal to the transits and the destination countries in the Gulf, a sole migrant rights approach that focuses on the destination countries is inadequate. There is a need for a migrant rights politics and activism that simultaneously focus on the local, interstitial and the global as the sites of engagement, struggle and resistance. For this, an integrated approach that simultaneously address the precarities produced across the local/national, interstitial and transnational/global spaces through intersectoral, intra-sectoral and transnational solidarities is crucial. It is through linking these scattered forms of local and transnational resistance together that we can create larger movements for change (Deepak, 2011). As an example, given the limited transnational

engagements of the Nepali local civil society organizations, migrant rights organizations can coordinate and operate in conjunction with the few civil society organizations based in the Gulf countries, such as the Migrant-Rights.Org. The interstitial spaces within the transit countries, such as India and Sri Lanka, which remain largely excluded but are often the main sites of precarity, should also be brought within the spectrum of the civil society activism and feminist mobilizations. The alliance and advocacy should be focused not only among migrant rights organizations but also inter-movemental creating networked solidarities across civil society organizations working in other overlapping domains. The lack of such vertical and horizontal collaborative strategies stands in the way of shared learnings and promoting advocacy for women migrant domestic workers and promoting their rights. Further, since women migrant domestic workers in the Arabian Gulf countries have a limited space for collective organizing, the potential to address the entangled precarity of women migrant domestic workers lies in foregrounding the leadership of the Nepal-based local/national and regional migrant rights organizations and activists many of whom are run by former migrant workers themselves, such as Pourakhi Nepal, AMKAS and Pravasi Nepali Coordination Committee.

There exists inadequate inter- and intra-sectoral and stakeholder collaboration between government bodies and civil society organizations working on migration, labor rights, trafficking, women's rights, and broader development issues. It is crucial for migrant origin countries to lobby to build coalitions of support to ensure that the domestic workers, particularly those who work in private workspaces have their labour and human rights protected. However, the competition between the migrant sending countries for the labour market has resulted into what William Gois, the Coordinator of the MFA, calls "a race to the bottom" wherein the origin countries strive for more quotas and better wages, thereby creating a hierarchical order among sending countries themselves. It is thus crucial to align the interests of the origin countries as they engage in labour migration diplomacy.

While most CSOs are focused on the immediate or short term needs of migrant women, and ensuring their access to rights and protection from harm and exploitation, longer term or more nuanced agendas are often neglected. For example, civil society and migrant rights actors shy away from challenging the masculine state, and the structurally embedded gender discrimination

in labour migration systems (e.g., care economy; care chains). This means that states are not held accountable or their responsibility to ensure access to discrimination free "decent work" in countries of origin, so that labour migration is a choice. While focused on the short-term reactive activism around women migrant workers' rights and protection from harm, civil society may neglect to tackle these larger systemic issues. Working with the state often translates to working within the parameters that the state has constructed (e.g., bilateral agreements or emigration bans).

Tenuous ties: resistance to and solidarity with the state

In the context of the Nepali state itself implicated in producing the conditions of vulnerability for women migrant domestic workers, the question arises as to whether the migrant rights politics should remain in opposition to the state or forge alliances with it even though it is highly gendered and masculine. It is because any engagement with the gendered state could be potentially fraught with dangers of co-option, or whether it is through critical engagements that the state's gendered labour and migration politics, policies and institutional practices can be changed. Since the state is not as a homogeneous entity as discussed in Chapter 6, there is a need for the migrant rights activism and organizing to adopt the strategy of simultaneity that entails resistance and solidarity with the state.

The state can, as Parashar et al. (2018) observe, act both as a buffer against the international system as well as a perpetrator of political, social, and economic inequalities. In either case, the state should constitute the main locus of feminist engagement, struggle and resistance. As and when the Nepali state is complicit with the global capitalist forces, it is necessary to rearticulate how to work together to strengthen resistance against neoliberal global capitalism. Further, within the current global politics where the states are and will remain important actors in migration governance (Barnett and Duavall, 2005), it is equally crucial to enhance to the agency of the Nepali state while resisting against its gendered labour and migration policies embedded in patriarchal ideologies which at times work in explicit or implicit complicity with the neoliberal capitalist forces and processes. For instance, enhancing the bargaining capacity of the Nepali state in negotiating gender-sensitive bilateral labour agreements with the destination countries can at least ameliorate the situations of extreme vulnerability. For this, the migrant rights activism and politics should engage with the state, exert collective pressure on changing gender-

discriminatory policies and practices. By doing so, feminist organizations can more meaningfully

call state actors to account and can encourage and build capacities of governments on gender and

labour migration. This serves to strengthen capacities and foster gender responsiveness in

government, but also can strengthen Nepal's global and regional negotiating power through a

commitment to gender equality, and by working with civil society – which are both guiding

principles of the GCM.

