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Migration Policies And Sex Selectivity in Kuwait

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INTRODUCTION

1. Migration has been a major and longstanding phenomenon throughout the Middle East. Over the past forty years, and particularly over the past fifteen years, the proportionate significance of international migration has been especially notable in the Arab Gulf states. Many factors have contributed to the volume, direction, and composition of population movements in the region: patterns of commerce since ancient times, the spread of Islam, regional and imperial conflicts, economic differentiation, the establishment of nation states, and government policies.

2. This paper will focus on the implications of one of these factors-government policies--for sex selectivity and the status of female migrants. Because of the salience of international migration in the Gulf states, the paper will further focus on this sub-region, with emphasis on the case of Kuwait.

I. BACKGROUND

A. General conditions surrounding migration

3. The implications of policies for female migrants are grounded in the general economic, demographic, and political context of migration within the Middle East and especially to the Gulf. Arguably the most significant economic factor shaping migration in the region has been the exploitation of oil reserves. The role of the 1973 oil price rise in fuelling migration during the subsequent decade is well known. However, oil-related migration began as early as the 1930s, drawing workers from Arab countries, Western Asia, and the Indian subcontinent to staff both the oil sector itself and the growing social service sectors.

4. Government strategies to develop physical and social infrastructure during the 1950s and 1960s, and to extend social and industrial development in the 1970s, expanded demand for labor well beyond local sources of supply.

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Indigenous populations of the Gulf were (and remain) small in absolute terms, and their contribution to labor supply was and is further constrained by low levels of crude labor force participation, linked in turn to low levels of female labor force participation, high proportions of population under working age, and (more recently) expansion of enrollment in secondary and higher education.

5. Political factors have also shaped the timing, volume, direction, and composition of migration flows. Regional conflicts have been a major cause of population displacement. The war of 1947-48, culminating in the establishment of the State of Israel, internal violence in Syria surrounding the coups of 1963 and 1966, the Arab-Israeli wars of 1967 and 1973, and the onset of civil war in Lebanon in the early 1970s are some of the major events that triggered population movement, often by whole families and even entire communities.

6. Changes in political boundaries, also, have had a fundamental effect on migration policies. Jordan's annexation of the West Bank in 1950 was the backdrop for adoption of that country's liberal naturalization law in 1954. During the 1960s and early 1970s, the withdrawal of European powers from the Gulf, and the related emergence of independent sovereign states, created the occasion for formulation of national laws that are the bedrock of current migration policy.

7. Migration in the Middle East has been affected by political factors outside the region, as well. Economic recession in Western Europe during the early 1970s was closely followed by dramatic changes in migration policies there, to which North African countries, in particular, responded by seeking to redirect migration toward Middle Eastern destinations.

B. General patterns of migration in the Middle East

8. Estimates over time as to the volume and direction of migration flows for the Middle East as a whole have pertained largely to migrant <u>workers</u> and are widely recognized to be only rough approximations. Further, regional worker migration data are of limited use for analysis of female migration

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patterns in two ways. First, they are not disaggregated by sex, thus impeding analysis of changes in primary female worker migration. Second, they do not capture total resident migrant stocks, similarly impeding analysis of secondary female migration, or migration for accompaniment. Nonetheless, migrant worker data serve to illustrate three major trends: the significant increase in the volume of migration as from the early 1970s, the focus of destination on the six states of the Gulf Cooperation Council (GCC), and the shift away from Arab toward Asian source countries.

9. As of 1970, there were approximately 884,000 migrant workers in the region (Choucri, 1983, Table 3-1). Of the total, 77 percent were concentrated in GCC countries (that is, The United Arab Emirates, Bahrain, Saudi Arabia, Oman, Qatar, and Kuwait) and the remainder in Libya and Lebanon. All but 12 percent of these workers originated from within the Arab world, principally the Yemen Arab Republic, Egypt, Syria, and Palestine, in rank order. Bv 1975, the total number of migrant workers is estimated to have reached 1,884,200, (op. cit., Table 3-2(b)) with 74 percent in the GCC states, and the rest in Libya, Iraq, Iran, and Algeria. Following the 1967 Arab-Israeli war, Egypt's adoption of the "open door policy" ("infitah") in 1973, and that country's abolition of exit visas in 1974, Egypt overtook Yemen as the principal source country; Jordanians and Palestinians were the third largest group. The proportion of non-Arabs (mostly Asians) had increased substantially to 41 percent of all migrants . By the early 1980s, there were estimated to be approximately 4 million migrant workers in the Middle East as a whole, with 60 percent in the GCC region (op. cit. Table 3-7) $\frac{1}{2}$.

10. Available data for 1985 cover only the six Gulf Cooperation Council states, where migrant workers were estimated to number 5.1 million, comprising 72 percent of total labor force (Birks et al., 1987, p. 2). Altogether, 63 percent of the migrant worker stock originated from Asia (43 percent from South Asia, 20 percent from South-east Asia). These numbers alone do not convey adequately the proportionate importance of non-nationals in the Gulf. By the early 1980s, migrants in Bahrain were one third of total population and 60 percent of labor force; in Oman, they were approximately half of labor force; in the United Arab Emirates and Qatar, almost 90 percent of the

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workforce was foreign; in the case of Kuwait, discussed further below, migrants were about 60 percent of total population and nearly 80 percent of the labor force. (Choucri 1986, p. 260).

C. <u>General trends in migration policies</u>

11. Policies toward migration in the Middle East, and particularly in the Gulf, have changed over time. To see the nature and sources of these changes as they may affect sex selectivity and the status of female migrants, it is necessary to examine country-level data. The case of Kuwait is illustrative; seven phases in the evolution of that country's migration policies are identified below and summarized in Figure 1.

12. The foundations of Kuwait's migration policy were laid in the period 1959 to 1964, immediately before and after independence in 1961 2/. The original Aliens Residence Law, Labour Law for the Private Sector, and the Nationality Law were all promulgated in 1959. In 1960, government formulated the Law of Commercial Companies, regulating foreigners in business and a new Private Sector Labour Law was passed in 1964. Taken together, these laws had the effect of permitting relatively free in-migration of labor, while they maintained close government control over entry, residence, and departure, rights of migrants, and employment. They also established special perforgatives for nationals, requiring foreigners to have Kuwaiti partners in any business enterprise, guaranteeing Kuwaitis majority ownership, and limiting aliens' participation in lucrative sectors.

