CHAPTER 25

Homes as workplaces at the intersection of migration, care and gender regimes
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Homes are locations for inter-subjective interactions loaded with processes of identity making, constructions of social hierarchies and boundaries of inclusion/exclusion between subjects, reflecting the different positions that these subjects have, at the material and symbolic levels (Blunt and Dowlings 2006). The home can be seen as a microcosm that interfaces with wider political, social and economic (national and transnational) processes. In relation to migration, the home is a crucial standpoint to observe what has recently been called 'everyday bordering', with reference to the fact that an anti-migration attitude is not only about patrolling physical borders to reject migrants, but also about enacting separations between migrants and non-migrants in their everyday encounters, such at the workplace, in hospital or schools (Yuval-Davis, Wemyss and Cassidy 2019).

Relationships inside homes typically involve people who are living together as house-mates, friends or family. For migrants however, it is important to consider how the homes in which migrants live in the host-country often do not correspond to the homes where they used to live with their family (see the chapter by Bonjour and Cleton in this volume). Migrants, especially women, often live together with the family of their employers for whom they work as nannies, cleaners or caregivers, and thus such homes are both their accommodation and their workplace (see the chapter by de Lange et al. in this volume).

Given the importance of these circumstances in migratory settings, this chapter will focus on the role of homes in the governance and politics of migration through the lens of migrant domestic workers. The International Labour Organization (ILO) has estimated the number of international migrants active in this sector at 11.5 million (ILO 2015). The origin countries of international domestic workers can be grouped by region: workers from the Philippines and Indonesia go mainly

to other Asian countries, the Middle East, Europe or North America. For Eastern Europe, important origin countries are Ukraine, Romania or Moldova. Poland is at the same time both a country of origin (for women going to Germany and Western Europe) and a destination, especially for Ukrainians. In South or central America as well as in several African countries, one can mainly find internal or South-South migrations. India is an interesting case for internal migration as well as a sending country, especially for women going to the Middle East.[1] In all these cases of international migration, phenomena related to domestic work overlap with different politics and systems of governance of migration, which vary from country to country, and over time.

Within this perspective, I will look at the different forces that shape relationships inside their employers' homes, and how these forces intersect with the governance and politics of international migrations. In fact, I argue that what happens in employers' homes can be seen as the conjunction between different political regimes, namely 1) the *gender regimes* that assign specific functions in society and family to women, along with the class, race and citizenship differences existing among them; 2) the *care regime* that regulates the distribution of care for the elderly, children, or sick people, in a interplay between households, markets and states; and finally 3) *migratory regimes* that regulate migrants' mobilities and their conditions in their countries of departure and arrival (Lutz 2011 , Lutz and Palenga-Möllenbeck 2011). Accordingly, in the following pages, I will organize the discussion at three levels: homes as sites of gendered regimes and power negotiation in a feminist intersectional perspective; how homes are the terrain of different care and welfare regimes; and finally how homes are objects of migration governance. The chapter ends with a discussion on the form of resistance to exploitation in domestic work, mainly with reference to the campaigns towards the ILO Convention n. 189 and its motto 'domestic work is work', by making reference to recent developments in gender, welfare and migration studies.

<b>Homes and gender regimes: an intersectional perspective

Homes have been the object of analysis by feminist activists and scholars who, since the 1960s, under slogans such as 'the private is political', have drawn attention to what happens inside the home as a crucial site of power negotiation. Feminists have brought to attention the importance of cleaning, caring and other domestic tasks in the constitution of gender divisions in society. Whether paid or unpaid, these activities have been defined as 'reproductive labour', emphasising the necessity of preparing food, mending clothing, cleaning homes, giving birth and raising children,

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[1] Recent overviews and discussions of the phenomenon of international migration in domestic and care work can be found in Cox and Busch 2018; Gottfried and Chun 2018; Giles, Preston and Romero 2014; Michel and Peng 2017.

assisting elderly and sick people for the prosperity of the entire society, day after day, and across generations (Kofman 2012, Petersen 2003).

In contemporary economies, increasing portions of these activities are commodified, and assigned to a workforce with strong gender, race, citizenship and class-based dimensions (Sassen 2002, Wolkowitz 2006, Folbre 2001, Zelizer 2009, Boris and Parreñas 2010). Since in this sector usually women are both the employer and the employee, often creating a situation in which two women share an everyday, intimate, personal relationship directed to the accomplishment of highly gendered tasks such as those listed above, and yet they are positioned hierarchically.

