

## “Amar beton khub e kom”<sup>1</sup>: The Role of Commercial Recruitment Intermediaries in Reinforcing Gendered and Racialised Inequalities

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*Abstract:*     The 2030 Agenda on Sustainable Development explicitly links the goal of reducing inequality between and within countries to the encouragement of orderly, safe, regular and responsible migration. Yet to date there has been little discussion on how migration processes, especially those which occur through commercialised recruitment intermediaries may, in fact, enhance rather than reduce socio-economic inequalities. In particular, existing research shows that migrant workers from the Global South, especially in Asia, are often recruited by intermediaries into low paid, temporary and precarious jobs such as domestic service and hospitality work, agriculture and construction, manufacturing and mining. Such workers are often recruited as cheap, flexible labour and denied access to the right to organise in trade unions. Moreover, intermediaries often charge migrants fees for recruitment which inhibit their ability to maximise their earnings and remit monies home. This article addresses one of the hitherto neglected yet most fundamental aspects of international migration: how commercialised recruitment intermediaries serve to reinforce racialised and gendered inequalities. The article draws on a content analysis of recent articles published in the media on Bangladeshi migrant workers, aiming to contribute to discussions of gender, race and inequality in international migration and domestic labour through the lens of intersectional analysis.

*Keywords:*     recruitment agencies, migrant domestic workers, gender, race, inequalities

### Introduction

The 2030 Agenda on Sustainable Development explicitly links the goal of reducing inequality between and within countries to the encouragement of orderly, safe, regular and responsible migration. Yet to date there has been little discussion on how migration processes, especially those which occur through commercialised recruitment intermediaries, may in fact enhance rather than reduce socio-economic inequalities. The existing research shows that migrant workers from the Global South are often channelled by intermediaries into low paid, temporary and precarious jobs such as domestic service and hospitality work, agriculture and construction, manufacturing and mining.<sup>2</sup> Migrant workers are considered to be a cheap and flexible labour force, and are often excluded from local benefits and denied access to the right to organise in trade unions.<sup>3</sup> Moreover, intermediaries often charge migrants recruitment fees which inhibit their ability to maximise their

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<sup>1</sup> “My salary is very poor” – Translation of the statement of a Bangladeshi migrant in Bengali language. Source: Mahmud 2019.

<sup>2</sup> Constable 2007; Guevarra 2010; Preibisch 2007; Barrientos 2013; Deshingkar 2019.

<sup>3</sup> Jones 2014; Bakan and Stasiulis 1994; Anderson 2010; Fernandez 2013; Kemp and Raijma 2014.

earnings and remit monies home.<sup>4</sup> This article addresses one of the hitherto neglected yet most fundamental aspects of international migration: how commercialised recruitment intermediaries serve to reinforce and reproduce racialised and gendered inequalities.

Commercialized intermediaries play key roles in enabling mobility and facilitating migration, which can potentially offer migrants opportunities to escape social and economic inequalities in their own societies. However, Jones and Sha<sup>5</sup> point out that the activities of intermediaries are far from neutral: “what they do to facilitate migration and how they do it has wider societal impacts beyond simply functional activities to do with the migration process”. Hence, the ways that recruitment agencies facilitate migration, the strategies they use, and the consequences of these activities are relevant to the experience of migrant workers in destination countries. These activities of recruitment agencies and their consequences are the concern of this paper. We particularly focus on the gendered and racialized nature of mediated migration based on an analysis of media reports on migrant domestic workers from Bangladesh in overseas labour markets, in particular in the Persian Gulf region.

By so doing, this article contributes to existing literature on gender, race and inequality in international migration and domestic labour. The global literature on domestic and care work includes much writing on the gendered and racialized aspects of the employment of migrant workers. This writing focuses primarily on the role of migration policy and citizenship in creating such inequalities. There is little analysis, however, of the role of recruitment agencies in reproducing or co-producing these inequalities. Our article aims to bridge this gap by paying attention to recruitment agencies. The article is informed by an emerging body of literature on transnational labour migration that has only recently started to focus on the gendered and racialized characteristics of recruitment processes and on the factors that contribute to such mediating processes. In this paper, we go beyond this literature by linking recruitment processes and strategies with migration consequences in destination countries.

We apply an intersectional approach to our analysis of gendered and racialized inequalities in Bangladeshi migration to Gulf States. In particular, by highlighting the role of intermediaries, this article contributes to the development of intersectionality theory by deepening our understanding of how migrants socially constructed identities (gender/ race/nationality) intersect at the meso-level of intermediaries and at the macro-level with structural factors such as migration regimes and state policies to co-create inequalities experienced by migrant workers. This paper therefore illuminates the ways that complex intersections between hierarchies of gender, race, nationality and citizenship at a number of levels produce inequality in migration outcomes.

Methodologically, we use content analysis of media reports on migrant domestic workers from Bangladesh in overseas labour markets, particularly in the Persian Gulf region. Media content analysis has been a primary research method for studying portrayals of violence, racism and women in news reporting, television programming as well as in films.<sup>6</sup> Scholars have argued that although there are risks of bias, such media reports give us explanations of the phenomenon or event as it happened and also provide multiple points of view around an issue. Examination of

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<sup>4</sup> Davidson 2013; Barrientos 2013; Strauss and McGrath 2017; Moniruzzaman and Roberts 2018.

<sup>5</sup> Jones and Sha 2020: 4.

<sup>6</sup> Macnamara 2005.

such reports allows researchers to trace the historical development of a subject over time as well as to examine issues in the context of their time.<sup>7</sup> This research identified media reports depicting: the recruitment of Bangladeshi migrant women for overseas employment; the roles of commercialised intermediaries in recruiting women to overseas jobs; the working conditions encountered by women migrants; and the challenges and discriminations that they faced in destination countries. Based on an analysis of these materials, we argue that the practices of commercialized recruitment agencies reinforce and reproduce gendered and racialized inequalities, whilst state migration regimes and employers also play key roles in co-creating such inequalities.

The structure of the paper is as below. Following our introduction to intersectional approaches to gender and racial inequality in international migration and domestic work and to gendered and racialized inequalities in mediated migration, we give an overview of labour migration from Bangladesh, emphasising that women’s migration to overseas labour markets is an attempt to overcome socio-economic inequalities in their own society. We then show how migrant women experience a new pattern of gendered and racialized inequality after migration. The following sections analyse the roles of recruitment agencies and immigration regimes respectively in contributing to the gendered and racialized inequalities experienced by migrant women. The concluding remarks sum up the findings of the research.

## **Gender, Race and Inequality in International Migration and Domestic Work: An Intersectional Approach**

Cross-border mobility is a visible reflection of global inequalities.<sup>8</sup> Recent scholarship has noted that inequality is a multi-dimensional concept which includes both vertical (income, wealth or education level) and horizontal (age, gender, race, ethnicity, nationality) aspects.<sup>9</sup> Gendered racialized inequality is one of the key themes when it comes to labour migration, which is increasingly captured by the framework of intersectionality.

