

DOCTORAL THESIS

Production of legal status among Hong Kong-based domestic workers from Bangladesh

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HONG KONG BAPTIST UNIVERSITY

Doctor of Philosophy

THESIS ACCEPTANCE

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**Production of Legal Status among Hong Kong-based Domestic Workers from
Bangladesh**

STEPKOVA, Veronika

A thesis submitted in partial fulfilment of the requirements

for the degree of

Doctor of Philosophy

Principal Supervisor:

Prof. Adrian Bailey (Hong Kong Baptist University)

July 2018

DECLARATION

I hereby declare that this thesis represents my own work which has been done after registration for the degree of PhD at Hong Kong Baptist University, and has not been previously included in a thesis or dissertation submitted to this or any other institution for a degree, diploma or other qualifications.

I have read the University's current research ethics guidelines, and accept responsibility for the conduct of the procedures in accordance with the University's Committee on the Use of Human & Animal Subjects in Teaching and Research (HASC). I have attempted to identify all the risks related to this research that may arise in conducting this research, obtained the relevant ethical and/or safety approval (where applicable), and acknowledged my obligations and the rights of the participants.

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Abstract

This thesis explores the production of Bangladeshi domestic workers' legal status in Hong Kong. Bangladeshi domestic workers started entering Hong Kong in 2013 and they were expected to gradually become one of the major national groups of domestic workers. But within the first two years, 50 to 60% of them left formal employment. In the migration industry, that phenomenon was referred to as the "runaway crisis". While the runaway crisis took place between 2013 and 2015, some Bangladeshi domestic workers still run away. I would like to reflect upon the migration experiences of Bangladeshi women recruited by two employment agencies and one small association of employment agencies and identify forces impacting their decision-making over their legal status. In doing that, I build upon feminist geography of domestic work and migration studies, Foucault's work on governmentality and Ahmed's affective economies which I extend by elaborating on her understanding of lovability with which I engage to argue for a performative view of legality. The main methodology of the research is feminist ethnography where data were collected during 2-year long field work in Bangladeshi training centers and Hong Kong agencies. The research suggests that domestic workers' legal status is produced in a multi-layered process which includes social structures and power dynamics and affects in migration industry institutions.

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**I was in a depression from loneliness,
you taught me to love,
learn to be industrious,
and keep the smile despite gravity,
...and then you leave me like this.
Today I am trying to walk the way you taught me.
Now, if you go in my way, we meet!
(Miss you, Madam Law.)**

- a poem written by a Bangladeshi asylum-seeker in Hong Kong

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List of Abbreviations

BMET	Bureau of Manpower, Employment and Training
BIGD	BRAC Institute of Governance and Development
IOM	International Organization for Migration

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1. Introduction

1.1. Researching legal status of Bangladeshi domestic workers

Anna: Shouting, shouting...my employer...then I call triple 9...I talk English and police do not understand English and my employer took the phone. I said police help me...police said...I do not understand your language...then my employer caught the mobile and spoke to police...this time...I do not clearly speak Chinese but I understand...my employer talking police...I said please, help me, not my employer...police came...I was so afraid...I was crying...police not understand English...my employer talking to police, talking, talking...this is the misunderstanding...I write in Bangla...gave one police to consulate...then police say: You say Chinese...I said...I do not speak Chinese and they and employer talking, talking...I understood little bit. She said: Bad girl, today her holiday...why not come home earlier? Then I said police: Her house have CC camera...she wanted to kill me fighting, fighting..then my employer said: my children are sleeping..they afraid...go...so I went.

Veronika: Where did you go?

Anna: Police said labor department case. But before agency...Golon (Note: Bangladeshi coordinator in Anna's employment agency) too much shouting...too much shouting...and Anik also shouting...are you not good at your employer...then I say...I good...but before you two times terminate...I am not good, you also not good...Mr Ching he came up...lock the door..he and this one Chinese teacher...and Golon...just torturing mentally....then call the police...I was thinking...like this..I cannot finish the loan...later I knock the door and I said...I need water...open the door...and I just leave...and this is the dangerous time...run and run...