Their relationship can be seen through the lenses of what has been called 'racial division of reproductive labor' (Nakano-Glenn 2002) or 'international division of reproductive labour' (Parreñas 2001) to highlight the unequal distribution of this work *between* women. At the same time, Arlie Russell Hochschild (2002) spoke about 'global care chains' to call attention on the 'care drain' taking place from the global South to the global North, with family life of employers being attended to at the price of workers' family life (Yeates 2004, Pratt 2012).

The intersectional character of the inequality affecting the dyad employer-employee challenges notions of 'sisterhood' between women: assumptions about a mutual understanding based on 'common' gender roles are counterbalanced by class-based hierarchies that simultaneously intertwine with differences based on age, religion, race or ethnicity (Yeoh and Huang 1999, Momsen 1999, Haskins 2001). If we add to this analysis a migration perspective, we see how the women in this dyad have very different positions in relation to citizenship rights. The asymmetry between the employer (full citizen) and the worker (alien or temporary citizen) leads to a wide spectrum of phenomena, from abuse to benevolent maternalistic support (as in the emphasis on the worker being a 'member of the family') in which, albeit unwillingly, the employer exercises her power over a migrant subject dependent on her for her working and migratory status (Marchetti 2016; Barua, Waldrop, Haukanes 2017).

Finally, it is important to discuss governmental programmes promoting the labour participation of unemployed (low-class ethnicised) women: in the Netherlands or Slovenia for instance, such groups have been directed towards paid domestic work as a viable job for every women (Triandafyllidou and Marchetti 2014). This is paradigmatic of a specific understanding in terms of gender (i.e. *all* women are apt to do domestic work) but also of class and race. These policies seem indeed to imply that two categories of women exist: the richer and more educated who should be freed from care commitments to engage in a professional career, and those generally

belonging to lower classes and with ethnicised backgrounds, who should take responsibility for the care of homes and families for the former.

Care and welfare regimes

The inequalities emerging through domestic work within homes also intertwine with specific 'cultures of care' that favour some practices over others. The 'social organization of care' is the result of different interactions between actors such as households, states, markets and the non-profit sector, which may vary between different settings depending on several factors (Farris and Marchetti 2017). Let us proceed by looking at the importance of each of these actors' behaviour in relationship to the employment of migrant domestic workers.

At the household level, delegating care tasks to an external person, especially if that person is a migrant, is not always well regarded or supported by employers' families and their social networks. This also relates to specific views on women's roles in the family, concerns about parenting models or visions of elderly life and illness. In this light, in Triandafyllidou and Marchetti (2014) we have identified some regional patterns across European countries. There is, first of all, a pattern typical of northern and post-soviet European countries where institutionalisation of care is preferred over home-based care. In this setting, the private employment of care and domestic workers is seen as a challenge to ideals of equality, against class-differences between women (Kristensen 2017; Radziwinowiczówna, Rosińska and Kloc-Nowak 2018). By contrast, in Southern European countries care is provided inside the home by family members, notably women. Here, deciding to delegate care work to another person is often experienced as a necessary practical arrangement yet fraught with moral and emotional distress due to the feeling of disappointing expectations about mothers, wives or daughters (Marchetti 2014; Solis 2014). Similar patterns concerning the impact of the national 'culture of care' on employment relationships can be found in other countries outside Europe. Along the same lines, research has shown that employers' attitudes towards the delegation of care and domestic tasks are of paramount importance in shaping employment relationships, from South Africa (Galvaan et al. 2015) to Yemen (De Regt 2009) and Singapore (Lundström 2013).

At the state level, we see different trends around the world, with public institutions being more or less involved in organizing care provision for children, the elderly, and sick people. Here again, we go from places where care needs are understood as a personal issue, with only families accountable for it, to others where states have more welfarist approaches and intervene in care provision, in different ways. We shall examine how different interactions between markets and

states affect the employment of domestic workers in private households. In fact, when looking at this scenario from the perspective of migrant domestic workers, we see that even in instances where states are not directly intervening in care provision, they still are responsible for the legislative framework that allows workers to offer their services inside private homes (Shire 2015; Da Roit and Moreno-Fuentes 2019; Estevez-Abe and Hobson 2015).