13. The years 1965-66 marked a notable transition in migration policy, motivated in part by a decline in government budget surplus, evidence from the 1965 census that non-Kuwaitis had become more than 50 percent of total population, and growing internal political opposition by Kuwaiti Arab nationalists, who enjoyed broad-based support amongst resident Arab immigrants. Accordingly, in 1965, the Aliens Residence Law was amended and regulations for its enforcement issued, transferring control over immigration from the Ministry of Social Affairs and Labour (traditionally concerned with employment) to the Ministry of Interior (whose principal concern was security). These changes did not yet reduce immigration, but they did establish new measures for tightening control over entry, exit, and conditions of employment.

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FIGURE 1

EVOLUTION OF KUWAIT'S MIGRATION POLICIES

- 1959-65 RELATIVELY FREE MIGRATION
- **1965-67 TRANSITION: INSTRUMENTS FOR RESTRICTION**
- **1968-73 RESTRICTIONS FOR POLITICAL SECURITY**
- 1974-77 LIBERALIZATION
- 1978-79 CONSOLIDATION AND REGULATION
- **1980-83 RESTRICTIONS FOR CULTURAL SECURITY**
- **1984-85 RESTRICTIONS FOR POPULATION BALANCE**

14. A more major shift was discernable between 1967 and 1973, a period bracketed by two Arab-Israeli wars and characterized by rising regional tensions and internal political dissent. Now the Ministry of Interior moved more directly to limit immigration. Modifications to the Aliens Residence Law in March 1969 added penalties for those who entered the country illegally and revoked earlier provisions that had waived visa requirements, first for Arabs and then for citizens of any country that offered similar waivers for Kuwaitis.

15. The fact that average annual growth in the non-Kuwaiti population ranged from over 9.6 percent to nearly 6 percent in the 1965-1975 intercensal periods masks the fact that most of the increase took place in the earlier part of the decade; by 1973, annual rates of growth had fallen to a low of 2 percent (Russell, 1987, p. 150).

16. Manpower constraints, felt as early as 1972, became even more apparent after the oil price rise of 1973, and the period 1974 to 1977 marked a notable liberalization of migration policies. In April 1974, the Council of Ministers transferred control of immigrant employment from the Ministry of Interior back to the Ministry of Social Affairs and Labour. The new regulations reintroduced earlier provisions allowing the waiver of entry visas for nationals of states with which Kuwait had reciprocal agreements, and allowed for issuance of transit and temporary visas at points of entry, without the previously required prior evidence of security clearance. Aliens with valid residence permits were permitted to reenter Kuwait without "return visas" and were now permitted to change the type and purpose of their residence permit (eg. from accompaniment to employment). New entrants could remain without residence permits for up to one month.

17. Between 1976 and 1977, the number of new work permits issued more than doubled (State of Kuwait, 1978). There was, however, a discernable shift in the origin of migrants. The proportion of new labor permits issued to Jordanians and Syrians dropped, while those to Egyptians rose (State of Kuwait 1977b, Table 108, p. 129). Most striking, however, was the inflow of new Asian groups, primarily from Korea, Bangladesh, and the Philippines.

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18. The years 1978 and 1979 marked a period of consolidation and regulation in Kuwait's migration policies. Following several years of rapid growth in employment and immigration, there was a felt need to achieve greater stability and continuity in the labor market. Measures to reduce turnover included the requirement that a worker remain with an employer at least one year before transferring to another job, and extension of the residence permit from two to five years.

19. Simultaneously, there was growing concern over migrant settlement. Various measures introduced during 1978 to restrict entry of dependents were followed in January 1979 with explicit restrictions on dependent employment: only those with residence permits issued before this date were permitted to work, and then only with approval of the migrant's Kuwaiti sponsor or "kafeel" (State of Kuwait 1979c).

20. Issues of migrant settlement and growing cultural heterogeneity assumed new prominence between 1980 and 1983. Results of the 1980 census showed that nearly one third of non-Kuwaitis had been resident for 10 years or more; nearly 16 percent had been resident for 15 years or more (State of Kuwait, 1985, p. 51, Table 36). Further, not only had the proportion of Asians risen; so had the proportion of non-Muslims: the number of Christians had nearly doubled between 1975 and 1980 (from 44,718 to 87,080), while the number of other non-Muslims had increased more than five-fold (from 5,338 to 28,161) (State of Kuwait, 1984C, p. 26, Table 11). At the same time, results of the 1981 elections demonstrated the growing political strength of Kuwait's religious conservatives.

21. Several changes in migration policy ensued. As will be seen below, the 1980 amendment to the Nationality Law included changes affecting the citizenship of women; this law was further amended in 1982 to restrict citizenship to Muslims. The Aliens Residence Law was amended in July 1982, with specific consequences for domestic servants. In new regulations under this law, explicit restrictions were placed on visits by immigrants relatives, and the issuance of family visas was restricted to workers with a minimum monthly salary of KD 400 (approximately USD 1400). With an average monthly salary of KD 115 (Shah and Al-Qudsi, 1989, Table 7), most non-Kuwaiti female workers were clearly excluded from bringing their family members.

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22. By 1984-1985, reaction to immigration had become sharpened by declining oil revenues, security concerns linked to the Gulf war, and increasing awareness of the social costs of migration. Subsequent policy changes had mixed results for migrants. New regulations for the Private Sector Labour Law (State of Kuwait, 1984a) asserted government's right not to renew work permits, even as they removed the 1979 restrictions on employment by related dependents, and explicitly permitted "non-related dependents" (such as nannies or household servants) to work in the general labor force. In 1985, the Ministry of Interior eased restrictions on the return of expatriate's children.