Gender justice and equal rights at home: domestic policy and institutional practices

Nepali women's migration for domestic work in the Gulf countries is in the first place the

outcome of the deeply entrenched gender based inequalities and discriminatory social, cultural,

and economic systems. Further, when gender intersects with the forces of global capitalism and

other axes of discriminations and difference, based on race, caste, indigeneity, religion,

nationality, ethnicity, dis/ability, and even marital status of women in some contexts, the

challenges women face at home become compounded and exacerbated. It is the responsibility of

the Nepali state to address the drivers of migration in the first place, so that migration becomes a

matter of choice and not obligation. As discussed in Chapter 4, many gendered structural drivers

and realities of women's migration including gender-based violence, discrimination and

inequality, lack of financial inclusion, and so on, need to be addressed. By reducing the issues of

women migrant domestic workers to the discourse of trafficking, the Nepali state has evaded and

escaped from two crucial dimensions of the transnational labour migration of women. First, the

state, instead of paying attention to the structural issues such as the feminization of poverty and

responsibilization of livelihoods that lead to women's labour migration, has focused on

generating awareness and education among women to discourage migration as if women's

migration has occurred out of their own volition holding them responsible for the precarities they

confront during their migration cycle. Second, the state by foregrounding the discourse of

trafficking has ignored the widespread labour rights violations of women in the destinations in

the forms of under- or non-payment of wages, contract substitution, excessive working hours and

lacking freedom of association and freedom to change employers. As noted by a formal Nepali

ambassador to Israel (discussed in Chapter 5), it is crucial for the Nepali state to ensure gender

justice and good governance at home and such domestic reforms can also enhance its bargaining

capacity with the destination countries.

Gendering the bilateral labour agreements and consular services
The absence of "legal" pathways to labour migration is at the roots of women resorting to

informal routes and channels of migration putting their lives at greater risks. In the Gulf

countries where I conducted my fieldwork, bilateral agreements related to domestic work existed

between Nepal and the destination countries. As discussed in Chapter 5, even in cases where

such bilateral instruments were in place, they are completely silent about women migrant

domestic workers and their precarities. It is therefore critically important for Nepal to enter into

sectoral bilateral labour migration agreements that specifically deal with the issues of women

migrant domestic workers. In the case of women migrant domestic workers, bilateral agreements

can at least ensure that women can migrate through formal and official channels and routes so

that they could at least migrate "legally" from Nepal instead of resorting to dalals. Such

instruments can have the potential to at least hold governments to account. Further, despite the

claims made by government officials that labour relations constitute an important dimensions of

Nepal's bilateral relations and diplomacy, there remained stark discrepancies between the stated

policy and practice. Further, as discussed in Chapter 5, the situations of vulnerability faced by

women migrant domestic workers were multiplied in the destination countries due to lack of an

easy access to consular services or gender-insensitivity in service delivery.

Additionally, a majority of women who are participating in transnational labour migration for

domestic work in the Arab state were from the lower strata of the society and from excluded

groups, not only in terms of gender but also multiple other axes of inequities and discriminations

(e.g., caste, class, region, and other social and cultural discriminations). One of the main

motivating factors behind women's migration through such irregular channels and routes was

that in most cases the recruiting agencies based in the Arab countries would cover the cost for

prospective women migrant domestic workers by paying for air tickets and for preparing

administrative documents in most cases. In such a situation where prospective women cannot

afford to pay for such expenses, only entering into bilateral agreements with no explicit

provisions that make migration free, such instruments would fail to address the lived realities of

women, or they would still continue to resort to informal routes and channels to migrate to the

Gulf countries for domestic work. The global migration governance, as evidenced in the GCM