Anna is one of over 500 Bangladeshi domestic workers who ran away during the 2013-2015 runaway crisis. The term runaway crisis referred to the rapid increase in the number of domestic workers who, after arriving in Hong Kong, left their official employers to either become asylum-seekers, engage in the informal labor market or both. The phenomenon was never officially labelled a crisis by governmental institutions or the media but the term is widely used by staff in Hong Kong agencies recruiting

Bangladeshi women for domestic work. From 2012, when the new migration channel from Bangladesh was opened, until 2017, around 1400 Bangladeshi women migrated to Hong Kong to work as domestic workers. While the number of incoming domestic workers from Bangladesh rapidly slowed as a reaction to the crisis, still, in total, between 40 to 60% left their official employers losing their legal status as formally employed domestic workers: they were dubbed runaways. As runaways they either applied for asylum as torture-claimants or stayed in Hong Kong as undocumented migrant workers. Neither the consulate nor agencies would share precise statistics on the runaway crisis: the percentage range is based on formal and informal interviews with representatives of the Bangladeshi government and Hong Kong agency managers.

As Anna's interview transcript suggests, her decision to run away was influenced by staff in her employment agency who tried to convince her to stay with the employer who violently attacked her. The Bangladeshi coordinator in charge told Anna that she was "no good" and she knew that her agency would not give her chance to find new employment despite being aware of her debt. At the moment of decision-making, she based her knowledge about "legality" on previous communication with her trainers, her Bangladeshi coordinator, her agency manager and her domestic worker friends.

In investigating the runaway crisis, I am first interested in exploring how social, economic, political and legal structures affect Bangladeshi women's decisions either to run away or stay with their employers. Second, I am interested in exploring how power dynamics in the migration industry contribute to decision-making. Third, I want to investigate how emotions contribute to migrant women's decisions.

As a white feminist supported by a scholarship, I pursued this research from a privileged position. Subaltern authors cited throughout this research (Spivak, 1988; Mohanty, 2005) stress that white feminist researchers cannot claim to give voice to Third World women. By claiming to interpret their voices, I would myself contribute to further obscuring their subjectivities. But while I cannot represent

Bangladeshi migrant women's subjectivities, I still strived to capture them as actors with individual and collective agency.

Six people interviewed for this research wished to remain anonymous and others could suffer negative impacts in their work. All names of respondents are therefore changed and names of companies are anonymized.

1.2. Research aims and objectives

The main analytical focus of this thesis is the legal status of Hong Kong-based domestic workers from Bangladesh. Legal status here refers to an institutionalised relationship between Bangladeshi migrants and the host society in Hong Kong (Mundlak and Shamir, 2016). Further analysis will be guided by a following framework:

Overall aim: To explore the production of legal status among Hong Kong-based domestic workers from Bangladesh.

Aim 1: To develop a deeper understanding of structural factors producing vulnerabilities experienced by Hong Kong-based domestic workers from Bangladesh.

Aim 2: To examine how power dynamics in migration industry institutions contribute to the production of legal status among Hong Kong-based domestic workers from Bangladesh.

Aim 3: To develop a deeper understanding of the role of affect in producing legal status among Hong Kong-based domestic workers from Bangladesh.

These aims informed the structure of this thesis, discussed below.

1.4. Structure of the thesis

I investigate production of legal status as a multi-layered process involving economic, social, political and legal structures, migration industry institutions and migrant workers as actors with individual and collective agency. The explorations of the production of legal status are structured in the following way:

Chapter 2 describes the conceptual framework of this thesis. The choice and use of concepts are primarily informed by feminist literature on domestic work, scholarship on the migration industry and migration studies engaging with Foucault's work on power in governing populations of migrants as well as the literature on affect.