23. At the same time, however, the census of 1985 revealed that Kuwaitis had dropped to 40 percent of total population, and that over 300,000 aliens-nearly 30 percent of the non-Kuwaiti population--had been born in Kuwait. In an initial response, the Ministry of Interior proposed to limit outright the number of immigrants in Kuwait (<u>Al-Ra'i al-Am</u>, 1985), a measure that was subsequently vetoed by parliamentary committee. In more considered responses, the minimum salary required for dependent accompaniment was raised to KD 450, and the draft national development plan unveiled in April 1985 called for attainment of a "50-50" balance between Kuwaitis and non-Kuwaitis in the total population by the year 2000.

II. IMPLICATIONS OF MIGRATION POLICY FOR SEX SELECTIVITY AND THE STATUS OF FEMALE MIGRANTS A. <u>Entry and residence policies</u>

24. Just as Kuwait's entry policies have changed over time, so too have the implications of those policies for female migrants; the effects of entry policies have differed also by nationality. Broadly speaking, female migration to Kuwait is characterized by two distinct streams, Arab and Asian (well over 90 percent of all female migrants have been one or the other). Two further, somewhat cross-cutting streams can be distinguished: a group whose ties to Kuwait date back from the early to mid 1960s, and whose movement is linked most probably to family migration or reunification. Early Asian migrants and all Arabs except Egyptians fall into this group. For the Arabs in particular, migration was also associated with flight from political

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conflicts. The second group comprises those for whom Kuwait is a relatively new destination, and whose movement is linked more directly to growth of labor market opportunities in the 1970s, either for their heads of household or themselves. Egyptian Arabs and more recent Asian migrants (ie. those arriving after 1974) are part of this group.

25. By the time of Kuwait's first census in 1957, non-Kuwaitis of both sexes and all nationalities were already nearly 45 percent of total population. Females, however, accounted for barely more than 21 percent of all migrants, reflecting the predominantly male composition of earlier inflows (see Table 1). The relatively liberal migration policies that prevailed until the late 1960s permitted substantial numbers of females to enter. As may be seen in Figure 2 and Table 2, average annual growth of the female migrant population was over 21 percent between 1957 and 1961, and ranged from 14 to 15 percent between 1961 and 1970. By comparison, average annual growth of the male migrant population declined from just over 12 percent to about 7 percent over the same periods. By the 1970 census, females were almost 38 percent of all non-Kuwaitis.

26. The vast majority (83 percent) of female migrants present in 1965 were Arabs, with Jordanians and Palestinians, Iraquis, and Lebanese being the three largest groups. Egyptians were only 8 percent of Arab females (Russell, 1987, p. 69, Table 1-5). Asians (primarily Pakistanis, Indians, and Iranians) were 13 percent of all female migrants. As seen in figure 3, over the following five years the Arab female population grew at an average annual rate of nearly 16 percent, while the Asian female population grew at less than 10 percent per annum. Comparison of 1965 and 1970 census results suggests that a large part of the Arab increase was associated with the 1967 war: the number of Jordanian and Palestinian females increased by more than 142 percent (Russell, 1987, pp. 69 and 70, Table 1-5).

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Year	Туре	Males	Females	Total	% of Total	%Inter Censal Growth	Av. % Annual Growth	Absolute Change	Female as % of Total	
1957	K NonK Total	59,154 72,904 132,058	54, 468 19, 947 74,415	113,622 92,851 206,473	55.03% 44.97% 100.00%	 	 		47.94% 21.48% 36.04%	
19 61	K NonK Total	84,461 116,246 200,707	77,448 43,466 120,914	161,909 159,712 321,621	50.34% 49.66% 100.00%	42.50% 72.01% 55.77%	9.26% 14.52% 11.72%	48,287 66,861 115,148	47.83% 27.22% 37.60%	
1965	K NonK Total	112,569 173,743 286,312	107,490 73,537 181,027	220,059 247,280 467,339	47.09% 52.91% 100.00%	35.92% 54.83% 45.31%	7.97% 11.55% 9.79%	58,150 87,568 145,718	48.85% 29.74% 38.74%	
1970	K NonK Total	175,513 244,368 419,881	171,883 146,898 318,781	34 7,396 391,266 738,662	47.03% 52.97% 100.00%	57.86% 58.23% 58.06%	9.56% 9.61% 9.59%	127,337 143,986 271,323	49.48% 37.54% 43.16%	
19 75	K NonK Total	2 36 ,600 30 7 ,168 54 3 ,768	2 35,488 215,581 451,069	472,088 522,749 994,837	47.45% 52.55% 100.00%	35.89% 33.60% 34.68%	6.32% 5.96% 6.14%	124,692 131,483 256,175	49.88% 41.24% 45.34%	
1980	K NonK Total	280,649 495,990 776,639	284,964 296,349 581,313	56 5,613 792,339 1,357,952	41.65% 58.35% 100.00%	1 9.81% 51.57% 36.50%	3.68% 8.67% 6.42%	9 3,525 269,590 36 3, 115	50 .38% 37.40% 42.81%	
1985	K NonK Total	338, 796 626,501 965,297	342,492 389,512 732,004	681,228 1,016,013 1,697,301	40.14% 59.86% 100.00%	20.44% 28.23% 24.99%	3. 79% 5.10% 4.56%	115,615 22 3 ,674 339,349	50.28% 38.34% 43.13%	

Sources: 1957-1980: Population figures from Kuwait Facts and Figures, Ministry of Information, 1984. 1985: State of Kuwait, Annual Statistical Abstract 1987, p. 25, Table 9; Percentages calculated by author.