(UN, 2018), many states are turning to managed labour migration schemes under bilateral labour

migration agreements (Hennebry et al., forthcoming). As discussed in Chapter 5, the Nepali

authorities uncritically valorized such bilateral agreements by simply taking them for granted and arguing that the country was in the process of negotiating bilateral agreements with the Gulf countries and that would resolve all issues of women migrant domestic workers. However, such instruments, if they fail to take into account the gendered migration politics and the gender-segregated labour markets, are most likely produce no desired outcomes for women migrant domestic workers (Hennebry et al., 2019). Further, the bilateral agreements indeed represent the "migration management" approach that most states and the United Nations have touted as a "triple win" model which Piper and KC (forthcoming) argue is born out of the securitized and economistic approaches to international migration governance.

Reframing labour migration governance for women migrant domestic workers

Migration has become a key concern on the agenda of the United Nations (UN) as evidenced by the establishment of the Global Commission on International Migration (2003-5), the holding of the first High Level Dialogue on International Migration and Development in 2006, the setting up of the annual Global Forum on Migration and Development (GFMD) in 2007, and the adoption of the GCM by the UN in December 2018. The official recognition and endorsement of mainstreaming human rights as a formal goal of all UN member states has provided a template against which to judge both national and international policies. As Piper (2017) asserts, given that the global migration governance that focuses on the economic and political interests of the Global North countries while too often "paying lip service to the human rights of migrants" (p. 233), they are far removed from the ground realities of women migrant domestic workers in the Gulf countries. Even the notion of "gender responsiveness" as stipulated in the GCM is inadequate to attend to address the issues of Nepali women migrant domestic workers in that such a concept, progressive though it is, only looks at women's transnational labour migration as a point of departure, while ignoring the locally-globally entangled drivers that precede and propel women's migration for domestic work in the first place. In the context of women's labour migration for domestic work in the Gulf countries where their rights and status are tied to their employment, and not to their residency[173] while their mobilities are restricted by the origin country (Nepal) based on patriarchal ideologies propelling women to resort to irregular pathways, the debates on "gender responsiveness" are far removed from the realities.

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[173] Abu Dhabi Dialogue Among the Labor Sending and Receiving Countries. Available from http://abudhabidialogue.org.ae/about-abu-dhabi-dialogue.

First and foremost, it is crucial to link the governance of labour migration as well as the migrant rights politics and organizing with women migrant domestic workers' lived realities, and such realignment entails the process of decolonizing the labour migration governance and migrant rights discourses. I look at the entangled precarity faced by women migrant domestic workers from two angles. The first relates to their precarities enoutnered during the entire cycle of their migration: from pre-migration to documentation, border crossing, transiting, working, and living in the Gulf countries to returning to the countries of origin and being reintegrated into their societies. The second looks at the precarities within the broader context of globalization where such conditions of precarity are produced by inequitable and discriminatory systems at home and the global neoliberal capitalist forces. Both local and global gendered systems impinge upon the lives and livelihoods of Nepali women interacting and intersecting with one another in complex ways as discussed in Chapter 4. This was reflected through their narratives, and as noted in Chapter 4, a migrant returnee described her situation this way, "To tell you the truth I don't care whatever risks and problems I might have to face abroad. If I go *bidesh* [abroad] at least I wouldn't have to face what I'm going through right now" (interview with returnee migrant).

Against this backdrop, there is a need for an epistemological decolonization that looks at international migration in a broader political context and emphasizes addressing both the drivers in the first place and the consequences of migration from a rights perspective, in countries of origin, transit and destination, and at all stages of migration including the pre-departure phase. The decolonized approach focuses on mitigating the drivers of migration so that migration becomes a choice, and not necessity, alongside addressing the exploitation and discrimination migrants experience in the countries of destination. Further, such a decolonized approach is grounded in the leadership of local and regional migrant rights activists and organizations in shaping the migrant worker rights agenda that attends to the rights of women migrant domestic workers coming "from the bottom up" and their lived experiences. Unless this happens, the gender equality goals of the 2030 Agenda will remain out of reach, as the status quo of labour migration will continue produce, reproduce, and perpetuate gender inequalities.

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APPENDICES

Appendix A

LAURIER
Inspiring Lives.