Chapter 3 outlines the methodological approach. Data collection was informed by feminist epistemologies. I engaged in multi-sited ethnography and compared experiences of migrant workers from one smaller association of employment agencies and two larger employment agencies.

Chapter 4 addresses Aim 1 and explores characteristics of Bangladeshi women travelling to Hong Kong for domestic work, investigating the wider social, economic, political and legal context in which they are positioned and the impact of this context on their vulnerabilities and legal status. In doing that, the chapter also reflects upon the workings of Bangladeshi women's legality which does not necessarily reduce their vulnerabilities.

Chapter 5 addresses Aim 2 and demonstrates that governmentality in migration industry institutions informs how Bangladeshi domestic workers experience and act upon their legal status. The chapter also suggests that power dynamics alone cannot explain why some domestic workers run away and some stay in formal employment and that analysis of affects interacting with power could deepen understanding of the production of domestic workers' legal status.

Chapter 6 addresses Aim 3 and explores the contribution of affect to the production of Bangladeshi domestic workers' legal status. The chapter suggests reading a production of legal status through

the lens of lovability. Lovability, a perceived potential to approximate a pre-defined ideal of a Third World woman empowered by domestic work in Hong Kong, is regulated by migration industry institutions and migrant workers' collective and individual agency. The chapter argues that the workings of lovability contribute to determining who runs away and who stays in formal employment.

Chapter 7 summarizes empirical and conceptual contributions of this thesis. The chapter concludes by assessing research limitations and suggesting directions for further research.

1.5. Summary

In this introductory chapter I first outlined the runaway crisis and its importance for the migration industry in Hong Kong. I proceeded by consolidating the aims of the thesis. In the last section I described how I structured this thesis to address those aims. In the next chapter I will explain the theoretical underpinnings of this research.

2. Theoretical and conceptual framework

2.1. Introduction

This chapter presents the conceptual orientation of the thesis based on key works from feminist scholarship on domestic work and migration studies investigating production of legal status, studies of the migration industry and Foucault's work on power and Ahmed's affective economies. The purpose of the chapter is to appraise relevant literature and present the argument for a new conceptual framework.

The chapter starts by reflecting upon legal status in migration studies and the feminist literature on domestic work. I suggest that migrant workers are impacted by oppressive political, economic and social structures but the emphasis on structural factors underestimates the role of daily interactions with migration industry institutions which actively mediate impacts of structural inequalities. Simultaneously, examination of this scholarship points to the need for closer engagement with the workings of legal status. The common assumption is that "legality" reduces subordination and vulnerability

and “illegality” reinforces them: that assumption is ripe for challenge. I proceed by considering the production of legal status in studies of the migration industry and migration studies scholarship which engages with Foucault’s work on power. Reflections upon these streams of academic work suggest that migration industry institutions play an active role in negotiating impacts of large-scale structures on migrant workers and that engagement with Foucault’s work on power in analyzing their workings allows a deeper understanding of the production of migrants’ legal status. However, as Butler (1997) notes, exercise of power in the Foucauldian sense necessitates engagement in affective life: it is through affects that people experience structures, institutions and relationships and act upon them. Therefore, in the third section, I build upon Ahmed’s affect theory to investigate how affects interact with power in the migration industry. Based on Ahmed (2004) and Butler (1997) I stress that power dynamics alone cannot explain running away nor the persistence of abusive formal employment. Instead, circulating affects interact with power dynamics in a way which engenders production of legal status. The chapter concludes by outlining concepts with which I engage in responding to my research questions.

In this thesis I refer to domestic work, as do authors including Constable (2007) and Parrenas (2006), defined as a combination of tasks performed in households. According to the standard “Standard Employment Contract for Domestic Helpers from Abroad”, Hong Kong “domestic helpers” are required to perform “domestic duties” stated in advance by employers who choose among options provided by the government’s Immigration and Labor Departments. These include household chores, cooking, care work and “other duties” specified by employers. Most domestic workers are required to combine cleaning, cooking and caring in their work (Constable, 2007; Chang and Ling in Marchard et al., 2000).