Table 2. Annualized growth of Non-Kuwaiti population by s	sex and nationality
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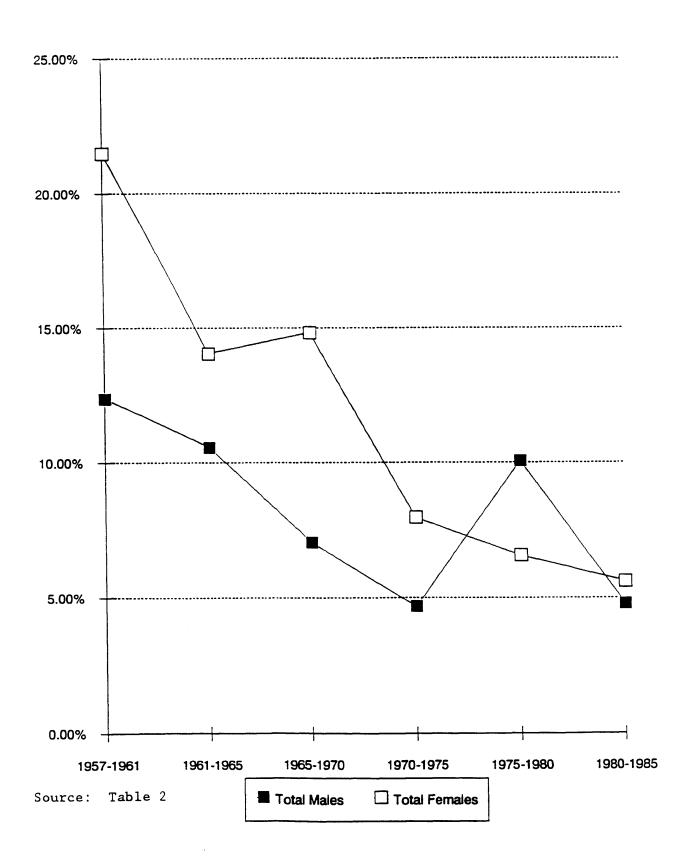
		Males		Fe	males	3		
Intercensal Period	Total	Arab	Asian	Total	Arab	<u>Asian</u>		
1957-1961	12.37%			21.50%				
1961-1965	10.57%			14.05%				
1965-1970	7.06%	7.89%	4.66%	14.84%	15.79%	9.87%		
1970-1975	4.68%	5.15%	3.51%	7.97%	7.25%	14.47%		
1975 - 1980	10.06%	7.46%	17.34%	6.57%	5.21%	12.48%		
1980-1985	4.78%	2.17%	9.97%	5.62%	2.43%	16.02%		

<u>Sources:</u> Tables 1 and 4; author's calculation.



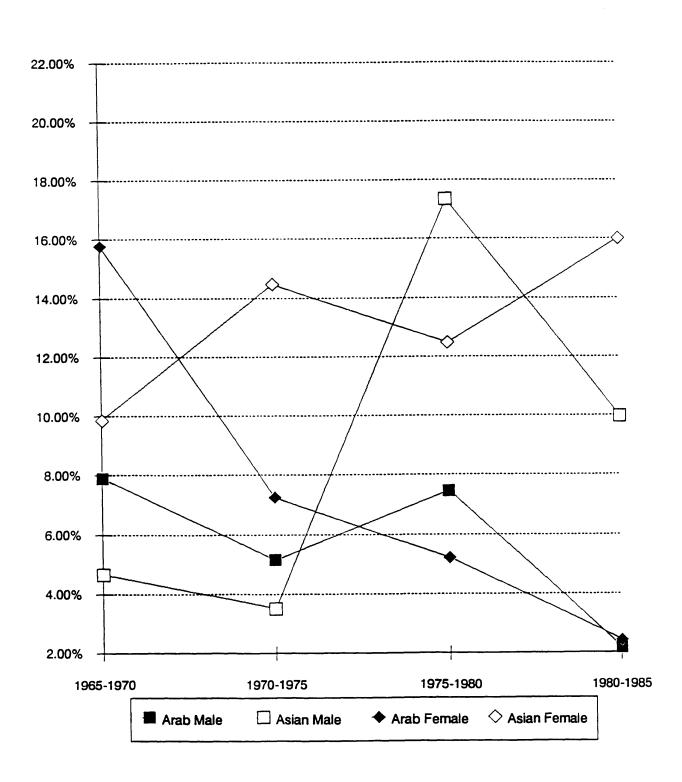


Annualized Growth of Non-Kuwaiti Population by Sex 1957-1985





Annualized Growth of Non-Kuwaiti Population by Sex and Nationality 1965-1985



The tightening of entry policies during the late 1960s and early 1970s 27. showed their effects during the 1970-75 intercensal period, when the overall average annual rate of increase in the female migrant population slowed to under 8 percent (from nearly 15 percent in the preceding 5 year period). However, the slowdown affected Asian and Arab women differentially. Average annual population growth amongst Arab females dropped to just over 7 percent, while that for Asians jumped to over 14 percent. There were some notable differences even within these two major streams. While most Arab groups had only modest gains in size, the number of Egyptian females increased by 90 percent, raising this group to 14 percent of the Arab total. Kuwait's revocation of visa waivers in 1969, together with liberalization of Egypt's exit policies in 1973, are the most likely explanations for this observation. Amongst Asians, the largest increase occurred in the Indian female population; "other Asians" (ie. those from origins other than Iran, India, and Pakistan) were barely 1 percent of the Asian female total.

28. The assertion that Arab and some Asian female migration during the 1960s and early 1970s was largely associated with family migration or reunification is supported by labor force participation and reasons for residency data (see Tables 3 and 4). Crude female labor force participation for Arab women hovered around 10 percent between 1965 and 1975, and in the census of the latter year, only 10 percent gave employment as their primary reason for residency. The picture is slightly different for Asians. Their crude labor force participation was comparable to that of Arab women (10 percent) in 1965, but rose to 16 percent in 1970 and reached 30 percent in 1975, linked in part to religious and cultural acceptability of female employment for this group, and to new streams of South Asian women entering for work primarily as domestic servants.