January 23, 2018

Dear Hari KC

REB # 5547
Project, "Uncovering the Gender Code in Nepal's Labour Migration Governance: Restrictions, Resistance, and Sandwiched Sovereignty"
REB Clearance Issued: January 23, 2018
REB Expiry / End Date: July 31, 2019

The Research Ethics Board of Wilfrid Laurier University has reviewed the above proposal and determined that the proposal is ethically sound. If the research plan and methods should change in a way that may bring into question the project's adherence to acceptable ethical norms, please submit a "Request for Ethics Clearance of a Revision or Modification" form for approval before the changes are put into place. This form can also be used to extend protocols past their expiry date, except in cases where the project is more than four years old. Those projects require a new REB application.

Please note that you are responsible for obtaining any further approvals that might be required to complete your project.

Laurier REB approval will automatically expire when one's employment ends at Laurier.

If any participants in your research project have a negative experience (either physical, psychological or emotional) you are required to submit an "Adverse Events Form" within 24 hours of the event.

You must complete the online "Annual/Final Progress Report on Human Research Projects" form annually and upon completion of the project. ROMEO will automatically keeps track of these annual reports for you. When you have a report due within 30 days (and/or an overdue report) it will be listed under the 'My Reminders' quick link on your ROMEO home screen; the number in brackets next to 'My Reminders' will tell you how many reports need to be submitted. Protocols with overdue annual reports will be marked as expired. Further the REB has been requested to notify Research Finance when an REB protocol, tied to a funding account has been marked as expired. In such cases Research Finance will immediately freeze funding tied to this account.

All the best for the successful completion of your project.

(Useful links: ROMEO Login Screen ; REB Students Webpage; REB Connect Webpage)

Yours sincerely,

Robert Basso, PhD
Chair, University Research Ethics Board
Wilfrid Laurier University

Rosemary A. McGowan, PhD
Vice-Chair, University Research Ethics Board
Wilfrid Laurier University

Semi-Structured Interview Guide

Interview questions for women migrant returnees

Decisions-drivers of migration:

1. Can you tell me something about you and your family background?

   (Probes: What do you do for a living now? Which part of the country do you come from? If you have children, how old were they when you left them? Who took care of them during your absence?)

2. What was your source of income before migration?

   (Probes: If you didn't have any source of income, what did do? What were the main expenses? How did you pay for those expenses?)

3. Please tell me at what point in life you made a decision to go abroad for employment?

   (Probes: Any particular event in life? Any financial, social, or family pressure or stress? Any other cause/s? Who was the main decision-maker? How are decisions made in your family? With collective consent? Or what?)

Process of migration:

4. What was your destination country, and why did you choose to go to that particular country and not others?

5. How did you go: through any government body, a private employment agency, or what?

   (Probes: If through the government, how did you know about the opportunity? If employment agency, how did you know about the agency? Who put you in touch with the agency? If a broker, what did they tell you?)

6. Can you describe how you met the broker/agency/government body?

   (Probes: What was your place of departure? Nepal or some other country? Any orientation? How long did it take for you get to the destination country?)

7. As a woman, what problems/challenges did you have to face during the process of migration inside the country?

State policy of migration:

8. What did you know about the government's labour migration policy toward women at the time you decided to migrate?

   (Probs: About bans in certain countries? Restrictions based on age?)

9. If you did know that when you migrated, what made you still go?

10. If you didn't, when did you know about the labour migration policy?

11. In particular, why did you decide to turn to private employment agencies/brokers despite knowing that those brokers were illegal?

    (The broker persuaded you with attractive salary, nature of work, pay and perks? The driving forces were too strong to resist? Family or social pressure?)

12. In what way did the government's current policy impact you as a woman migrant worker?

    (Probes: Inside the country? In the destination country? The government says that the restrictive policy protects women, what do you think?)

Experience during employment abroad:

13. Who did you work for: a private house, company, or what?

14. What was your job in the destination country? Was this job same or different from what you were told you would be doing abroad?

15. (Probes: Did you sign a contract before departure? If you signed a contract, did the employer follow the contract in terms of pay and perks, if you singed one?)

16. Were you trained for the job?

    (Probes: If yes, where? How long? How much did you pay for the training? Who told you to receive the training? How much did you pay?)