In Europe, the number of households employing a domestic worker is increasing as a response to the rising privatisation of childcare and elder care (Williams 2012). Since public nurseries, homes for the elderly and hospitals can no longer satisfy their demands, European families are shifting to purchasing market-based care and cleaning services (see Triandafyllidou and Marchetti 2017). In countries like Italy, France and Belgium, there is a strong intervention by the state in supporting employers to individually 'buy' care service through allowances for families with disabled and seriously ill members, or young children. In Italy, this has been seen as an incentive for the emergence of what has been called a 'migrant-in-the-family' model whereby families become direct employers of migrant care workers (Ambrosini 2013, Degiuli 2016). In Germany, the state intervenes in supporting the functioning of the market by emphasizing the role of employment agencies and other intermediaries specialized in this sector. In the United Kingdom, there is a double-level market: since affluent families receive no allowances, they resort to private agencies from which they hire care workers, while working-class families who are recipients of cash allowances use it to cover general family expenses and only to a smaller extent to employ a private caregiver (Van Hooren 2012).

Outside Europe, scenarios vary. In East Asia, countries like South Korea and Japan have a long-standing tradition of 'regulated institutional approaches' to care services and are reluctant to incorporate foreigners in their workforce on nationalistic grounds (Lan 2018, Peng 2017). Hong-Kong and Singapore, by contrast, have very personalised conceptions of care provision, with high levels of employments of foreigners within a 'liberal market approach' (Peng 2018), similar to what happens with the European 'migrant-in-the-family' model. In the middle is Taiwan, which has a tradition of public provision of healthcare and elder care, and yet when it comes to care for the elderly and disabled mainly relies on a liberalized system of intermediary agencies to employ migrant workers (Lan 2007, Cheng 2014).

Something different happens in the two countries that are considered the largest employers of domestic workers, Brazil and India, with a tradition of service work provided by girls (and some men), internal migrants, or ethnicised groups. This also happens in other places such as Ecuador, Bolivia and the Caribbean area (Casanova 2013, Herrera 2016, Martelotte 2016), South and Central

African countries (Ally 2009), China, and South Asia (Peng 2017, Neetha 2018). Here domestic workers often live for many years together with employers' families to satisfy their care needs as they change through various life stages: from taking care of children to caring for the elderly.

A different model is in place when a foreign worker is employed for a limited number of years, with the explicit function of taking care of children before they grow up, or of elderly relatives in the final years of their life. This model is the same in very different places from Canada and United States (Michel and Peng 2017, Romero 2018), to Lebanon, Israel and Middle Eastern countries (Fernandez, de Regt and Currie 2014, Ozyegin 2010, Liebelt 2011), to countries in the European Union. The implications of this model in its interconnection with international migration policies will be explored below relating to the question of the home as site of governance of migrations.

<b>Governing homes through migration policies

State policies may strongly influence the employment of temporary migrants for care and domestic work (Ruhs and Anderson 2010). Policies that make the regular employment of migrants very difficult contribute to the under-valuation of these jobs, which are already generally assigned to the most vulnerable and stigmatised subjects in each context (Lan 2006). Several studies have paid special attention to the question of citizenship rights for migrant domestic workers: Raffaella Sarti (2005) provides an historical overview of their legal status, while scholars like Rhacel Parreñas (2001), Encarnación Gutierrez Rodriguez (2010), Aiwa Ong (1999), Daiva Stasiulis and Abigail Bakan (1997) more generally discuss the implications of their being undocumented or 'partial citizens' in Europe and the US. These studies show how women migrating to work in the domestic and private care sector face a complex landscape of migration and labour regulations that is extremely difficult to navigate. The situation is also problematic for households that cannot find appropriate or affordable care within declining welfare states and among fellow nationals reluctant to take these jobs, but are forbidden or discouraged from legally hiring a domestic worker who is a third-country national. As a consequence, irregular migration and informal work are expanding inside the realm of private homes.

In fact, many EU governments are reluctant to entitle a residence permit to migrants doing domestic and care work (Triandafyllidou and Marchetti 2017). In places like Denmark, Finland, the Netherlands and Germany, it is impossible to employ a foreigner domestic worker in a legal way. In Germany, exceptions are made for EU migrants (from Poland and Romania), mainly hired through cross-border agencies. In Belgium, France and Spain, although the hiring is possible in principle, it

is in practice made unfeasible by a strict application of the market-test (i.e. the need to demonstrate that no national worker is available to take up the same job, which discourages employers). In countries where hiring is possible, the regulations on the recruitment process can vary widely: in Italy, Belgium and United Kingdom the employer needs to formally sponsor the trip and the stay of the worker, granting work, accommodation and financial support; while in Austria workers are self-employed, which releases the households from any responsibility. In the UK the residence permit is tied to a single employer and is lost if the worker leaves the job (see similar cases illustrated below). Finally, in countries where hiring migrant domestic workers is not allowed, the *au pair* scheme has been increasingly abused by families as an opportunity to find affordable childcare rather than as a cultural-exchange experience for a young person as it is intended (Cox and Bush 2018, Isaksen 2010).