Legal status is in this thesis understood as a multidimensional relationship between migrant domestic workers and their host society as suggested by Mundlak and Shamir (in Lutz, 2016: 161-162). Research questions and research design of the thesis demanded engagement with particular aspects of this relationship. First, I understand legal status as an institutionalized relationship between a migrant population and consumers of a destination country, designed to enhance productivity in a

host economy. Simultaneously, I approach legal status as domestic workers' relationship to local government which imposes limitations on their political, civil, employment and social rights. From the perspective of power, I see legal status as reflecting its unequal distribution in the migration industry and limiting workers' capacity to negotiate their professional relationships. As a component of affective life, I approach legal status as constituting migrant workers' relationships with their agency, peers, families and the society of the destination country.

This thesis aligns with geographical scholarship which questions the terms "legality" and "illegality" because they risk reinforcing the view that legal status is an inherent characteristic rather than a product of power-imbued relationships and obscure merging of "legal" and "illegal" practices (De Genova, 2002), hence the use of quotation marks.

2.2. Structural factors and production of legal status

In 2002, De Genova argued that studies of migrants' illegality focus on its consequences, including precarious employment and poverty, rather than its causes. He concluded that legal status is a product of "historically informed accounts of the sociopolitical processes of 'illegalization'" (De Genova, 2002:419) and "illegality" is therefore produced by shifting legal structures which work to include some and exclude others. In another influential work which examined the relationship between migrants' citizenship and identity, Nagel and Staeheli (2006) argue that it is possible to claim citizenship without simultaneously engaging in practices of belonging. Nagel and Staeheli (2006) break the assumed links among the state, the law and citizenship and show that practices of citizenship do not necessarily correspond with legal status. In the case of migrant domestic workers, this insight concerns practices of partial citizenship, a term employed to capture status of a person who is understood by state authorities as a member of the state but whose rights and obligations are limited (Parennas, 2001). Mundlak and Shamir (in Lutz, 2016) analyze law as regulative as well as a symbolic tool which determines perceiving domestic workers as subordinate actors. In their reading, law conveys value-laden positions by simplifying reality into legal codes and as such engenders specific practices of legal status.

Legality is also approached in feminist literature on domestic work which focuses on wider regimes, practices and relationships among social actors. These regimes may produce domestic workers' subordination in relation to their legal status. For example, Lutz (2016) focuses on three regimes which she argues are at the heart of domestic workers' subordinate positioning in European law and politics. First, a gender regime produces cultural scripts where women are responsible for domestic and care work. Second, a care regime distributes responsibilities for wellbeing. As Lutz (Ibid.) points out, significant amounts of this responsibility are now outsourced by families and states to the market. Third, a migration regime, specifically migration policies, enable states to determine which type of migration should be encouraged and which discouraged. In the reading of many other feminist authors, structural factors determine relationships between employers and domestic workers and drive the production of migrant women's legal status. Parennas (2015) sees global capitalism as stimulating demand for low-cost domestic work and producing "quasi-citizenship" of Filipino domestic workers in the USA and Europe. Yeates (2012) studies the status of domestic workers from the viewpoint of a global care market where care work accumulates in advanced economies and where market forces confine migrant women in subordinated positions towards their employers and host societies in general.

Such framing in migration studies and feminist scholarship on domestic work often describes legal, political and economic structures in explaining production of legal status. This approach is helpful as it avoids blaming migrants for "illegality" and highlights structural vulnerabilities. While acknowledging general subordination of migrant workers by oppressive structures, these scholars also suggest that "legality" signifies inclusion in a host society and "illegality" signifies exclusion and as such "illegality" implies increased vulnerability.

