



# Introduction\*

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The Gulf states – Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates (UAE), which are the members the Gulf Cooperation Council (GCC) – have the highest proportion of migrant workers in the world. Collectively, they comprise the third largest destination for global migrants, after North America and the European Union. In contrast with its overwhelming importance for economies and societies, migration to the Gulf states is under-documented and under-researched and the region has not received the place it deserves in migration studies. Moreover, the terms “migration” or “immigrant” are not part of the official lexicon of GCC states which prefer to speak of “expatriate manpower” or “guest workers” thereby affirming that however massive their number may be, the presence of foreign-born populations is essentially temporary. This special issue has two broad aims. First, it assesses the current trends and patterns of migration to the GCC states, appraising its positive and negative consequences for sending as well as

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\* Six of the ten articles in this special issue – those of Philippe Fargues, Bina Fernandez, Noora Lori, Md Mizanur Rahman, Nasra Shah, and Mojca Zerovec and Marike Bontenbal – were initially prepared for two workshops of the Annual Gulf Research Meeting organized at the University of Cambridge under the auspices of the Gulf Research Centre (GRC). The workshops focused on “The Impact of Migration on Gulf Development and Stability” (7-10 July 2010) and “Migration in the Gulf” (6-9 July 2011). The editors wish to express their gratitude to the GRC for its intellectual guidance and generous support of the meetings.

receiving nations; and evaluating the governance of migration by the Gulf states and its sustainability. Second, this special issue highlights various aspects relating to the dynamics of migrant domestic worker employment in the GCC countries.

Migrants represent between 31 percent (in Oman and Saudi Arabia) and more than 80 percent (in Qatar and the UAE) of the population in the Gulf states. Their proportion has been continuously rising over the last half of a century and is rising unabated to this day. While migrants are a majority in the workforce, they live in the periphery of the mainstream society with no access to citizenship and minimal rights. In his paper, "Immigration without Inclusion: Non-nationals in Nation-Building in the Gulf States, Philippe Fargues argues that non-nationals have been instrumental in shaping the social link between nationals as well as the political link between them and their rulers, precisely because they were never included in local societies. Indeed, importing labor has allowed states to transform oil wealth into well-being for citizens while avoiding the formation of a potentially contentious working class among nationals. For decades, oil wealth could support high rates of demographic growth both amongst nationals (through high fertility) and foreign-nationals (through high immigration) while the lack of naturalization and intermarriages made the two populations reproduce in isolation. With the emergence of unemployment among young nationals, migrants have started to be regarded as competitors to nationals and states have designed policies of nationalization of the workforce. Until now, however, these policies have failed because they go against the well-established interests of both employers and job seekers, as neither of them are ready to accept the free interplay of supply and demand on open labor markets.

The institution of the *kafala* (sponsorship), with its roots in Arab /Islamic traditions, plays a key role in regulating the employment and stay of non-nationals in all GCC states. Azfar Khan and Helene Harroff-Tavel focus on this system in their contribution, "Reforming the *Kafala*: Challenges and Opportunities in Moving Forward." The *kafala* system requires every migrant to have a *kafeel*, i.e., a national sponsor who assumes full economic and legal responsibility for the duration of the migrant's stay. The system allows the Gulf states to address their labor needs through migration and to limit the stay of foreign nationals to their period of actual employment. Through the *kafala*, states delegate to private citizens the surveillance of migration. At the same time, they make it possible for citizens to earn an income out of their citizenship, through the fees they receive from the migrants whom they sponsor. The *kafala* typically subjects foreign employees to abuse and exploitation, from passport retention to unpaid wages, and it puts strict constraints to the mobility of labor. This system is contested by the international community which criticizes it for breeding human rights violations and by firms for



hindering the flexibility of employment. Two states have attempted to abolish or reform the *kafala*: Bahrain established a public authority responsible for sponsoring migrant workers in lieu of private employers, while Kuwait has taken measures that make it easier for migrant workers to change sponsors. However, these steps have yet to materialize in view of the lack of civil liberties in the Gulf states.