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	1965				1970			1975			1980			1985		
ORIGIN	TOTAL FEMALE POP <u>a</u> /	TOTAL FEMALE IN LF	CRUDE FEMALE LFPR	TOTAL FEMALE POP <u>a</u> /	TOTAL FEMALE IN LF	CRUDE FEMALE LFPR	TOTAL FEMALE POP <u>a</u> /	TOTAL FEMALE IN LF	CRUDE FEMALE LFPR	TOTAL FEMALE POP <u>a</u> /	TOTAL FEMALE IN LF	CRUDE FEMALE LFPR	TOTAL FEMALE POP <u>a</u> /	TOTAL FEMALE IN LF	CRUDE FEMALE LFPR	
Arab Asian African	61,559 9,908 67	6,461 1,005 3	10% 10% 4%	128,120 15,863 188	11,650 2,557 19	9% 16% 10%	181,762 31,179 123	17,972 9,204 30	10% 30% 24%	234,289 56,148 702	27,073 19,920 439	12% 35% 63%	264,110 118,035 976	32,989 72,505 627	12% 61% 64%	
American & European Not Stated	1,991 12	199 8	10% 67%	2,703 24	311 4	12% 17%	2,433 84	319	13%	5,210	842	16%	6,327 64	1,204	19% 	
	73,537	7,676	10%	146,898	14,541	10%	215,581	27,525	13%	296,349	48,274	16%	389,512	107,325	28%	

Table 3. Non-Kuwaiti female labor force and labor force participation rates 1965-1985

Sources: Total female population: 1965-1975, Statistical Abstract 1977, p. 25; 1980, Statistical Abstract 1982, p. 47, Table 33; 1985, Statistical Abstract 1987, p. 56, Table 43. Total female labor force: 1965-1975, Statistical Abstract 1981, Table 112; 1980, Statistical Abstract 1982, p. 96, Table 79; 1985, Statistical Abstract 1987, p. 124, Table 112.

a/ Female population over age 15 is not available by groups of countries; thus only crude labor force participation rates can be calculated.

	······			1975			1980							
Origin	Employment			Accom- paniment	Other	Total	% for Employment	Employment			Accom- Other Tota paniment		Total	l %for Employment
	Diplomatic	Private	Government			<u> </u>		Diplomatic	Private	Government				
Arab Asian African	37 12 2	8,524 8,002 25	9,559 1,189 3	161,602 21,862 79	2,040 180 14	181,762 31,245 123	10% 29% 24%	36 16	9,670 16,689 409	16,977 3,108 26	206,229 36,152 224	1,377 183 43	234,289 56,148 702	11% 35% 62%
American & European Other	15	240 5	59 	1,983 99	48 2	2,345 106	13% 5%	21 1	577 5	212 4	4,270 52	68 	5,148 62	15% 15%
	66	16,796	10,810	185,625	2,284	215,581	13%	74	27,350	20,327	246,927	1,671	296,349	16%

Table 4. Non-Kuwaiti female population by reason of residency and country groups, 1975 and 1980

Source: Statistical Abstract 1987, p. 53, Table 38. Calculations by author. Note: slight discrepancies in total female population figures from those in Table 3 are in the original data.

29. Liberalization of Kuwait's migration policies in 1974 did not halt the decline in rates of growth in the female migrant population. Indeed, the 1975-1980 intercensal period was the only one in which the average annual rate of growth in the male migrant population (over 10 percent) exceeded that of the female population (now under 7 percent). However, again, the effects were different for Arab and Asian females. The former population grew by just over 5 percent, while the latter grew by more than 12 percent. Growth of the Asian population is explained in part by an increase in low-paying service sector employment opportunities, together with the facts that Asians commanded lower wages than Arab workers and supplies from traditional Arab source countries were declining. However, there are also indications that Kuwait and other Gulf states had a policy interest in diversifying toward less politically active migrant groups (Russell, 1989, p. 36).

30. The rising concern over migrant settlement which emerged during the late 1970s and early 1980s was expressed most directly in policies to reduce entry and residence of dependents. The implications are seen in the proportion of non-Kuwaitis present in families, which declined from 82 percent in 1975 to less than 74 percent in 1980, and in the non-Kuwaiti dependency ratio, which dropped from 108 per 100 in 1980 to 89 per 100 in 1985 (United Nations, 1988, p. 37, Table 16, and p. 38).

31. These policies had particular implications for Arab females. While average annual growth of the Asian female population exceeded 16 percent between 1980 and 1985, growth of the Arab female population dropped to less than 2.5 percent. The evidence in Table 3 suggests that most of the Asian increase was associated with primary female migration for employment: crude rates of labor force participation amongst Asian women jumped from 35 percent in 1980 to 61 percent in 1985, while rates for non-Kuwaiti Arab women remained unchanged at 12 percent.

B. <u>Policies related to employment</u>

32. Early Kuwaiti law was implicitly liberal on the issue of female employment. The 1964 Private Sector Labour Law established that any unemployed worker (Kuwaiti or non-Kuwaiti) was eligible to register with the Ministry of Social Affairs and Labour for assistance in finding work.

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Regulations issued in 1965 by the Ministry of Interior pursuant to the Aliens Residence Law stipulated that aliens on non-working residence permits (largely female) and students would be eligible to work after being granted a "No Objection Certificate" by the Ministry of Social Affairs and Labour (Dib, 1978, p. 58), and may account, in part, for the observed increase in crude labor force participation rates amongst Asian migrant women between 1965 and 1970, although there was no comparable effect for Arab migrant women.

33. The generally favorable labor market conditions that prevailed from 1974 through 1979 appeared to have a modestly positive effect on female migrant employment. The activity rate of non-Kuwaiti females age 15 and above increased from just over 24 percent in 1975 to 29 percent in 1980 (State of Kuwait, 1987, p. 62 Table 48 and p. 124, Table 112).

A marked change in policy was introduced in 1979, when dependent 34. employment was restricted to those who had entered Kuwait prior to January of that year, and remained in force until February of 1984, when this restriction was lifted. Although the policy measure was aimed most directly at affecting the dependency ratio and reducing settlement, it had a demonstrable effect on employment. The activity rate for non-Kuwaiti females age 15 and above jumped to nearly 44 percent. Data shown in Table 3 suggest that much of this increase resulted from an inflow of Asian female workers: crude labor force participation of Asian females rose from 35 percent to 61 percent between 1980 and 1985; that of Arab females was unchanged during the same period at 12 percent. Further, between 1980 and 1985, the absolute increase in the Asian female population (61,887) was greater than that of the Arab female population (29,821). Altogether, 66 percent of Asian females present in 1985 had entered within the preceding four years, compared with only 25.5 percent of Arab females (State of Kuwait, 1987, p. 56, Table 43). Between 1985 and mid-1989, the total number of non-Kuwaiti females in the labor force rose by nearly 48 percent to 158,655, largely the result of an increase in the number of Asians, whose share of the female labor force rose from 68 percent to 75 percent. (International Labour Organisation 1989).