However, there are several risks associated with explaining legal status as a product of oppressive structures and "legality" as more protective. Focusing on oppressive structures risks confining migrant workers working both informally and formally in the position of victims of exclusionary policies of their host countries and global economic inequalities as well as positioning staff in the migration industry as passive agents embodying structural oppressions (Mahmud, 2013). While domestic

workers are strongly impacted by oppressive structures, they are not passive and disempowered and many engage in both individual resistance activities and larger acts of collective resistance (Constable, 2007; Chang and Ling, 2000). As highlighted in Mahmud's ethnographic research in recruitment agencies (Mahmud, 2013), those who work in the migration industry are not merely passively taking orders from larger neoliberal structures: their collective and individual agency does have an impact on migrant workers' legal status. At the same time, for example, studies of sex work suggest that legality does not always lessen the experiences of vulnerability in employment. Pitcher and Wijers (2014:28) argue that while decriminalization of sex work was a positive step towards reducing sex workers' vulnerability in the United Kingdom and Netherlands, it did not result in eliminating vulnerabilities as many employed in brothels are still in the position of employees with limited employment rights. Ruhs and Anderson (2010:195) suggest that certain types of illegality "maximize economic benefits from employment while minimizing the threat of state sanctions for violations of immigration law" and as such reduce vulnerabilities of migrant workers. These authors' works suggest that in order better to understand the workings of migrants' legal status, the traditional approach which focuses on large-scale structures producing migrants' subordination should be complemented by closer examinations of more immediate relationships and daily interactions.

2.3. Migration industry and governmentality

This section outlines some key insights from scholarship on governmentality in migration studies and migration industries pertaining to the production of migrant domestic workers' legal status. The migration industry is defined as an ensemble of private actors facilitating migration in countries of origin and destination countries (Cohen, 1997). While Hernandez-Leon (2008) argues that migration industries are inextricably linked to the global neoliberal order and growing commercialization of migration, the thesis aligns with Kurz (2016) who argues for more specificity and questions the mechanistic link between the migration industry and the neoliberal order.

To examine the governing of migrants as a population, many migration studies authors engage with Foucault's work on power. Governance over a population in this scholarship refers to the Foucauld-

ian concept of governmentality where “population” refers to populousness - “collective body in discussions of biopolitics” (Curtis, 2002:507), the statistical construct of a population as well as a governable social body (Curtis, 2002:528). This thesis engages mainly with the last-mentioned meaning which allows researching population as a relatively small group and is not limited to biopolitics.

Employing Foucault’s thought on governmentality, Constable (2007) points out that while striving to satisfy perceived requirements of the market, employment agencies teach domestic workers submissive behavior to create a disciplined and docile workforce. Hoang (2016) writes about the structural vulnerabilities of Vietnamese domestic workers and their link to neoliberal governmentality rationalities and technologies. She argues that legal status is produced through multi-layered workings of governmental regimes which also involve migrants’ internalization of a subordinate position in a host society. While focusing mainly on structural factors, Hoang (2016) acknowledges the importance of the migration industry as state proxies reinforcing governmental regimes. Inda (2002: 104) engages with Foucault to analyze how exclusion of migrants became codified as “an essential and noble pursuit necessary to ensure survival of the social body” during a political campaign in the USA. As he explains, the exclusion of migrant workers allows local populations to be mobilized in pursuit of governmental objectives. Thus, a number of scholars acknowledge that governance of migrants’ legal status is a process involving multiple actors.

While acknowledging the contribution of the scholarship engaging with governmentality in researching migration, this thesis also brings attention to the perspective employed by scholars researching migration industries. In contrast to migration studies literature, these scholars see migration industry institutions as actively contributing to the production of migrant workers’ social and legal status rather than only as proxies of neoliberal regimes. For example, in her analysis of British recruitment agencies hiring Polish workers, Jones (2014) argues that the migration industry worked to normalize Polish migrants as a flexible and low-wage workforce. Goh, Wee and Yeoh (2016:3) argue that brokers cannot be simplified to “‘merchants of labor’ who seek to maximize profit” but instead they distribute the costs of migration among parties. Based on a case study from Singapore, these authors argue that the relationship between migrants and migration debt is not always exploitative. Lindquist