Intersectionality is a feminist approach to analysing the complex and multiple sources of women’s oppression, which originated from feminist theories of power and difference.<sup>10</sup> The term was coined by Crenshaw,<sup>11</sup> who describe the multiple and compounded layers of discrimination experienced by Black women in the USA, based on race and gender. It highlights the intersections, interdependence and ‘interlocking’ of socially constructed categories such as gender, class, race, and ethnicity, amongst the disadvantaged.<sup>12</sup> Because it focuses on the intersection of multiple inequalities,<sup>13</sup> intersectionality challenges attempts to explain inequalities through a single framework of oppression.<sup>14</sup> Whilst early intersectional work has been criticized as focusing solely on

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<sup>7</sup> Franzosi 1987.

<sup>8</sup> Faist 2014.

<sup>9</sup> Crow, Zlatunich and Fulfroost 2009; Therborn 2012.

<sup>10</sup> Bastia 2014.

<sup>11</sup> Crenshaw 1989.

<sup>12</sup> McCall 2005; Bastia 2014.

<sup>13</sup> Walby, Armstrong, and Strid, 2012: 225

<sup>14</sup> Valentine 2007; Bastia 2014.

the subjectivities and identities of the disadvantaged, ignoring the powerful groups and structural forces that generate such experiences and identities,<sup>15</sup> more recent scholarship has expanded the concept to include the ways that both multiple forms of oppression and multiple forms of privilege intersect.<sup>16</sup> This approach also stresses the intersection of micro (e.g. individual identities and agency); meso (e.g. institutions, relations); and macro (e.g. socio-economic structures, policy etc.) contexts in creating inequalities.<sup>17</sup> In other words, it sees “inequalities as multiply-determined and intertwined rather than assuming one central institutional framework.”<sup>18</sup>

Research on domestic work is at the forefront of applying intersectional approaches to the creation of global inequalities through an international division of reproductive labour.<sup>19</sup> Globalization has sparked feminization of migration,<sup>20</sup> and domestic workers across the global are overwhelmingly female.<sup>21</sup> The movement of domestic workers is situated within a gendered system of global capitalism entailing geopolitical and economic inequality.<sup>22</sup> Various research has documented the complexity of inequalities and discrimination experienced by migrant domestic workers in host countries: discriminations which are not experienced in the same ways by indigenous (national) workers of either gender or by migrant men.<sup>23</sup> Whether in the context of women migrating from South America to North America, or from South or South-East Asia and Africa to Europe and the Gulf, scholarship shows how gendered identity intersects with other social divisions such as race/ethnicity, nationality and immigrant status to produce inequalities and barriers for migrant domestic workers.<sup>24</sup> Migrant women experience distinctive forms of stereotyping or ‘targeted discrimination’ based on their ethno-racial, national and gendered identities.<sup>25</sup> This serves to subordinate the worker, establish employer dominance, and maintain racial, gender and class privilege.<sup>26</sup> Much of the research on domestic work incorporates intersectional analyses of the unequal power dynamics between migrant workers and their employers. These power dynamics are, in part, a product of the nature of the domestic space, which is hidden from public view, rendering migrant workers vulnerable to various degrees of discrimination and exploitation ranging from poor working conditions to verbal, physical and sexual abuse.<sup>27</sup> Isolated environments make it more difficult for domestic workers to become aware of their rights or to connect to others to seek help. Furthermore, state policies have played significant roles in the gender, race, and citizenship

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<sup>15</sup> Walby, Armstrong, and Strid 2012.

<sup>16</sup> Anthias 2012; Yuval-Davis 2006.

<sup>17</sup> McCall 2005; Choo and Ferree 2010; Walby, Armstrong, and Strid 2012; Tapia and Alberti 2018.

<sup>18</sup> Choo and Ferree 2010: 131.

<sup>19</sup> Parreñas 2001; Yeates 2009; Christian and Namaganda 2018.

<sup>20</sup> Williams 2010; Parreñas 2000; Mills 2003; Lutz 2008.

<sup>21</sup> ILO 2010.

<sup>22</sup> Parreñas 2000; Hochschild 2000; Lutz 2008; Yeates 2009.

<sup>23</sup> Joseph 2010.

<sup>24</sup> Constable 2007; Anderson 2000; Romero and Perez 2016; Williams 2010; Joseph 2010; Yeates 2012; Cheng 2013; McGregor 2007.

<sup>25</sup> Joseph 2010: 233.

<sup>26</sup> Joseph 2010; Mills 2003; Bélanger and Rahman 2013; McGregor 2007.

<sup>27</sup> Parreñas 2000; Afsar 2011; Cheng 2013; Lan 2006; William 2010.

inequalities that have been found in domestic service. The intersection of elements of national migration regimes, labour regimes and welfare legislation provide the structural context within which migrant women are employed in domestic work and positioned in subordinate status.<sup>28</sup> These policies and regulations restrict their mobility, deny their labour rights, and limit their access to citizenship and other welfare benefits. Moreover, there is lack of legal protection for domestic migrant workers subject to exploitation or abuse.<sup>29</sup> The criminal justice system in some countries may even re-victimize migrant domestic workers because of their gender, race, and migrant status by using discriminatory strategies.<sup>30</sup> For instance, female migrant domestic workers in the Gulf countries often encounter structural intersectional discrimination because they are not entitled equal protection under the law.<sup>31</sup>

Some studies highlight cultural assumptions that serve to maintain hierarchies along axes of gender, race, class, and citizenship.<sup>32</sup> For example, in many of the Gulf countries, domestic work, unlike other types of employment, is seen as the natural extension of women's role in the family and society.<sup>33</sup> Hence, domestic workers are not protected by labour laws as they are not counted as “employees”.

In short, scholarship on domestic labour has greatly expanded our knowledge of how gender, race, nationality and immigrant status intersect to affect domestic workers, but gaps in the research remain.<sup>34</sup> In particular, the intersectional role of migration intermediaries such as recruitment agencies remains under-researched.<sup>35</sup> In this article, by highlighting the role of migration intermediaries in co-creating inequalities experienced by migrants, we seek to contribute to the development of theories of intersectionality by combining different levels of analysis, in which individual identities are linked with mediating processes and structural factors. This multi-level, intersectional approach leads to a more nuanced understanding of the realities of Bangladeshi migrant women's experience in Gulf countries. Below, we turn our attention to the literature on gendered and racialized inequalities in mediated migration and to the role of intermediaries in relation to these inequalities.

## Gendered Racialized Inequality in Mediated Migration

Recent scholarship shows that the ways in which intermediaries decide how, why and from where migrant workers should be sourced are a consequence of social, cultural, economic and political constructions and are often associated with gendered and racialized stereotypes.<sup>36</sup> Studies of

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<sup>28</sup> Chang 2000; Parreñas 2012; Williams 2010; Romero and Perez 2016; Chin 1998; Cheng 2013.

<sup>29</sup> Fernandez 2011; Strobl 2008.

<sup>30</sup> Joseph 2010; Strobl 2008.

<sup>31</sup> Makkonen 2002; Joseph 2010.

<sup>32</sup> Romero and Perez 2016.

<sup>33</sup> Joseph 2010.

<sup>34</sup> Christian and Namaganda 2018.

<sup>35</sup> Izaguirre and Walsham 2021.