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35. The growth in Asian female employment was related to growth in Kuwaiti female employment, sparked in turn not only by rapidly rising levels of Kuwaiti female educational attainment, but also by explicit policies to encourage "Kuwaitization" of the labor force. Between 1970 and 1975, the proportion of Kuwaiti women age 15 years and over in the labor force rose from 2.1 to 6.2 percent. By 1985, participation of working age Kuwaiti females had more than doubled, to 13.8 percent (Russell, 1987, p. 67, Table 1-3). Given that government policy has encouraged both child-bearing and employment amongst Kuwaiti women (United Nations, 1988, p. 4), one effect of the increase in their employment was to stimulate demand for domestic household workers, large numbers of whom were Asian women from Sri Lanka, India, Bangladesh, and the Philippines. It is estimated that, in 1975, there were 11,921 female domestic servants in Kuwait, comprising 43 percent of the migrant female labor force. By 1985, 63,250 female servants comprised 60 percent of female migrant workers (Shah and Al-Qudsi, 1989, p. 32).

36. Indeed, the inflow of domestic servants was sufficiently sizable to prompt a number of policy directives explicitly on the issue. New regulations issued in 1975 under the Aliens Residence $law^{3/}$ provided for relatively liberal entry of domestic servants and did little to restrict their mobility. Entry visas were given on the strength of a No Objection Certificate, issued at the request of an employer. The type and purpose of the residence permit could be changed, regardless of the type of visa under which an alien entered^{4/}.

37. Ministry of Interior Order No. 84 of 1977, which allowed private servants to be granted residence permits of two to five years, sought to limit the labor market mobility of domestic servants by giving employers considerably more control over these workers $\frac{5}{}$. The employer's name and address were to be recorded on the residence permit in the worker's passport, and any servant leaving before expiration of his or her contract would have the permit cancelled and be subject to deportation. The servant could not be granted a new permit (ie. for other employment) without consent of the employer unless he or she had been out of Kuwait for two years.

38. These regulations were codified in law with revisions to the Aliens Residence Law in 1982, which added the further provision that employers notify

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the Ministry of Interior within two weeks of a servant's resignation and that a servant leave the country within three months, unless a new residence permit were granted. The notes accompanying the law refer explicitly to the problem of private servants who leave their original employers to take up new jobs, "which may result in serious social and security problems" (State of Kuwait, 1982).

39. By 1984, however, attitudes toward domestic servants' labor mobility appear to have shifted. New labor regulations issued that year specifically permitted "non-related dependents" (such as nannies and other servants) to move into the general labor force. The factors motivating this change in policy are not entirely clear. It is possible that the economic decline following 1982 put pressure on Kuwaiti households to make do with fewer servants, and it could well be less costly for private sector employers to recruit from this pool than from abroad. It has also been postulated that some women arriving in Kuwait as servants are actually spouses of migrants already in Kuwait (United Nations, 1988, p. 38); if so, interest in keeping male turnover down may have entered the picture.

40. Non-Kuwaitis in general have limited employment-related benefits. They are excluded from the social insurance scheme established for Kuwaitis in 1976, although private sector workers (estimated to include about 13 percent of non-Kuwaiti female workers) $\frac{6}{}$ may be eligible for lump sum compensation upon termination of service, provided they have worked at least five years. Government workers may qualify for end of service compensation, depending upon the terms of their employment contracts (ILO, 1988, p. 57). This provision could affect the nearly 26 percent of non-Kuwaiti female workers who are employed in government (United Nations, 1988, p. 50, Table 21).

41. The 60 percent of non-Kuwaiti females workers employed as domestic servants are not covered by either social insurance or end of service compensation provisions of the Labour $Law^{\underline{7}}$. The ILO has noted that the special problems of female domestic servants have attracted attention in Asian sending countries, given the difficulties of enforcing labor standards for these workers. Instances have been reported of physical maltreatment by employers, of workers leaving before expiration of their contracts, and of

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abandonment by recruitment agents even before workers reach their countries of employment (ILO, 1988, p. 30).

42 The earnings of non-Kuwaiti female workers are different from those of both Kuwaiti females and non-Kuwaiti males, although it is somewhat difficult to distinguish how much of the differential is a consequence of policy and how much is the result of market forces. Certainly, it is the case that women are limited to employment in "culturally acceptable" occupations in the professional, clerical, and service categories. In general, female workers surveyed in 1983 (non-Kuwaiti and Kuwaiti alike) earned about half of what males earned, despite the fact that their average educational levels were somewhat higher and females worked longer hours than males (Shah and Al-Qudsi, 1989, p. 46). Kuwaiti females, 54 percent of whom were concentrated in professional occupations and whose average educational attainment was 12.1 years, had monthly salaries that were 46 percent higher than those of Jordanian and Palestinian women, whose concentration in professional occupations was comparable and whose educational attainment (13.0 years) was slightly higher. However, Jordanian and Palestinian males in professional occupations had salaries that were 50 percent higher than those of their professional countrywomen, despite the fact that only 28 percent of males were in this category and their average educational attainment was only 10.2 years, (op. cit. Tables 2, 3, 7, and 8).

43. The differential between Kuwaiti and non-Kuwaiti females' salaries are most clearly attributable to policy factors, since Kuwaitis of both sexes receive specific allowances as citizens of the country. The differential between salaries of male and female non-Kuwaitis invites speculation that wage discrimination by sex is at work, but age and length of experience factors would need to be taken into consideration along with occupation and educational attainment in order to test this hypothesis.

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C. Social dimensions of female migration.

44. As of 1974, Kuwait was committed to providing free education and other social services to non-Kuwaitis as well as Kuwaitis (United Nations, 1980,pp. 7-22). However, this situation began to change in the late 1970s and early 1980s, as concerns mounted over the social costs of migration. While efforts begun in 1982 to impose fees for medical services were not accepted (Russell, 1987, p. 218), efforts to shift the costs of education to migrants met with somewhat greater success.