(2010) examines recruitment of domestic workers for Singaporean and Malaysian employers in Indonesia and suggests that the “informal brokerage system is both vilified and absolutely necessary in the creation of a migration industry that merges capitalism, state power and local economies of trust” (Lidquist, 2010:132). In his view, it is informal brokers which enable mobility of the local workforce. In another ethnographic study from Indonesia, Juliawan (2010) suggests that the introduction of private employment agencies undermined labor and political rights and private employment agencies shift industrial relations in a way which allows employers to exploit workers. The debate on the migration industry demonstrates that migration industry institutions have the capacity to shift the relationships between recruited workers and employers and affect production of migrant workers’ legal status.

Insights from these two streams of literature suggest that within governmental regimes, migration industry institutions actively regulate experiences of migrating domestic workers and as such they contribute to the production of the women’s legal status. Power dynamics inside these institutions however remains under-researched.

The emphasis on multi-dimensional power dynamics in migration studies and studies of migration industries allows deeper understanding of the position of migrant workers in social relations. But, as Butler (1997:1-30) notes in reflecting upon Foucault’s work, the exercise of power necessitates the capacity to affect and to be affected. In Butler’s reading of Foucault, it is this capacity which determines workings of power. Butler (1997) and Ahmed (2004) agree that circulating affects can either reinforce dominant discourses and power structures or resist them. In the same line, reflecting upon the citizenship policies of the Singaporean government, Ho (2009:801) argues that “how citizenship works can only be fully understood through emotions.” In Ho’s account, citizenship must be thought about in terms of emotions because it is through emotions that citizens as individuals with agency assign meanings to relationships, including relationships with their governments. Gagen (2013) suggests that emotional education shifts practices of citizenship and in schools, emotional conduct replaced traditional disciplinary strategies and became key for the practice of governance. Wood (2013) points out that in New Zealand, young people’s emotions about belonging to the state, formed

in an interaction with their communities, can challenge official state discourse promoting active citizenship. Researching young people's emotions deepens understanding of the formation of their citizenship practices at the intersection of gender, class and race. Therefore, the works of these authors suggest that affective life impacts people's experiences of social structures, institutions and relationships and that emotions can alter the workings of power structures. Investigating production of migrant women's legal status therefore requires engagement with affective life pertaining to their experience in the migration industry.

2.4. Affective economies

According to Ahmed (2004:3), affects "surface" through objects and as such they are internalized by individuals. Metaphorically, affects give color to objects which are subsequently perceived by individuals as colorful. In affective economies, affect works as a form of capital in the Marxist sense. This means that the more affects circulate, the more affective value is accumulated. Importantly, the movement of emotions happens both sideways (through cognitive associations) and backwards (through experience in the past). In this way, emotions circulate between objects and individuals. Throughout this process, racialized and gendered bodies become tied with certain emotions based on associations and past experiences (Ahmed, 2004:45). This is important for studies of domestic workers who are perceived by agents as prone to running away and who are shamed for bringing back memories of the runaway crisis. It also relevant for studies of domestic workers who are praised by recruiters for staying in formal employment despite abuses because they symbolize poor Third World women who were empowered by labor migration facilitated by charitable agencies.

Ahmed does not distinguish between emotions and affect and this approach has been criticized by other theorists including Thrift (2008). Thrift sees emotions as "everyday understandings of affects" while affects refer to "complex, self-referential states of being, rather than ... their cultural interpretation as emotions or to their identification as instinctual drives" (Thrift, 2008:221). In response to these definitions, Ahmed (2004:1-19) argues that distinguishing between affect and emotions is risky because it could imply equating affect with corporeal sensations. Furthermore, Ahmed (2004:39)

suggests that this understanding of affect and emotions creates a gap between conscious recognition and feeling which would negate “how what is not consciously experienced may still be mediated by past experiences” (Anderson on Ahmed in Anderson, 2012:81). Therefore, within her framework of affective economies, Ahmed provides only a functional definition of affect/emotions which she understands as social and cultural practices reflecting the body’s potential to affect and to be affected (Ahmed, 2004: iv). I employ this definition.