Outside Europe, the Middle East is increasingly attracting attention for the violence to which foreign workers have been exposed due to their lack of rights as migrants. There is not yet very extensive scholarship on this but interesting studies illustrate the cases of domestic workers in Egypt and Lebanon (Jureidini 2014), Israel (Liebelt 2011), Saudi Arabia and the Emirates (Parreñas and Silvey 2016, Vlieger 2012). Bina Fernandez, Marina de Regt and Gregory Currie (2014) show that the conditions of migrant domestic workers vary depending on whether they are contract workers of freelance workers. Contract workers are usually hired via private agencies through brokers in the origin countries. Usually these workers obtain a residence permit on the basis of the sponsorship system (called *kafala*) which ties them to the employer. If they want to leave their employer-sponsor, they will lose their permit to stay and become undocumented. The use of this system is very common in Saudi Arabia and the Gulf states, but not everywhere in the Middle East, where other forms of employment (and residence authorization) predominate, and many workers are freelancing in the market on the basis of an independent residence permit. Of course, in countries with the *kafala* system one may also find undocumented migrants working at risk of being deported back to their countries. In the whole Middle East, most workers come from Asia, with many employers preferring women of Muslim religion from Indonesia and the Philippines.

A similar setting can be found in Asian countries with rigid migration policies, where employers rely on agency-based recruitment. In Taiwan, for instance, a complex system of agencies and brokers is in place to channel workers from Indonesia, the Philippines or Vietnam. Working conditions in the employing families are often so painful that contract workers resolve to run away and start working in factories and agriculture (salaries are better) as undocumented, until the moment when they are caught and repatriated (Cheng 2014). Hong Kong and Singapore are (in)famous as important destination countries for Asian women, where their employment conditions

are made extremely vulnerable by restrictive migration policies (Laliberté 2017, Ladegaard 2016). Japan and South Korea, by contrast, overtly resist employing a foreign workforce in this sector and only small numbers are admitted through regular channels every year (Peng 2017, Lan 2018).

In North America the most interesting case is Canada, where the Live-in Caregiver Program, inaugurated in 1992, established that after a period of two years of employment in the sector, and on condition of meeting certain requirements concerning education, language and the employer's positive opinion, the worker could apply for permanent residency – which was a unique opportunity for workers in this sector (Fudge 2011). Unfortunately, this policy was terminated in 2014 due to a restrictive change in Canadian migration politics (Boyd 2017). However, it is important to notice how in this case, as in the sponsorship-based systems in Europe, Asia and Middle East mentioned above, employers have a paramount importance in determining the outcome, which makes the workers unduly dependent on them (Marchetti 2016).

Finally, recruitment agencies are increasingly a key actor in the interconnection between migration and care regimes. From Germany to Indonesia, from the Philippines to Brazil, agencies and brokers navigate through different 'care mindsets', selecting candidates with skills and (ethnicised) profiles that match the demands of prospective employers in the destination countries, and at the same time managing the regulations about employment and residence permits for overseas workers, which vary from place to place. These regulations are also affected by changes in the bilateral agreements between countries about mobility, which in some cases are an important sphere of political and diplomatic negotiations. The exemplary case in this scenario is the one of the Filipino government, which has entertained bilateral agreements about overseas workers since the 1970s, and which does not hesitate to suspend agreements and put 'bans' on some countries, at times of diplomatic turmoil, as has already happened due to the systematic violation of human rights of Filipino domestic workers and au pairs in Denmark or Saudi Arabia.