45. Access to free education in government schools was limited to dependents of non-Kuwaitis employed by government. Simultaneously, expansion of private schools was permitted, with government subsidizing 50 percent of tuition in Arab schools, but non-Arabic private schools received no government financial assistance (United Nations, 1988, p. 38). The 1982 restriction on entry of dependents to non-Kuwaitis with monthly salaries over KD 400 was, in part, a recognition that only middle and high income migrants could afford the private costs of education. As a result of these measures, the proportion of non-Kuwaiti students in grades kindergarten through 12 enrolled in private schools grew from 30.5 percent in 1980-81, to 38.1 percent in 1986-87 (State of Kuwait 1981, p. 352, Table 325 and p. 366, Table 336; State of Kuwait, 1987, p. 374, Table 310 and p. 381, Table 317).

46. These combined changes in education and entry policies had two implications for female migrants. First, given that over 70 percent of both male and female migrants are employed in the private sector, most no longer had access to free education. Even if female migrants themselves were eligible to remain in Kuwait by virtue of their own or their spouse's income level, it became increasingly likely that migrant women would be separated from their school-age children. Indeed, the proportion of the non-Kuwaiti population under 15 years of age dropped from nearly 40 percent in 1975 to below 29 percent in 1985, with the decline in the 10-14 age group being directly linked to outmigration of adolescents (especially Asians) to pursue education in their home countries (United Nations, 1988, p. 24).

47. Second, the growth in private schools (which are staffed 100 percent by non-Kuwaitis) has shifted the structure of demand for non-Kuwaiti female

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teachers. The number teaching in private schools nearly doubled from 2,331 in 1980-81 to 4,131 in 1986-87. During the same period, the absolute number of non-Kuwaiti female teachers in government schools declined slightly, from 7,873 to 7,419. As a proportion of all female teachers in government schools, non-Kuwaitis dropped from 64 percent to 48 percent (State of Kuwait 1984, p. 298, Table 258; State of Kuwait, 1987, p. 374, Table 311 and p. 381, Table 317).

48. For most Arab and the older cohorts of Asian migrant females from India, Pakistan, and Iran, social integration in Kuwait has been facilitated through professional, cultural, civic, and religious associations organized by their national groups. The General Union of Palestinian Women plays a role in identifying and meeting needs of that community (Russell, 1988, p. 202), and Asians from the subcontinent have established their own schools, hospitals, social welfare organizations, and clubs (United Nations, 1988, p. 36). The Overseas Pakistanis Foundation supports such activities as educational and religious institutions, community centers, and associations for Pakistani workers abroad (ILO, 1988, p. 35).

49. The situation may be less favorable, however, for Asian females from new source countries (Sri Lanka, Thailand, Philippines) as well as for young, single migrants from traditional source countries. Primarily domestic servants, these women work an average of 64 hours per week (Shah and Al-Qudsi, 1989, Table 7) leaving them little time for other activities. As more recent arrivals, of low socio-economic status, and of cultural backgrounds very different from one another, as well as from older migrant streams, their opportunities for social integration are likely to be limited to religious activities. Ironically, their social marginalization may be exacerbated by the degree of influence they are perceived to have on the Kuwaiti social fabric as a result of their role in the household. During the early 1980s, the Ministry of Planning conducted a study on the influence of foreign domestics on families and society in Kuwait (State of Kuwait, 1983, p. 125), while The Arab Planning Institute and the Center for Arab Unity Studies held a symposium that included papers on "The Social Influence of Foreign Nannies" and "The Consequences of Foreign Labor on Social Integration" (Fergany, 1983). Both in these studies and in the popular media, the social influence of Asian domestics has been viewed in generally unfavorable terms.

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D. <u>Naturalization</u>

50. Throughout the Gulf, citizenship requirements are notably restrictive. For most migrants, the period of uninterrupted residence required before application can be made is typically long, ranging from 10 years for Arabs in the United Arab Emirates to 30 years in Kuwait, and knowledge of Arabic is a prerequisite. Nationals of Oman, Qatar, and Bahrain are exceptions, being eligible for citizenship after 3 years of uninterrupted residence. Further. the rights of naturalized citizens are different from those of "original" citizens in several instances. They are not eligible to vote in the UAE, and must wait 10 years in Bahrain and 20 years in Kuwait to do so. The latter restriction has no differential effect on migrant women, however, since even Kuwaiti women are not eligible to vote. In Egypt, Iraq, Syria, Lebanon, and Jordan, the conditions for naturalization are more liberal, with required lengths of residency ranging from 10 years in Iraq to 4 years in Jordan; in the latter case, the residency period may be waived for Arabs (Russell, 1988, Table 8.1).

51. In a review of naturalization laws in eight Arab countries (<u>idem</u>), sex of the applicant was not found to be a specific condition of citizenship. However, sex selectivity may be implied, and the sex (as well as nationality) of one's parents does have bearing in certain instances. For example, in Egypt, nationality may be granted to anyone born in Egypt of a foreign father who was also born in Egypt.

52. In Kuwait, wives and children have the option to take Kuwaiti citizenship when a husband is naturalized, or to retain their own citizenship (Dib, 1979, p. 8). Recent changes to Kuwaiti law have not altered the options available to non-Kuwaiti women, but have affected those of Kuwaiti women. Under the original Nationality Law, a Kuwaiti woman who married a foreigner was required to take her husband's nationality if the law of his country permitted. Law 100 of 1980 not only allowed a Kuwaiti woman to keep her citizenship, but provided that a woman who had lost her citizenship through marriage was eligible to have it restored if she lived in Kuwait. 53. This law also changed the circumstances under which children of a Kuwaiti mother were to be treated as citizens. Previously, children of a Kuwaiti mother married to a foreign father were eligible for citizenship if they maintained residence in Kuwait until their majority, and if the father had abandoned or divorced the mother, or died. The new law eliminated abandonment as a condition, but allowed such children to be considered as Kuwaitis only until they reached "the age of reason". (State of Kuwait, 1980; Russell, 1987, p. 204).