17.   Can you tell me something about your daily routine at work abroad?
       (Probes: How many hours? Any breaks? Day off? Weekend? Overtime work?)
18.   Please describe your overall experience of working abroad? Since you are a migrant returnee now, how do you feel about yourself?
       (Satisfied/unsatisfied? Pluses and minuses? Losses and gains?)

Prospects and challenges for women migrants:
19.   What do you now plan to do?
       (Do you want to go back again? Stay home? Start a business? Or what?)
20.   How does the society look upon you as a migrant returnee?
21.   What do you think were the main challenges while working as a migrant worker? What are the prospects?
22.   What do you think should be changed to solve those problems/challenges?
23.   Is there anything else you would like to share, that I haven't asked you?

Closing comments:
Thank you very much for giving me your time and for sharing your experience and opinions. I'd like to repeat again that all the information and opinions you have shared in this conversation will be kept confidential; nothing you have said now will be disclosed or shared with anyone without your permission. If you are interested, I will share the transcript with you, and once the research project is completed, I will be glad to share the findings with you.

Interview questions for potential women migrants

Decisions-drivers of migration:
1. Can you tell me something about you and your family background?
       (Probes: What do you do for a living now? Which part of the country do you come from? If you have children, who will look after them when you are abroad?)
2. What stage are you at now in your migration journey and the process?
3. What is your source of income? What are the main expenses? How do you pay for those expenses?
4. Please tell me what made you decide to look for work abroad?
       (Any particular event in life? Any financial, social, or family pressure or stress? Any other cause/s)
5. What is your destination country, and why this country in particular?
6. Are you going abroad through any government body, a private employment agency or what?
       (Probes: If through the government, how did you know about the opportunity? If employment agency, how did you know about the agency? Who put you in touch with the agency? If a broker, how did you know him/her?
7. What do you know about what you will have to do and what benefits you will get in the destination country?
       (Employment contract? Place of departure: Nepal or some other country? Nature of work? Trained or not? Pay and perks?)

State policy and process of migration:
8. What do you know about the government's labour migration policy toward women?
       (Probes: About bans/restrictions in certain countries? Restrictions based on age?)
9. If you do know that, why do you still want to go?

10. As a woman, what are the main problems/challenges you are facing during the migration process?
    (Probes: From government officials? Family? Brokers? Others?)
11. What do you think needs to be changed so that things would be easier for you to migrate?
    (Probes: What would make things better in your opinion?)
12. Is there anything else you would like to share, that I haven't asked you?

Interview questions for CSOs and NGOs:

1. Can you tell me something about your organization, and about what your organization does in the areas of women migrant workers?
    (Probes: Service delivery? Advocacy? Which political level does your organization engage with – local and/or national government?

2. Where do most Nepali women migrant workers go, and how do they go to the destination countries?
    (If women go abroad with the help of brokers/employment agencies, how do they connect with the brokers/agencies? And how do these brokers/agencies connect with the employers/brokers/employment agencies abroad?)

3. What do you think are the key challenges faced by Nepali women migrant workers: inside the country and abroad? What do you think are the reasons behind such challenges?
    (Probes: Patriarchal values? Governance gaps? Lack of skills and trainings? Or what?)

4. Do you think the state's labour migration policies are discriminatory against women migrant workers? If so, in what ways, and do such policy gaps have anything to do with the challenges faced by women migrant workers?
    (Probes: Can you specify the policy gaps/discriminatory provisions?)

5. Why do you think Nepali women, despite the state's restrictive policies, continue to go abroad for employment? How do you explain this phenomenon?

6. What has been the impact of the bans/restrictive labour migration policy on women migrant workers and those women who are willing to go abroad for employment?

7. Why do you think the state has imposed bans and restrictions on women going to the Middle East? (The government claims that the intent of the bans is to protect women from being exploited and abused: Is this protecting women? If not, why do the state continue to do that? Is there any pressure from any global entity or local protest? Why does the government keep changing its labour migration policy on women? Why is this constant fluctuation?

8. How does civil society/human rights organizations/ organizations working in the areas of women migrants take the state's bans and restrictions? How does your organization take this? If so, what has your organization done? How does the government respond to civil society's voice?