<sup>36</sup> Findlay, McCollum, Shubin, Apsite, and Krisjane 2013; McCollum and Findlay 2018; Preibisch 2007; Findlay and McCollum 2013; Jones 2014.

international migrant domestic workers present important findings on the ways that gendered and racialized stereotypes govern labour regimes and recruitment practices. This scholarship notes that poor women from the Global South are often constructed as ‘global labour commodities’: an ideal work force for domestic and care work.<sup>37</sup> Moreover, domestic migrant workers from the Global South are often imagined through racialized stereotypes, for instance perceived physical traits such as small hands are considered to be suitable for certain tasks.<sup>38</sup> They are also stereotyped as docile, hardworking, cheap<sup>39</sup> and always ready to offer support to the “lifestyles of the First World”.<sup>40</sup> Their nationality may be automatically associated with the role of “maid” or “servant”, for example, in Hong Kong, the term *banmui* (maid) is understood as referring to a “Philippine girl.”<sup>41</sup>

Studies indicate that a number of factors contribute to these gendered and racialized inequalities in migration. First, employers’ gendered and racialized preferences influence the level of demand for workers from source countries.<sup>42</sup> Prospective employers from economically privileged countries demand various attributes in workers, ranging from language skills to perceived qualities such as docility, industriousness and loyalty and even to particular skin colour, appearance, or religious orientation.<sup>43</sup> They also frequently express preferences for employing certain nationalities in these roles. These preferences create divisions and hierarchies in labour markets by marking certain nationalities or ethnic groups as preferable to others.<sup>44</sup> The availability of a labour force compatible with such preferences is facilitated by recruitment agencies, who mould flexible migrants to particular jobs based on the demands of employers. Moreover, these agencies often utilise racialized and gendered stereotypes to market migrant workers to their clients, presenting particular groups as distinct from and superior to others. These stereotypical narratives serve as sales techniques to persuade their clients to pay for their “superior” candidate.<sup>45</sup>

These studies also show how the unequal global economic structure and capital accumulation model in the neoliberal era contributes to recruitment agencies’ practice of channelling migrant workers from less privileged economies to low paid, low-status jobs in destination countries – a process often informed by racialized and gendered ideologies. Capital accumulation under neoliberal regimes increasingly favours a flexible and segmented labour market composed of various forms of temporary, precarious, non-standard or insecure work which are unattractive to residents of more affluent countries. This leads to high demands for migrant workers who are willing to take these low-paid and insecure jobs because of the significant inequalities in earning

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<sup>37</sup> Guevarra 2010: 9.

<sup>38</sup> Fernandez-Kelly 2001; Pellow and Park 2002.

<sup>39</sup> Guevarra 2010.

<sup>40</sup> Ehrenreich and Hochschild 2002: 4.

<sup>41</sup> Constable 2007.

<sup>42</sup> Liang 2011; Wee, Goh, and Yeoh 2019; Preibisch 2007; McCollum and Findlay 2018; Findlay, McCollum, Shubin, Apsite, and Krisjane 2013.

<sup>43</sup> Tyner 2004; Constable 2007; Liang, 2011; Deshingkar 2019; Awumbila, Deshingkar, Kandilige, Teye, and Setrana 2019.

<sup>44</sup> Findlay, McCollum, Shubin, Apsite, and Krisjane 2013; McCollum and Findlay 2015; McDowell, Batnitzky, and Dyer 2008; Waldinger and Lichter 2003.

<sup>45</sup> Constable 2007.

potential between their origin and destination countries. Employers benefit from using recruitment agencies, which can supply workers on flexible contracts at low cost whilst relieving employers of the legal responsibilities associated with directly recruiting and employing migrant workers.<sup>46</sup> Through the interdependence of these factors, the structural demand meets the availability of a flexible labour force to reproduce a segmented migrant labour market.<sup>47</sup>

Furthermore, immigration regimes and the regulation of the workplace play a key role in channelling migrant workers to low-wage labour based on social relations of inequality such as gender, ethnicity, class, nationality and citizenship.<sup>48</sup> In the context of international domestic workers, studies show that a combination of gendered and racialised government policies and recruitment processes serve to construct and devalue these roles as “women’s work”<sup>49</sup> and as “unskilled” work, which legitimates low wages and poor working conditions. The employment of migrant women for these jobs is supported by immigration regulations that only allow entry to female nationals from specific (poorer) countries on domestic work visas.<sup>50</sup>

In light of these bodies of literature, we analyse how Bangladeshi women’s attempt to escape from socio-economic inequality at home through migration leads to new patterns of gendered and racialized inequality in destination countries, and how recruitment agencies and other elements – in particular migration regimes – contribute to such patterns.

## Labour Migration of Women from Bangladesh

Bangladesh relies heavily on remittances from migrants for economic development. In 2020 (a year marked by the Covid-19 pandemic), 183,682 Bangladeshis migrated for employment purposes. In 2019, according to BMET, a total of 700,159 Bangladeshi workers migrated to different countries of the world including Gulf Cooperation Council (GCC) and South-east Asian countries.<sup>51</sup> Saudi Arabia has long been the top destination for Bangladeshi workers, although for some years it was rivalled by the United Arab Emirates (UAE). Since 2012, the UAE have stopped issuing visas to Bangladeshi migrant workers (mainly male labour migrants) citing problems with forged passports and travel documents. Although the migration of men mostly stopped, the UAE still receives female migrants from Bangladesh for domestic work.<sup>52</sup> Bureau of Employment and Training (BMET) Bangladesh’ data shows in 2019, a total of 399,000 Bangladeshi workers migrated to Saudi Arabia, accounting for 56.99% of the total flow, followed by Oman at 10.38% (72,654), Qatar at 7.18% (50,292) and Singapore at 7.12 % (49,829). Focusing specifically on female workers, over 100,000 migrated from Bangladesh every year from 2017-2019.<sup>53</sup> Saudi Arabia remains the

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<sup>46</sup> McCollum and Findlay, 2018; Barrientos 2013; McCollum and Findlay 2018; McDowell, Batnitzky, and Dyer, 2008; Findlay, McCollum, Shubin, Apsite, and Krisjane, 2013; Jones, 2014; Pijpers, 2010

<sup>47</sup> McCollum and Findlay, 2015; Waldinger and Lichter, 2003; Castles, Haas and Miller, 2009.

<sup>48</sup> McCollum and Findlay, 2015, 2018.

<sup>49</sup> Parreñas, 2000

<sup>50</sup> Anderson, 2000; Fudge and Hobden, 2018.

<sup>51</sup> Siddiqui, 2020

<sup>52</sup> Bhuiyan, 2020

<sup>53</sup> Basnet and Dhungana 2020.

main destination state for women migrants. In 2019, 62,578 women workers migrated to Saudi, accounting for 59.72% of total female migrants. The same year, 19,706 women workers migrated to Jordan, while 12,226 women went to Oman<sup>54</sup>. These three countries accept 90% of female workers from Bangladesh. A RMMRU study<sup>55</sup> shows that the average age of a female worker is 27 years. 70% are married and 30% are divorced or widowed. According to the Bangladesh Bank<sup>56</sup>, Bangladeshi migrants remitted US\$18.33 billion to Bangladesh in 2019. The figure was 17.95% higher than that of 2018 (\$15.54 billion). As in previous years, the highest amount of remittances (19.90%) came from Saudi Arabia, followed by the UAE (14.92%), the USA (11.39%), Kuwait (8.60%), Malaysia (6.98%), and the UK (7.69%).