III. CONCLUSION

54. Comparably detailed data on female migration to countries of the Arab Gulf other than Kuwait are sparse and care must be exercised in generalizing from this single case. Sabagh (1988, p. 169, Table 7.1) points out that the ratio of males to females in Kuwait (1.61) as of 1985 is notably lower than in Bahrain (3.03) or the United Arab Emirates (2.92) in the same period, suggesting that migration for family reunification (as was observed until the early 1970s) and demographic settling have been more salient in Kuwait than elsewhere in the Gulf. The fact that, by 1985, nearly 30 percent of the non-Kuwaiti population had been born in Kuwait (Russell 1988, p. 186) certainly poses special problems of integration or repatriation for that country.

55. On the other hand, the phenomenon of female worker migration, especially among Asians since the late 1970s, is not unique to Kuwait. Data on nonnational female shares of employment in receiving countries other than Kuwait are not published for the 1980s, but data for selected labor-sending countries suggest the importance of such migration. Sri Lanka and Indonesia are distinctive in having a predominance of females among migrants to the Middle East. Sri Lankan migrants surveyed by Eelens et al. (1990, p. 301, Table 2) were over 77 percent female, with over two-thirds almost equally divided between Kuwait and Saudi Arabia, and another 16 percent in the UAE. Indonesia reports that 87 percent of migrants to Saudi Arabia, Kuwait, and the UAE are female, with the vast majority being in Saudi Arabia (ILO 1989).

56. Even among predominantly male labor-sending countries such as the Philippines, female migration to the Middle East is not inconsequential. As

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of 1987, Filipinas working in GCC countries as domestics, entertainers, and nurses numbered nearly 45,000, or 15 percent of all Filipino migrants abroad that year (ILO 1989).

57. Given the restrictions on acquisition of citizenship throughout the Gulf and host country policies favoring repatriation of migrants at termination of employment, it is likely that women in the older cohorts who originally migrated for family accompaniment will find themselves migrating again--this time for retirement in their home countries. While many (if not most) have maintained close ties with their communities of origin, such moves inevitably will entail significant adjustments for these women and their families.

58. Women who have migrated to take short term employment face common issues in Kuwait and elsewhere in the Gulf. Those engaged in domestic service, in particular, remain uncovered by any form of social insurance, are dependent upon their employers for access to medical care and personal mobility, and have limited options for recourse in cases of physical abuse or harsh working conditions.

59. Not all migrant female workers in the Gulf are domestic servants. Nearly 60 percent of Filipinas in the GCC are employed as nurses in Saudi Arabia and women comprise 57 percent of expatriate physicians and veterinarians in Kuwait. The former group is subject to restrictions on personal mobility that affect all women in Saudi Arabia. While (with the exception of Kuwait) those in occupations other than domestic service are not necessarily excluded from social insurance, they are subject to limitations that affect all non-national workers, such as exclusion from pension schemes.

60. Analysis of sex selectivity and the status of female migrants in the Middle East is constrained by a lack of comparative data on both the sex composition of migrants and historical trends in migration policies. The case of Kuwait suggests that future analyses need to take into consideration not only these factors, but also the origins of migrants, as policies have differential effects on different national groups.

Notes

<u>l</u>/ The apparent decline in proportionate concentration of migrants in the GCC countries over the period 1970-1980 is attributable largely to a substantial increase in migration to Iraq, where (according to Choucri's data) the number of migrant workers rose from 8,400 in 1975 to approximately 1 million in the early 1980s, and to much smaller flows (120,000) into Jordan. Libya was a major labor importer throughout the period under discussion.

<u>2</u>/ For a fuller discussion of the legal framework of migration policy presented in this section, see Russell, 1987 and 1989.

<u>3</u>/ Regulation of domestic servants is not covered by the Private Sector Labour Law of 1964, but, rather, by the Aliens Residence Law of 1959. Hence, directives on the subject are issued by the Ministry of Interior.

4/ Visas, No Objection Certificates, residence permits, and work permits are among several, distinct types of documentation, often used in combination with one another to regulate migrants' entry, stay, and labor market mobility. Visas are permits issued by the Ministry of Interior to aliens seeking to enter Kuwait. Visas come in a variety of types: entry visas for work, visit visas, transit visas, temporary visas, and (at some points in time) return visas. A No Objection Certificate (NOC) may be required by the Ministry of Interior prior to issuance of a visa (and/or work permit) to a prospective migrant seeking entry for employment. When in use, the NOC is issued by the Ministry of Social Affairs and Labour after consideration of labor regulations and manpower requirements. Residence permits are issued for varying periods of time by the Ministry of Interior and are generally required of all aliens who wish to remain in Kuwait. These permits give authorities a means of controlling the migrant's transition from entering and staying, and a means of knowing at all times the location of the resident non-Kuwaiti population. Since the mid-1970s, the Ministry of Labour has had responsibility for issuance of work permits. Like visas, work permits appear in a variety of types: "entry permits for work", "first time work permits", "renewals" (ie. for the same job and employer), "cancellation and transfer" (ie. a permit to change job or employer), and "cancellation and

departure" (a permit to workers who are permanently terminating employment in Kuwait and leaving the country.

5/ It should be noted that mobility was also restricted amongst private sector and government workers. Ministry of Interior Order No. 22 of 1975 required Ministry of Social Affairs and Labour approval before a private sector worker's residence permit could be changed from one employer's sponsorship to another, and Ministerial Order No. 37 of 1979 stipulated that such a transfer required agreement of the previous employer and fulfillment of at least one year of service. As of 1982, non-Kuwaitis in government service were also required to have their employer's consent before being granted a permit for any other work.

6/ According to 1985 census data reported in United Nations, 1988 (p. 50, Table 21), 73.3 percent of non-Kuwaiti females were in the private, as distinct from government and mixed sectors. If, as Shah and Qudsi have reported (1989, p. 32) 60 percent of non-Kuwaiti females were domestic servants in 1985, this would imply 13.3 percent in private establishments covered by the Labour Law.

<u>7</u>/ A recent study of Asian migration (ILO, 1988, pp.50-58) has noted that, throughout the Middle East, domestic servants are usually not covered by either employer's liability or social insurance schemes. The situation varies for private sector and government workers. Jordan, Iraq, and Libya insure non-nationals on the same basis as nationals. Bahrain and Saudi Arabia provide coverage for work related injuries, but not for pensions.

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