In researching affects in a work context, scholars to affective labor. According to Hardt and Negri (2004), affective labor “produces and manipulates affects” of other people. Scholarship on domestic work often employs the term affective labor or emotional work to describe a form of “pro-social behavior” which is generally accepted as a part of the attitude of a good worker (for example Huang and Yeoh, 2007; Anderson, 2000; Lopez, 2012).

Ahmed does not provide definitions of specific affects and rather focuses on deriving their meanings from their use in social relations. In doing that, she acknowledges that rather than constituting unchangeable objects, emotions are practices which evolve as they are negotiated in power dynamics (2004:4). Ahmed derives her understanding of love, for example, from its employment in the political discourse of right-wing groups. In response to accusations of hate, British right-wing groups changed their rhetoric to center around love for the nation and the ideal of a love-giving Aryan woman. This move allowed reframing those opposing the right-wing nationalistic narrative as those who fail to love and therefore deserve exclusion. Based on the use of love in the rhetoric of these groups and reflections on the concept of love in psychoanalysis, Ahmed derives her understanding of love as a “way of bonding with others in relation to an ideal” (Ahmed, 2004:124). This ideal then refers to a collective imagination which can be only sustained by being attainable by some and not others. (Ahmed, 2004:124). In investigated training centers and agencies, practices of love are linked to the ability to approximate an ideal Third World woman empowered by formal employment, excluding and vilifying runaways, mirroring Ahmed’s understanding. But the coding of interviews and memos from observations also suggests that practices of love by trainers, coordinators and managers in the migration industry are often accompanied by the feeling that they have the capacity to understand

and alleviate the suffering of recruits: Berlant (2014:4) refers to this as compassion. This thesis therefore investigates practices of love together with practices of compassion. Ahmed (2004:102) derives her understanding of shame from declarations of shame in Australian political discourse which in her words “bring ‘the nation’ into existence as a felt community”. Based on the analysis of shame in Australian politics and feminist scholarship, Ahmed examines shame as an inward-facing emotion which refers to a feeling of an exclusion or difference. Shame, in her account, is a form of recognition of a distance between oneself and others which shows itself by a shrinking of the bodily space; it refers to a recognition of wrongdoings which in turn forms a narrative that binds collectives. Participants of this research often referred to the feeling of shame. Runaways often felt shame for leaving formal employment, and they, at least temporarily, distanced themselves from the collective. At the same time, the narrative of running away as shameful presented an important component of the discourse in training centers and agencies. The thesis therefore engages with Ahmed’s conceptualization of shame to investigate its workings in the migration industry.

Ahmed’s theorization of affective economies suggests that to speak about or perform love or shame generates consolidating effects. Emotions produced in this way then form individual and collective experiences and importantly, work to align individuals with collectives. In Ahmed’s reading, emotions generate effects by binding signs to bodies and therefore certain bodies appear in a certain way. As Ahmed (2004: 84) explains, “signs work in relation to other signs” to form surfaces of objects. This “surfacing” of objects is in Ahmed’s reading a result of a repetition of affective performances. In the same sense, Lupton in *The Emotional Self* writes that “how we express emotions are performative practices of the gendered self” (Lupton, 1998:106) and argues that masculine emotionality has been feminized because emotionality is socially coded as feminine. This understanding of emotions as performative is derived from Butler’s work on performativity of gender (Butler, 1990). Therefore, in line with Butler (1990), Ahmed (2004) argues that individual and collective experiences are produced performatively which engenders political consequences. In the context of this thesis, this perspective implies that analyzing discourse and social practices related to legal status can help explain migrant women’s experiences and their political implications. Engaging with Ahmed’s and Butler’s work, this

thesis analyzes love and shame as performative affects which interact with power dynamics in the migration industry and thus they impact production of migrants' legal status.