Figure 1 — Female Migration from Bangladesh (2009-2018)

Ratio of women migrant workers against and proportion of yearly increase				
	Number of total migrations	Number of women migrations	Percentage of women migrants (%)	Yearly increase rate of women migrants (%)
2009	475,278	22,224	4.67	6.63
2010	390,702	27,706	7.09	24.67
2011	568,062	30,579	5.38	10.37
2012	607,798	37,304	6.13	21.99
2013	409,253	56,400	13.78	51.19
2014	425,684	76,007	17.85	34.76
2015	555,881	103,718	18.65	36.46
2016	757,731	118,088	15.58	13.85
2017	1,008,525	121,925	12.08	3.25
2018	734,381	101,695	13.85	-16.59

Source: BMET, Bangladesh

Migration of Bangladeshi women for overseas work is a recent phenomenon. Like many women in the Global South,<sup>57</sup> Bangladeshi women have long been constrained by patriarchal family structures and subordinated to male members of their households who are considered to be breadwinners. Women were mainly responsible for work in private spaces and were largely invisible in social, political and economic spheres.<sup>58</sup> Lacking access to earnings or resources, women were economically dependent upon men, which hindered their participation in household decisions, and

<sup>54</sup> BMET 2020.

<sup>55</sup> Siddiqui 2020.

<sup>56</sup> Bangladesh Bank 2021.

<sup>57</sup> Bhopal 1997; Afsar 2011; Moghadam 2004.

<sup>58</sup> Assanand, Dias, Richardson, and Waxler-Morrison 2005.



many also had to face violence, harassment related to dowry, or divorce.<sup>59</sup> Things started changing in the late 1970s when a growing number of women began to break away from the long-established ‘customs’ and started participating in paid work outside the household.<sup>60</sup> This was partly due to the influence of global campaigns and policy agendas promoting women’s participation in economic activities outside the home sphere, improving women’s education and other socioeconomic changes. Faced with hunger, poverty or absence of a male breadwinner, many households felt the need for women’s earnings to supplement family incomes to enable survival.<sup>61</sup> As a result, many women started to find work through internal migration within Bangladesh, mostly to Dhaka and other major cities where most of the industries and offices are located.<sup>62</sup>

In the early 1990s, some Bangladeshi women began to show the courage to cross national borders to take overseas employment. Women mostly migrated to countries in the Middle East, where they were employed as domestic workers such as housemaids, cleaners or care givers.<sup>63</sup> However, in 1997 when the news that Bangladeshi migrant women faced abuses overseas surfaced in the media, government banned the migration of all women except those who fell within skilled categories such as doctors, engineers, teachers etc. For some years, female migration for overseas work ceased completely.<sup>64</sup> This policy was opposed by civil society groups including members of academia, various professional groups, women’s right activists and migrants rights activists as unconstitutional and discriminatory against women. Moreover, concerns were raised that this measure might increase the trafficking of women.<sup>65</sup> As a result, the government initially relaxed the embargo for all women except domestic workers. In 2003 the ministry lifted the remaining ban under the condition that women migrating for unskilled or semi-skilled jobs had to be aged 25 years or over. With the removal of the government ban, flows of overseas female migration increased tremendously.<sup>66</sup> In 2006, women constituted more than 5% of the total outgoing Bangladeshi migrants whereas they had amounted to less than 1% of the annual labour flow from 1991 to 2003.

For many Bangladeshi migrant women, short-term labour migration to Middle-Eastern and Southeast Asian countries is an attempt to escape poverty but also a way to increase their socioeconomic independence and resist vulnerability within the household: for example, to spousal violence, abandonment or the consequences of divorce or separation.<sup>67</sup> As in many societies of the Global South, divorced or separated women in Bangladesh have very low social status. They often struggle to find a shelter to live after a divorce when partners or in-laws’ houses are closed to them and their parents’ house may not welcome them. In such situations, women become extremely vulnerable and are often forced to turn to labour migration to overcome such detrimental life situations. A newspaper report quoting the Secretary of the Bangladesh’ Expatriates’ Welfare and

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<sup>59</sup> Gill 2004.

<sup>60</sup> Chaudhury 1978.

<sup>61</sup> Afsar 1994; Ullah 2012; Neetha 2004.

<sup>62</sup> Afsar 1994; Ullah 2012.

<sup>63</sup> Bangladesh Bureau of Statistics (BBS) 2015; Sultana and Fatima 2017.

<sup>64</sup> Shamim 2006; Afsar 2011.

<sup>65</sup> Siddiqui 2004b.

<sup>66</sup> Shamim 2006.

<sup>67</sup> Siddiqui 2004a.

Overseas Employment Ministry says: “In 2019, 701,000 workers, including 111,000 women, went to various countries. Analyzing the women migrant workers, we have found that 50% of them are either widows or divorcees.”<sup>68</sup>

Facing vulnerable socio-economic situations and the desperate need to find a job, such women often become the target of middlemen or recruitment agencies as well as human traffickers, who take advantage of their poor socio-economic conditions to tempt them with promises, and sometimes false information, to convince them to migrate abroad. Many migrate through intermediaries; however, such mediated migration creates a new pattern of socio-economic inequalities in destination countries as we describe below.

## **Migrant Domestic Workers and Gendered Racialized Inequality in Mediated Migration**

No doubt, migration contributed to women’s empowerment allowing them access to employment. It had also contributed to improving gender equality and enabled women to make independent decisions at home. But it comes at a price. We often see inhuman stories of Bangladeshi female workers... they are often being abused, sometimes sexually, by their masters in the countries where they go for work... in recent times we’ve seen a series of such stories from Saudi Arabia.<sup>69</sup>

Indeed, women intended to escape from gender and other socio-economic inequalities in their own society through migration but often end up in new patterns of inequality in destination countries. In this section we highlight gendered and racialized inequality experienced by migrant women in destination countries and its legacy in their return life. We show that Bangladeshi migrant workers have lower social status than other migrant workers, hence Bangladeshi migrant women often face discrimination and are treated as “slaves” in host societies. This racial discrimination, combined with their gender identity, leaves them vulnerable to various forms of exploitation and discrimination in workplaces where they lack basic workers’ rights. Far from gaining earning power, Bangladeshi women often work overtime for little or no payment; sometimes lack food and even experience starvation. Although they may have escaped from the danger of spousal abuse at home, they face physical, verbal and even sexual abuse from their employers. Due to ill-treatment, some commit suicide, while many choose to return home. After return to Bangladesh, however, many suffer from post-migration trauma, which reinforces the socio-economic inequalities they faced before migration. We illustrate these points below using media reports.

## **Working Conditions, Workers’ Rights and Discrimination**

Gendered and racialized local discourses and attitudes often contribute to poor treatment of

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<sup>68</sup> Alif 2020.

<sup>69</sup> Bhuyan 29 Nov 2019; The New Age, quoting Hague based Bangladeshi diaspora forum BASUG’ Chairman Bikash Chowdhury Barua.