The *kafala* is part of a broader system of surveillance of the migrant in which security forces play a central role. This is demonstrated in the article by Noora Lori on “National Security and the Management of Migrant Labor: A Case Study of the United Arab Emirates.” She notes that states develop an increasingly sophisticated system to control foreign individuals as well as the networks in which transient populations operate, in an effort to pre-empt potential threats to national security and offences to social mores and cultural identity brought about by the circulation of people and migration, such as drug trafficking, prostitution or child abuse. Studies commissioned by the Dubai Police show a rising incidence of crimes associated with high concentrations of almost entirely male guest workers’ populations, thereby justifying that foreign citizens be kept under heightened scrutiny even though the crimes may be committed by nationals. For example, a population register is being implemented in the UAE together with a national ID system that distinguishes between Emirati citizens and expatriates classified according to their level of skills and nationality, and a DNA database.

In an effort to reform the legislative framework for regulating labor migration, Kuwait revised its labor laws recently, as discussed in the paper, “Kuwait’s Revised Labor Laws: Implications for National and Foreign Workers” by Nasra Shah. Labor laws to regulate the workforce in the private sector were initially enacted in 1964, shortly after Kuwait’s independence. These laws have undergone periodic revisions and the latest revision was carried out in February 2010. Some of the major revisions relate to revamping the *kafala* system; regulating wages and payments along with establishing a minimum wage; regulating the working hours, holidays and overtime remuneration; encouraging the employment of indigenous women; facilitating the transfer from one employer to another; and specifying the rules for forming labor syndicates or trade unions by nationals. If implemented effectively, the revised laws could have several implications for the existing labor force structure. Such laws could also enhance the welfare of all workers, including non-nationals. In specific, the elimination of the *kafala* system and the regulation of foreign worker inflow by an independent authority may reduce visa trading and cost to migrant workers. Also, more Kuwaiti women may be motivated to join the workforce due to increased benefits. The planned Public Authority on Migration to replace the *kafala* system had not been established as of December 2011.



Increased control over foreign nationals goes hand in hand with efforts to reduce their proportion in the population through labor nationalization policies. All the Gulf states are currently confronted with a paradox whereby rising levels of domestic unemployment coexist with persisting reliance on imported labor force. Mojca Zerovec and Marike Bontenbal explore these issues in their article, "Labor Nationalization Policies in Oman: Implications for Omani and Migrant Women Workers." In Oman, unemployment affects particularly first time job seekers and women, including those with secondary or tertiary education, prompting the state to design special programs to promote female labor force participation as part of a strategy to optimize the allocation of national human resources and to reap the benefits of considerable investments on education. The public sector is the main employer of nationals, and notably women, due to shorter working hours, higher wages and better social benefits than in the private sector. Two mostly female professions are therefore targeted by nationalization policies: teaching and nursing. While nationalization of the workforce has made significant progress in the education sector, regarded as rewarding and suitable for women, it is still lagging behind in the health care sector which is viewed as not fully appropriate for Omani women for mainly cultural reasons.

At the sending end, families are key actors of the emigration of some of their members. Md Mizanur Rahman's contribution, "Emigration and the Family Economy: Bangladeshi Labor Migration to Saudi Arabia" highlights the risks and costs attendant to migration as a household livelihood strategy. In the case of Bangladesh, Rahman finds that, if labor migration to Saudi Arabia brings a significant contribution to the country's economy—with some 2.5 million migrants to Saudi Arabia having remitted more than US\$ 20 billion to their families between 2000 and 2011—it is at the cost of considerable efforts made by families in Bangladesh. On the average, migrants work for seven years in Saudi Arabia, out of which, it takes them 2.5 years to repay the costs of their migration, which include fees paid to the recruiting agency in Bangladesh and the numerous mediators operating before departure and after arrival at the destination. The initial cost is covered by the migrant's family through a combination of strategies—from selling or mortgaging land or disposing livestock and jewelry to taking a loan—at the risk of undermining the economy of the family. Given the high economic cost of migration and the maltreatment to which migrant workers are subjected in Saudi Arabia, there is a need for better and more concerted policymaking on migration to the Gulf.