<b>Forms of resistance: homes as a 'real' workplace

Against this background, starting in the years 2000s, the status of paid domestic workers – their poor working conditions and the discrimination they face in different parts of the world – has come to be seen as a global problem whose governance is a challenge that exceeds national borders. There has been a gradual development of what can be seen as the 'global governance of paid domestic work': a multi-layered framework aimed at improving domestic workers' rights, developed by some of the key actors at the forefront of gender and migration issues in recent years. International organizations such UN-Women, the ILO, the International Organisation for Migration

(IOM), the Global Forum on Migration and Development (GFMD), the European Fundamental Rights Agency (FRA), the UN Commission on the Status of Women, as well as several international trade unions and NGOs have undertaken specific actions to promote domestic workers' rights. At the same time, the founding of the International Domestic Workers Federation (IDWF) in 2012 testifies to a process of institutionalisation of a movement composed directly of domestic workers, including many migrants.

Pivotal in this process has been the ILO's passing, in 2011, of Convention 189 *Concerning Decent Work for Domestic Workers*, and the relative Recommendation 201. The convention has finally defined paid domestic work by saying that domestic work 'means all work performed in or for a household or households'. Thus, it encompasses two broad areas of family care (whether for the elderly or children) and household maintenance at large. This includes the cleaning and tidying of living spaces, washing and ironing clothes, cooking meals, taking care of pets and plants as well as tending to children and assisting elderly family members.

The passing of the Convention 189 was a striking achievement in comparison to the traditional lack of rights for a category of labourers who, in different social contexts, usually belong to the most impoverished and socially stigmatised groups (poor women and children, undocumented migrants, ethnic minorities, and so on). In several countries, domestic work is not recognised as work, and is therefore excluded from labour protections. Domestic workers are often deprived of monetized salaries and compensated with only food and shelter. Also, in countries where domestic work is regulated through labour laws, provisions differ significantly from those in place for other jobs, having lower remunerations and less social protection.

In this scenario, it is important to consider the impact of C189 on campaigns for domestic workers' rights waged in different national contexts. In fact, when one gets closer to the specificities of each country, there are important differences in the behaviour of social movements, states and international organizations in relation to this issue. State and non-state organizations position themselves around the issue in contrasting ways depending on the national context they speak from and the capacity of C189 to mobilise actors in each place. This raises questions such as: how are different local actors reacting to C189 as a global governance measure for domestic workers' rights? What role does the state play in this process? How do such processes relate to wider political and social transformations taking place at the national and regional levels? In Cherubini, Garofalo and Marchetti (2019) we consider Convention 189 as an exogenous change leading to the improvement of domestic workers' rights in various countries – looking at the actors involved, the focus of their action, the alliances they establish, and the frames they activate.

<b>Conclusion

I have shown here that the home is an important site for the deployment of the 'bordering of everyday life' (Yuval-Davis, Wemyss and Cassidy 2018) mentioned in the beginning, that is, the way in which the existence of borders and of the regulations pertaining to them not only affects people living at geographical borders, but society as a whole. This also happens at the level of everyday life, inside places that are seemly far removed from the actuality of border regimes. In this light, the homes is a very intense location for the governance of migration, enacted at different levels.

First of all, it takes place in the inequality characterizing the relationship between employers and employees, affected by the fact that they have different entitlements to citizenship rights – since workers are often temporary and undocumented migrants. Moreover, in countries where applications for residence permits can only be done through the support of employers, workers are put in a situation of practical and psychological dependency on employers which, in simple terms, replicates a more general condition of uncertainty, dependency and vulnerability which migrants live vis-à-vis states and institutions in host countries.

Secondly, migration governance enters in defining who the subjects are whose presence is allowed (or not) inside homes of a given country: migration policies determine whether migrants in general are entitled to work in this labour sector or not. These policies might also distinguish between nationalities entitled to work and those who are not, for how many years, and so on. They might specify which recruitment channels are allowed and which are not, for example the role played by agencies and intermediaries. As a consequence, these policies will define the national identity, duration of stay, and employment conditions of the migrant domestic workers living inside the country's homes.

Finally, migration governance interacts with the governance of welfare and care regimes, producing specific social representations of the care work performed by migrants. In my view, this has important repercussions on the general understanding of the sphere of reproductive labour, which traditionally finds its preferred location in the home. The inequalities illustrated above reinforce the perception that caring and cleaning for others is a low-level downgrading occupation, only taken up by subjects on the lowest rungs of the social ladder and who have no alternatives.

What we find here the is persistent association of caring and cleaning tasks with subjects in vulnerable positions, lacking citizenship and social rights. This reproduces the traditional

conception the home, as defined by Blunt and Dowlings (2006), as a place of hierarchies and boundaries between subjects which reflect larger economic and social divisions in society.

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