9. In spite of the bans and restrictions imposed by the state, Nepali women in large numbers have gone to the Middle East countries for employment. How do they manage to go there despite the bans and restrictions in place? Who funnels them there? How do women connect with such brokers/*dalals*? How do they send women abroad? How does the state look at them? What has the state done to strop this?

10. How do you think are the main problems Nepali women migrants are facing abroad? What are the reasons behind this? What do you describe the role of the state to protect women migrants abroad?

11. What should the state do to empower women migrant workers? What governance mechanisms/interventions do you think will help improve the difficult lived experiences faced by women migrant workers?

Interview questions for bureaucrats/policymakers

1. Can you tell me something about yourself and what government department/body/board do you work for? What is the portfolio of your department/body/board organization?
   (What exactly does your department/body/board do?)

2. Can you tell me something about what the stated policy of the government of Nepal is when it comes to women migrant workers?
   (Probes: Does this policy hold true when it comes to men migrant workers? If not, why such a different outlook toward women migrant workers?)

3. What is the rationale behind imposing bans/partial bans/restrictions on women who are willing to go abroad for employment? How do you justify this policy of the state?
   (Probes: Is the state's policy approach discriminatory against women migrant workers? Do the discriminatory policy provisions have anything to do with the problems faced by women migrant workers, inside the country as well as outside?)

4. Has such a policy approach discouraged women from going abroad for employment? Is the state aware of the fact that large numbers of Nepali women go abroad for employment? Does the state know where most of these Nepali women migrant workers go, and how they there?
   (If women go abroad with the help of brokers/employment agencies, is this process legal? If not legal, how does the state look at these illegally operating individuals and entities?)

5. What do you think are the key challenges faced by such Nepali women migrant workers: inside the country and outside in the destination countries? What do you think are the reasons behind such challenges?
   (Probes: Patriarchal values? Governance gaps? Lack of skills and trainings? Or what?)

6. Looking at the history of the state's policy toward women migrant workers, it seems that the labour migration policies toward women have constantly changed over the past several years (ranging from bans/partial bans/restrictions). What is the logic/rationale behind such an unstable labour migration policy? Exactly at what point and for what reason does the state realize that the labour migration policy toward women should be banned/restricted/released?
   (Probes: Does the state receive any pressure, internally or externally? From whom? If they put pressure on the state, what do you think are the reasons/interests?)

7. Why does the state think about many Nepali women going abroad for work, despite the state's restrictive policies? How would you describe this phenomenon?

8. What does the state think about how women migrant workers can be empowered? What governance mechanisms/interventions do you think will help improve the difficult lived-experiences faced by women migrant workers, at home as well as abroad? Who should do what? What are the state's plans?

9. Can you tell me something about what government body do you work for, and what its portfolio is?

10. What is the current policy of the state about women's labour migration? In what way does the state look at women migrant workers vis-à-vis men migrants?

11. Looking at the history of the state's policy toward women migrant workers, it seems that the labour migration policies toward women have constantly changed over the past several years (ranging from bans/partial bans/restrictions). What was/is the rationale behind such an unstable labour migration policy?
    (Any pressure: internal or external? From whom? If there are any pressures, what do you think are their interests?)

12. Citing the state's restrictive policy, it is often argued that the state has just closed the main door while the windows are left open, and that leads to more vulnerabilities against women migrants: How would you comment on this?

(What is the state doing to curb illegal and exploitative channels and routes of women's migration?)

13. Why does the state think about many Nepali women migrating abroad for work, despite the state's restrictive policies? How would you describe this phenomenon?

14. On a slightly different note, what do you think about labour relations being crucial part of the state's international relations in the context of Nepal? If these domains overlap, how does the Ministry of Labour coordinate with the Foreign Ministry?

15. Based on my conversations with some other stakeholders of the Ministry of Labour is in the process of negotiating Bilateral Labour Agreements (BLA) with various labour-receiving countries, are you personally involved in this process? If so, what do you think are the strengths and weaknesses of Nepal as a labour sending country? What is the state's intent/policy about signing separate BLAs with the receiving countries?

16. What does the state think about how women migrant workers can be empowered? What governance mechanisms/interventions do you think will help improve the difficult lived-experiences faced by women migrant workers, at home as well as abroad? Who should do what? What are the state's plans?