Bangladeshi migrant workers in destination countries as reflected in much of the secondary literature and also through the stories of returnee migrants reported in national and international news articles. Kibria wrote that:

The ill treatment towards Bangladeshi labourers in the Gulf countries is not unfamiliar to the rest of the world. Bangladeshi labourers are known as Miskin (beggars) in the Gulf and affected by malicious abuse (physical torture including kicking, hitting and throwing stones) towards them is often higher compared to that of towards other South Asian migrants; a few even purposely disguise their Bangladesh origins by speaking only Urdu or Arabic when in public.<sup>70</sup>

The usage of the word miskin reveals racialized Arab attitudes toward Bangladeshi migrant workers. Such racial discrimination based on national identity also reveals socially constructed hierarchies and inequalities among migrant workers in international labour markets and unequal power relations between employer and employee. Many of the employers use demeaning language in speaking to migrant workers. This is reflected in a policy document prepared (under the ILO initiatives) for Bangladesh' Expatriate Ministry:

The attitude of the employers towards the Bangladeshi migrant women workers was, in a word, discourteous, according to former domestic workers who had returned to Bangladesh. Employers demanded the women to do their work without asking for anything politely. And the employers used to call the domestic workers “miskin”, or beggar in Arabic. Employers would overburden the Bangladeshi women with work and discriminated against them in everything (including salary) compared to Indonesian or Filipino women. Domestic workers were even beaten for very trivial mistakes.<sup>71</sup>

Similar disrespectful attitudes towards migrant workers are also reflected in the social media post of a Kuwaiti beauty blogger and Instagram user Sondos Alqattan who recently posted a video critical of a Kuwaiti government move to provide better protection and working conditions for migrant domestic workers. In her controversial video posted earlier in July, Ms. Alqattan said: “How can you have a servant at home who keeps their own passport with them? And what's worse is they get a day off every single week! And works for six days, bringing her total days off to four a month, what's left? And one has no clue what happens during the days when her passport is in her possession. For people who want to go get a Filipino domestic worker, what are these ridiculous work contracts you've got to sign?”<sup>72</sup> Alqattan's post suggests that employers in Gulf States view migrant workers as unworthy of basic workers' rights. Bangladeshi migrant workers may be treated even more harshly than Filipinos due to the Bangladesh government's lack of diplomatic strength and associated issues such as the presence of large numbers of irregular migrants in Saudi Arabia and other Gulf Countries. Bangladesh's bargaining position in regard to migrant welfare is weakened by the fear that destination countries may deport large numbers of irregular migrants if voices are

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<sup>70</sup> Kibria 2008.

<sup>71</sup> Barkat and Ahsan 2014.

<sup>72</sup> BBC 24 Jul 2018.

raised in the international arena against the abuse of Bangladeshi migrants.

These reports reflect how racialized local attitudes and ideologies lead to the gendered and racialized subordination of Bangladeshi migrant women in Gulf countries and also reveal different layers of inequalities within the domestic labour market in host countries. Firstly, the unequal power relations between migrants and employers put migrant workers in vulnerable position. Secondly, the racialized local discourse creates hierarchies among migrant workers in the market for domestic labour, resulting in different conditions for different nationalities. Bangladeshis are often considered to be less worthy than other nationalities and therefore are afforded fewer rights. This discrimination affects every aspect of their working conditions, ranging from salaries, holidays and access to their own documents to the ways they are treated in their daily working environments. Thirdly, these reports reveal how broader economic inequalities between countries affect the decisions and actions of states, further impacting migrant workers' working conditions and wellbeing. The Bangladeshi government's reliance on migrant remittances makes it reluctant to take action to protect the interests of migrant workers due to fears of deportation of irregular workers. Lastly, legal aspects also play a role – the unauthorized status of many migrant workers reinforces their vulnerability and inequality in workplaces. Below are the voices of migrant women in media reports, talking about the exploitation and discrimination they faced in the workplace:

Rokeya (39), worked for a wealthy family in Riyadh. After three months, she realized she was paid only Tk16,000 instead of Tk20,000 as promised, along with regular food, clothing, and other necessities. Although her work was supposed to look after an elderly person, she was forced to do all sorts of work around the house. Even then she had no recourse to raise her concerns. In her voice “I was treated like a slave. The day I raised issue about my wages, my employer and his family whipped me,” “I would not have fled if they did not beat me,” Rokeya said. She was deprived of adequate food, clothing, and other daily essentials.<sup>73</sup>

Nasima Akter, 24, who returned from Saudi Arabia in 2019 reported her experiences in *Reuters*:

I used to work for 18 hours a day. At the end of the day, I never had any energy to do anything but collapse and go to sleep. Despite this, I did not get paid for three months. I used to get shouted at whenever I asked for my salary... I thought working in Saudi Arabia would make me rich. But if this is the kind of pain you have to go through for that, it's definitely not worth it.<sup>74</sup>

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<sup>73</sup> Anik 2019; *Dhaka Tribune* 30 September 2019.

<sup>74</sup> Naimul 2019.

## Physical and Sexual Abuse

Many migrant women who had recently returned from overseas destinations recounted horrifying stories of sexual violence, imprisonment and starvation which were reported in newspapers:

Aklima (22) is one of many Bangladeshi domestic workers who migrated to Saudi Arabia for work, but returned home empty-handed with tales of exploitation, and abuse. The house where she was employed, was solely inhabited by around 10 men. When she refused to live there, she was confined, and abused physically, and sexually. When she fled the house, the police arrested her. She was fortunate that she was sent back in the first week of April. Her story is not so dissimilar from the countless others.<sup>75</sup>

These physical and sexual abuses are also associated with gendered and racialized ideologies in local contexts and bring tremendous pain to migrant women. Another returnee domestic worker shared by saying:

My employer's father is 60. He used to force me for his sexual desires. Once I told it to my madam. She replied 'you are a miskin (poor person) - does a miskin have any prestige? What will you do with prestige! You need money, so take it!' I was so ashamed.<sup>76</sup>

The consequences of such violence include significant physical and mental trauma for migrant women workers:

Dalia Amin (22) left her Gendaria house in the capital for Saudi Arabia on July 2018, her eyes were on a better, secure life for her two-year-old son, her husband as well as for herself. A little over a year later, she returned home with a broken back and leg as well as harrowing tales of physical and mental torture. In her words, “The torture was so extreme that I shudder even at the thought of it. They [her employers] beat me with sticks and hangers. If I protested, the intensity would only increase.”  
— Dalia, 22<sup>77</sup>

Irregular migrant workers are particularly vulnerable to such violence. For instance, Al Jazeera News reported the story of Shirina Begum, who was beaten and sexually assaulted by the eldest son of the family for whom she worked, which spurred her to run away. However, as she did not have proper immigration papers, she spent nearly four weeks in prison until she was able to return to Bangladesh with 20 others in late October with the help of the Bangladeshi embassy in Saudi Arabia. “I was treated like an animal inside the prison”, she said. “I was able to work for

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<sup>75</sup> Anik 2019; *The Dhaka Tribune* 30 September 2019.