Four papers deal with different issues relating to domestic worker migration. Pardis Mahdavi's article, "But we can always get more! Deportability, the State and Gendered Migration to the Gulf Countries" focuses on the politics of state and inter-state relations, and their role in creating environments of deportability that structure trafficking-like situations for domestic



workers in the UAE. Deportability is a very real and present force affecting the life of domestic workers and contributes to their perception as being 'disposable.' In addition, the *kafala* system subjects such workers to significant challenges that are exacerbated by dependence on intermediaries such as recruiting agents. In case of complaints against non-payment of wages or mistreatment, workers often do not pursue their claims for fear of being deported. Individual choices of domestic workers must therefore be understood within the broader context of the politics of deportability.

Ethiopian domestic workers in Kuwait represent the most recent stream of such workers in the country. In her paper, "Household Help? Ethiopian Women Domestic Workers' Labor Migration to the Gulf Countries," Bina Fernandez maps the linkages between gendered political economies and policy choices of Ethiopia and Kuwait. The Ethiopian government is acting as a 'labor brokerage state,' although its regulatory capacity is weak. The lack of employment opportunities for young, educated Ethiopians at home has resulted in a gendered consequence for women who then enter into the informal sector or migrate as domestic workers. The demand for domestic workers in the Gulf states is supported by a 'social compact' in which the state guarantees a leisured lifestyle to its citizens in exchange for political legitimacy. By taking on domestic work, Ethiopian workers contribute to social reproduction both in the home country and in Kuwait, even though these contributions may not be acknowledged. Women migrants provide a crucial buffer not only for family survival but also for future reproduction of their households through investments in education of siblings, or in enterprises.

While domestic workers in the GCC countries may be faced with a fear of deportability and are unable to take many actions for protecting their rights, there are ways in which they can creatively assert agency, as discussed by Mark Johnson in the paper, "Freelancing in the Kingdom: Filipino Migrant Domestic Workers Crafting Agency in Saudi Arabia." One way to accomplish this is to go 'freelance' by leaving their legal employers and seeking employment on their own. Freelancing is enabled by the high demand for domestic workers in Saudi Arabia, as well as accessibility of migrant workers to a network of relations among compatriots and kin who provide them with assistance and a safety net. Freelancing is facilitated by a large and active informal economy in the Kingdom of Saudi Arabia that often underpins the more formal economic system. Freelancing may be done through an agreement with the employer by paying a "rent" or fee or by absconding. The latter puts the migrant worker in a highly precarious position and results in social stigma among co-nationals.

Another example in which migrant domestic workers are not passive victims of the existing social system is presented in Nurchayati's paper, "Bringing Agency Back In: Indonesian Migrant Domestic Workers in Saudi



Arabia." Nurchayati examines the experiences of three Indonesian migrant workers in Saudi Arabia. These migrants found ways to adapt to an alien environment, overcame problems in the workplace, and negotiated with their employers. Some of the methods they used included learning Arabic, the employer's language, and talking back to them in Arabic and in negotiating for a better salary. They also resorted to forms of everyday resistance, such as pretending not to have heard a command; secretly exchanging strategic information with fellow Indonesian domestic workers where possible; faking constant diligence in the presence of their employers; and protecting themselves from sexual harassment by consistent avoidance and assertive refusal. Through their successful adaptation in Saudi Arabia, they were able to enhance their well-being and improve the conditions of their families in Indonesia by renovating their homes, starting a small business, and putting their children through school.

It is hoped that this volume will contribute to a better understanding of some of the unique features of the GCC countries as a site of migration as well as the characteristics, issues and prospects they have in common with other regions of destination. While difficult challenges remain, the various articles also hint at the possibilities for change in the realms of policy, advocacy, and not least of all, migrants' agency.