<sup>76</sup> UNDP Bangladesh and Ovivashi Karmi Unnayan Program (OKUP) 2009: 47; cited in 'UNDP Bangladesh and Ovivashi Karmi Unnayan Program (OKUP) 2009, HIV vulnerabilities faced by women migrants: From Bangladesh to the Arab state, Dhaka.

<sup>77</sup> August 28 2019 *The Daily Star*.

only four months and I got salary of just two months. Now I am in debt as I can't pay back to my loan sharks."<sup>78</sup>

While these are the stories of survivors, the death of migrant women as a result of exploitation and abuse in destination countries is not uncommon:

In March 2019, Nodi, (17), moved to Saudi Arabia to work as a domestic help to support her poor family back home in Comilla district. As it is illegal to send female workers under 25 to Saudi Arabia, the local recruiting agency falsified her age to obtain a passport and work permit. She was promised a salary equivalent to 22,000 takas (US\$259) per month. Her phone had remained switched off since Aug. 13, 2020 and after some time the Bangladesh embassy in Saudi Arabia informed Nodi's family that she had committed suicide by hanging from a ceiling beam with a scarf. The dead body of their daughter of Nodi Akter at Dhaka airport on October 31.... Family members refused to accept the death as a suicide. "I am her mother, so I looked at her body thoroughly. There were marks of torture all over her and I believe she was murdered after severe torture. I demand punishment for those responsible and proper compensation for this irreparable loss."<sup>79</sup>

In these cases, although the concerned countries provide death certificates, the cause of death is not further verified in Bangladesh. This leaves long-lasting pain to family members. It also reflects the vulnerability of migrant women domestic workers who lack any legal protection or access to justice – a point to which we will return in the last section of this article.

## **Post Return Trauma**

As increasing numbers of migrant women from Bangladesh have moved to overseas labour markets, particularly in the Middle East, a large number of them have had to return as victims of ill treatment. Newspapers and private organization sources claim that an estimated 3,000 migrant women workers returned from Saudi Arabia in 2019 alone, reporting mental, physical and sexual abuse in that country.<sup>80</sup> Ministry of Foreign Affairs sources assert that a total of 9,177 migrant women have been kept in shelter homes in Saudi Arabia from 2015 to 30 October 2019 and 8,637 of them were sent back to Bangladesh. During the first 10 months of 2019, 1,206 migrant women were kept in the shelter homes run by the Bangladesh Embassy in Riyadh, of which 93 were sick and at least 16 were pregnant when they returned to Bangladesh.<sup>81</sup> The newspaper reports reveal that female workers are mostly returning home due to irregular payment of wages, physical torture,

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<sup>78</sup> Mahmud 2019.

<sup>79</sup> Uttom and Rozario 2020; Statement of Beauty Akter (mother of the deceased migrant) reported in UCA News.

<sup>80</sup> Aljazeera News 31 Oct 2019.

<sup>81</sup> Siddiqui 2020.

and sexual abuse. However, after returning home, many migrant women face new problems and challenges in Bangladeshi society.

“Female workers on return as victims of sexual abuse and non-payment of wages struggle hard to get back to normal life. Their life is made unbearable by burdens of loans, separation, family conflicts, extra marital issues, social exclusion as well as conflicts over lands and assets.”<sup>82</sup>

“Women migrants, who were sexually abused by their employers in Saudi Arabia were frequently abandoned by their families after returning home. Many of them return in pregnant conditions.”<sup>83</sup>

In short, women who aim to escape from poverty and socio-economic inequality in Bangladesh found themselves facing new patterns of gendered and racialized inequality in destination countries. After returning home, they faced mental, physical, emotional and economic struggles which reinforced existing socio-economic inequalities in Bangladeshi society. In the following section, we explore how migration intermediaries play a role in reinforcing such gendered and racialized inequality in mediated migration.

## **Revisiting the Role of Migration Intermediaries in Reinforcing Gendered Racialized Inequality**

Media reports show how commercialised recruitment intermediaries commit malpractices while recruiting women workers to overseas jobs. According to these reports, intermediaries often take advantage of women’s poor economic situation, tempting aspiring migrant women to migrate by offering false information — overpromising employment opportunities and conditions, including salaries. The production of false documents and paperwork for migrant women is common, particularly in order to evade the government’s ban on the migration of women under 25 years of age for domestic work. Many recruiting agencies falsify the age of younger women, allowing their employment as domestic workers to be arranged illegally. While agencies enable the mobility of women by facilitating the journey including arranging transport and assisting with medical tests and all other paperwork, they channel migrant women to precarious work without fully informing them about the nature of these jobs. Recruitment agencies therefore play a significant role in the victimisation many of these women experience. As agencies access information and resources necessary for migration, they are able to select who they connect. This generates exclusion and power imbalances within these relationships, with implications for the inequalities that the most vulnerable migrant workers experience.<sup>84</sup> In this section, we present criticism of migration intermediaries in media reports by covering not just the voices of media outlets but also the opinions of officials, research organizations, migrants family members and the voices of migrants themselves.

According to one report:

Due to the conditions of poverty prevailing in Bangladesh, many women have gone out to look for means to earn money and support their families.

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<sup>82</sup> Bhuyan 08 Oct 2020.

<sup>83</sup> Human Rights Watch 2004.

<sup>84</sup> López-Sanders 2014: 332.

Many families depend heavily on migrant employment opportunities. This desperation has led to the mushrooming of dubious recruiting agencies. These agencies have used dubious paperwork to get migrant workers work abroad. The pumped-up age and fake paperwork has gone unnoticed until now.<sup>85</sup>

While this report indicates the emergence of intermediaries as a response to the needs of migrant women and the mutual reliance of migrants and agencies on each other, it also shows recruitment agencies strategies: first, taking advantage of the underprivileged condition of potential migrants; secondly, producing false documents to facilitate migration. The following reports also show how intermediaries take advantage of women's poor economic situation, 'luring' women to migrate, but without offering any training, skills or knowledge to prepare them for the overseas job market.

One report cites comments from The Global Academy on Migration and Development director Bikash Chowdhury Barua: "lack of skills and poor access to information had made women vulnerable to abuse in a country, where they had gone for jobs... however, the situation had changed for the worse thanks to a group of traffickers, middlemen or agents, who took the advantage of poor economic conditions of those women at home, enticed them to a dream of better future and sent them abroad without any proper training or skills."<sup>86</sup>

This is echoed by another report which quoted the statement of Bangladesh's ambassador to Saudi Arabia, Golam Moshi: "greedy manpower agents spread out across the impoverished parts of the country to lure poor women. They (recruited women) are untrained and unprepared for a foreign land and culture thus most of them get mentally traumatised and homesick when they start working here in Saudi households."<sup>87</sup>

The "lure" is a crucial strategy, as scholars have pointed out that agencies influence expectations of both employer and employee. The ways that they describe job conditions affects migrant decision-making just as the ways they describe migrants to employers affects their working conditions.<sup>88</sup> The ambassador's words also point to consequences of a recruitment process that leaves women "untrained" and "unprepared" in producing "homesickness" and mental "trauma". Yet other reports show how migrant women become victims because of lack of transparency in the recruitment process – which offers unclear or false information about employment conditions, particularly by taking advantage of women's heavy reliance on intermediaries to migrate and access overseas job markets. The following newspaper report, citing the Refugee and Migratory Movements Research Unit's study on 'Role of Middlemen in Migration Process', involving 5331 migrants, conducted under the PROKAS project of the British Council, claims "In many instances, the female migrants become heavily dependent on middlemen for processing passports and other facilities."<sup>89</sup> And this process of recruitment where migrants become victims in many instances---

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<sup>85</sup> Bhuyan 30 Aug 2019.

<sup>86</sup> Bhuyan 29 Nov 2019.

<sup>87</sup> Mahmud 2019.

<sup>88</sup> Jones 2014; McCollum and Findlay 2018.

<sup>89</sup> Bhuyan 30 Aug 2019.



with no knowledge or information of employers, job requirements, or contract.

The ways in which migrants become the victim of all these recruitment practices is well reflected in the following reports from the cases of family members and migrants themselves. According to the statement of a migrant family member to journalists of UCA News, “local recruiting agency has lured her daughter with a lucrative job offer and processed the migration through falsifying her age.”<sup>90</sup> The family filed a case and the police arrested three people including A. Rahman Lalon of Dhaka Export, owner of the recruiting agency.<sup>91</sup>

Aljazeera News reported the experience of migrant worker Shirina Begum, whose difficulties in regard to her employer were discussed above. Shirina’s problems started, however, as a result of being misled by the employment agency as to the character of her work:

Her agent told her that she would only need to cook for a family of four in the city of Al-Kharj. She later found out that the family had six members and her duties also included cleaning, washing and other household chores. In the words of migrant, “It was a tough job for \$235 a month. I needed to work for 14-15 hours straight. It was hard for me to understand their language [Arabic]. I also couldn’t cook to their taste. I didn’t have any access to a phone, so I couldn’t talk to my family back home.”<sup>92</sup>

From all these reports we can see how recruitment agencies take advantage of women’s poor economic conditions, lack of knowledge and resources, and heavy reliance on intermediaries for migration; and how their recruitment practices and strategies turn migrants into victims. At the same time, in destination countries, recruitment agencies label Bangladeshi domestic workers as the cheapest labour force, using racialized strategies to market their ‘candidates’. Research by Katharine Jones<sup>93</sup> shows that recruitment agencies in Amman and Beirut systematically and deliberately discriminated to recruit and supply Bangladeshi women as they price Bangladeshi domestic workers at the bottom of the market. They describe Filipino domestic workers as ‘high quality’, while speaking of Bangladeshi women as ‘low quality’ and ‘primitive’ to legitimize their place at the bottom of the labour market hierarchy.<sup>94</sup> They also actively promote Bangladeshi women to those clients who they perceive to be of lower-income status and for whom the cost of recruiting candidates from the Philippines was out of reach. One of Jones’ interviewees asserted that “they want something cheap. They don’t have money to eat but they want a domestic worker. I can give them a Bangladeshi domestic worker.”<sup>95</sup> Another asserted that: “if they [employers] have financial constraints, it will have to be a Bangladesh domestic worker.”

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<sup>90</sup> Uttom and Rozario 2020; The statement was given to UCA News upon receiving of the dead body of their daughter, Nodi Akter, at Dhaka airport on October 31, by Beauty Akter (the victim’s mother).

<sup>91</sup> Ibid.

<sup>92</sup> Mahmud 2019.

<sup>93</sup> Jones 2021.

<sup>94</sup> Cheng 2003.

<sup>95</sup> Female owner, Ain Remayni, Beirut.

Hence, as Jones<sup>96</sup> argues, agencies' roles in categorising Bangladeshi women at the bottom of the hierarchy enabled employers to pay them the least. This emphasises the material consequences for women of agencies racialized and gendered narratives, which further reproduce and reinforce inequality in the labour market.

## **Co-creating Gendered and Racialized Inequality: States, Migration Regimes and Justice Systems**

In this section, we highlight the role of states and migration regimes in both sending and receiving countries in co-creating gendered and racialized inequality. We make the following points: first, the citizenship and sponsorship system in destination countries limits migrants' rights and mobility, putting them in vulnerable positions. Second, emigration policy in sending countries – in particular the bar on the migration of women under a certain age, lead to more irregular migration, which contributes to the vulnerability of migrant women in destination countries. Third, there is a lack of justice in both sending and receiving countries and lack of effective regulation of recruitment agencies.

Studies have shown the significance of immigration regimes in co-creating precarity for international migrant labourers and reinforcing social inequalities. Firstly, while migrants are excluded from citizenship rights in destination countries, their employers enjoy full citizenship rights and enormous controlling power over them. This put migrants in unequal power relations and vulnerable positions.<sup>97</sup> Moreover, the temporary nature of employment means migrant workers are subject to termination and deportation. This vulnerability, combined with the work permit system and sponsorship arrangements bonding migrants to certain employment, reinforces migrants' dependence on employers and facilitates severe discipline and strict control of workers by employers.<sup>98</sup> The kafala system in the Middle-East is one such example, tying migrant workers to single employers for sponsorship, restricting the mobility of migrant workers and their freedom to change jobs and giving employers enormous power over migrant workers. Migrants are also subject to the risk of arrest and deportation if rules are broken. Those migrant workers who are "illegal" are highly vulnerable to exploitation and abuse as employers can use their lack of legal status to threaten and control them.<sup>99</sup> Destination governments are often reluctant to regulate these relationships in employment markets, leaving migrants without any legal protection.<sup>100</sup>

Bangladesh's migration policy contributes to the irregular migration of women workers and their vulnerability. As in other Asian countries such as Indonesia and Nepal, or African countries such as Ethiopia<sup>101</sup> that put restrictions on the migration of women, the Bangladesh government limits the age of women migrating to do domestic work abroad. This policy aims to protect women,

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<sup>96</sup> Jones 2021.

<sup>97</sup> Deshingkar 2019; Deshingkar, Abrar, Sultana, Nurmohammad, Haque, and Reza 2019; Fernandez 2013; Liang 2011; Constable 2007; Bakan and Stasiulis 1994.

<sup>98</sup> Anderson 2010; Fernandez 2013; Kemp and Rajjman 2014; Liang 2011; Wee, Goh, and Yeoh 2019.

<sup>99</sup> Anderson 2010.

<sup>100</sup> Fernandez 2013; Goh, Wee, and Yeoh 2017; Kemp and Rajjman 2014.

<sup>101</sup> Spaan and van Naerssen 2018; Fernandez 2013; Adugna, Deshingkar, and Ayalew 2019.

however, rather than stopping the migration of young women, it appears to generate more irregular labour flows and undocumented migration. As a result, it not only increases the costs of migration but also increases the risks and the vulnerability of migrant women to exploitation both during the journey and in the workplace. Moreover, the lack of an effective justice system in both receiving and sending countries keeps migrant domestic workers in precarious conditions and reinforces gendered and racialized inequality. According to Tasneem:

The bulk of Bangladeshi migrant workers end up in the KSA (Kingdom of Saudi Arabia) —a large number of them are female Bangladeshi... mostly working as domestic workers. This is despite the fact that Human Rights Watch (HRW) has described the conditions of foreign domestic workers in the country as “near-slavery”, attributing them to “deeply rooted gender, religious, and racial discrimination.... It is not just Bangladeshi’s who have fallen victim to the terrible violence inflicted on domestic workers by certain employers—the KSA has been criticised for years by rights organisations for not only failing to protect foreign domestic workers from their employers, but also for creating conditions that trap workers with their abusers with no recourse to justice.”<sup>102</sup>

In a Guardian report from 2013, an HRW spokesperson said, “The Saudi justice system is characterised by arbitrary arrests, unfair trials and harsh punishments. Migrants are at high risk of being victims of spurious charges. A domestic worker facing abuse or exploitation from her employer might run away and then be accused of theft. Victims of rape and sexual assault are at risk of being accused of adultery and fornication.”<sup>103</sup>

Facing the reality of no legal protection and no justice system available from destination governments, devastated migrant women workers often seek help from Bangladeshi embassies in destination countries. However, the help that embassies provide can be very limited. In a report in the Dhaka Tribune, Dr Ahmed Munir Saleheen, the then additional secretary at the Migration Welfare wing of the Bangladesh Overseas Employment ministry noted “the government helps with repatriation but is unable to make much headway when it comes to taking the perpetrators to court. We try to provide them with legal aid. But their unwillingness to stay there any longer disrupts the legal process. Most of the victims settle the dispute out of court, and immediately returns to Bangladesh.”<sup>104</sup>

On return to Bangladesh, however, women find that there is no justice system available for them to seek compensation for the costs they endured during migration, which may include not only financial costs, but also physical or mental trauma. It is true that the Bangladesh government did adopt the Overseas Employment and Migrants Act in 2013 and the Expatriate Welfare and Overseas Employment Policy in 2016, aiming to regulate migration and ensure the protection and welfare of migrant workers. They also passed the Overseas Employment and Migration Management Rules

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<sup>102</sup> Tasneem 2020.

<sup>103</sup> Ibid.

<sup>104</sup> Anik 2019.

in 2017, and the Wage Earners' Welfare Board Act in 2018.<sup>105</sup> These documents clearly define recruitment agencies, their roles, duties, responsibilities in relations to legal recruitment process and protection of migrants rights; and clearly draw out migrants rights in overseas migration and employment. In addition, "The Overseas Employment and Migrant Act 2013 gives two pathways for migrants to access justice. Firstly, the Act allows migrants to file civil cases without forsaking the right to file criminal cases (Art. 28), and secondly, gives migrants the right to file complaints to the relevant government authority for arbitration".<sup>106</sup> However, the Act has weaknesses that limits migrant workers access to justice, according to the report from OKUP.<sup>107</sup> For instance, the Act does not offer protection to migrant workers making complaints. This could allow them to be put under pressure or threat of harm by the offender. Tortured female migrants also face intimidation during arbitration on return; many others remain silent due to social stigma:

On their return from the Middle East, including Saudi Arabia and Lebanon, abused female migrant workers often face intimidation and injustice during government arbitration at home. Many don't even dare to file complaints fearing social stigma, while others face threats from the manpower brokers. Quoting a migrant 'My [manpower] broker also shouted at me for making the complaint.'<sup>108</sup>

Another migrant, Nuri Begum went to court in August seeking compensation from her broker or dalal after she was tortured and worked unpaid in the home of a family in Saudi Arabia for two months and later had to spend two months in jail before flying home to Bangladesh because of lack of proper documents for her migration status. "My dalal beat me up and broke my leg when I filed a case against him. I was in the hospital for 15 days. I stay with a friend right now, far away from my house because (the broker) lives nearby my place", Begum told the Thomson Reuters Foundation."<sup>109</sup>

Again, according to OKUP, migrant workers also lack awareness of the Act, or feel reluctant to file a case due to lack of confidence in the court due to corruption or lack of evidence. Intermediaries, such as recruitment agencies, sub-agents and dalals are well aware of the legal consequences of their fraudulent activity, therefore, they take advantage of this weakness and verbally offer false information regarding job conditions and contracts without keeping records. Migrant workers also have limited financial capacity to pursue court cases. At the same time, there is no dedicated office to manage arbitration cases, and there is a lack of detailed operational guidelines for arbitration. Hence, recruitment agencies use various tactics to delay the process of cases and justice for migrants. Moreover, mistreatment of migrant workers during the arbitration process and lack of legal representation for migrant workers are common practice. Consequently, migrant workers struggle to achieve reparation for their suffering.

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<sup>105</sup> Islam 2019.

<sup>106</sup> Islam 2019: 21.

<sup>107</sup> OKUP is a grassroots migrant organization in Bangladesh.

<sup>108</sup> Palma 2019; October 30, 2019. Abused abroad, humiliated at home.

<sup>109</sup> Al Jazeera 31 Oct 2019.

In short, migration policy and the lack of an effective justice system in both sending and receiving countries put migrant women workers in vulnerable positions and contributes to the perpetuation of gendered and racialized inequality in mediated migration.

## Conclusion

This article draws upon media reports on Bangladeshi migrant domestic workers to Gulf countries to demonstrate that mediated migration, rather than reducing socio-economic inequalities, leads to new pattern of gendered and racialized inequality.

Socially constructed identities of gender, race and nationality intersect with the migrant status of domestic workers to create the multiple inequalities experienced by migrants in host societies. We have shown that recruitment agencies play key roles in co-creating and perpetuating these inequalities. In addition to facilitating migration and channelling Bangladeshi women into precarious working conditions, agencies recruitment strategies have direct impacts on aspiring migrants decision-making and their experiences in destination countries. By highlighting the role of recruitment agencies, we extend the existing literature on gender, race and inequality in international labour migration, which has hitherto paid little attention to the roles of recruitment agencies. We also contribute to intersectional analysis of migration and inequality, particularly by highlighting the intersection of micro-meso-macro factors that contribute to multi-layered discrimination and inequalities experienced by migrant domestic workers.

At the structural level, we argued that states and immigration regimes in both sending and receiving countries play significant roles co-creating gendered and racialized inequality in labour migration. Migration policy in sending countries, rather than protecting women, contributes to the precarity and vulnerability of women by forcing them into irregular migration channels. In host countries, citizenship and sponsorship systems create unequal power relations between employers and migrant workers, serving to enhance gendered and racialized inequality. Moreover, the lack of an effective justice system in both host and sending states leaves women without legal protection. Consequently, they not only experience exploitation and abuse in destination countries but also continue to carry economic and social costs caused by mediated migration after their return. Due to economic inequalities between states, the sending government neglects to protect migrant workers because it prioritizes the economic interests of the state in securing remittances from migrant workers over the safety and security of those workers. Lastly, it is worth mentioning that the neoliberal economic model and segmented labour markets have created conditions which allow and encourage the insecure nature of migrants work. This insecurity, combined with the legal status of migrant workers, and their desperate need to generate income, further constrains migrant worker's mobility and reinforces their vulnerability. This paper therefore builds on the existing literature which demonstrates the unacceptable character of working conditions for migrant domestic workers from the Global South and shows the need for protection and justice for domestic migrant workers.

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