Reflecting on emotions as performative practices, Hochschild suggests that there are at least two ways of studying emotions. First, from the viewpoint of social and individual factors that induce them and second, through secondary acts which are "performed upon the nonreflexive stream of primary emotive experience" (Hochschild, 1979: 552). The first approach is favored by authors who perceive emotions as to a large extent subjective and depending on cognition, such as Nussbaum (2004). Nussbaum refers to her approach as cognitive-evaluative because she views emotions as always working in combination with thoughts of an object. With this approach she emphasizes that emotions are equally intelligible as thoughts. Therefore, in Nussbaum's account, differences in emotions result from differences in thoughts. The latter approach, favored by Hochschild, is here in line with Ahmed's view of emotions: differences in emotions are derived from their circulation in power-imbued networks. However, as Hochschild (1984) notes, not all stimuli and signs receive the emotional response that was intended by those acting from the position of power.

The performative nature of emotions implies that circulation of emotions is influenced by power-imbued relationships. In Ahmed's words, "emotions show us how power shapes surfaces of bodies as well as worlds" (Ahmed, 2014:12). At the same time, emotions also shape capacities of bodies to act. Based on her reading of Spinoza (1959), Ahmed argues that by modifying what bodies can do, emotions can also increase or diminish their power of action to which she refers as intensity of emotions. The theorization of affective economies however does not specifically focus on the interaction between emotions and power because it mainly explains how circulating affects reflect and reinforce subordination. Ahmed's view can in this regard be expanded by returning to Butler's reading of power in Foucault's work.

In *Psychic Life of Power* (1997), Butler argues from Foucault that imposition of power impacts affective life. In her account, power "exploits" the capacity of bodies to be affected: vulnerability. However, similarly to Foucault Butler does not see this "exploitation", or in her words "subordination", as solely

destructive. On the other hand, subjectivation to power is, according to Butler, a condition of agency: a capacity to act upon desire (Butler, 1997: 9). I employ a similar perspective below. The character of power is here therefore understood as formative and productive as well as destructive which Butler links to differences in the functioning of regulatory and disciplinary regimes. But importantly, similarly to Hochschild (1979) and Ahmed (2004), Butler stresses that “power does not always produce according to a purpose, or rather, its production is such that it often exceeds or alters the purposes for which it produces.” This is important because it is affect which determines how power is applied. In this sense, the extent to which unequal power dynamics impact Bangladeshi women and the way in which they are impacted depends on affective life but not only in relation to staff in agencies but also among the women themselves. This research therefore emphasizes investigating affective life of domestic workers, including their resistance to the dominant narratives of their agency trainers and coordinators.

Butler examines the workings of power and affect from the perspective of vulnerability. In her account, “vulnerability is not a subjective disposition, but a relation to a field of objects, forces and passions that impinge upon and affect us” (Butler, 2014:3). As such, vulnerability can generate agency and challenges the notion of the body as “discrete, singular and self-sufficient” (Ibid.). However, while describing this relational view of vulnerability, Butler also warns against its misinterpretation. She first highlights that seeing human bodies as vulnerable does not imply that they are dependent on an imposed infrastructure. Similarly, it does not mean that those who are vulnerable require the paternalistic protection of dominant groups. Finally, vulnerability cannot become a major source of a group identification. Instead, Butler argues that vulnerability can become a part of resistance because it is a source of political agency.

While subaltern geographers and historians often differ with theorists of affect in their focus on representation (Jazeel, 2014), they forge the relational view of vulnerability and resistance as constituted in “networked spatialities” (Jazeel, 2014:1). Featherstone (2008) describes how black international intellectuals engaged with fascist and anti-fascist movements in 1930s. This subaltern cosmopolitanism then reworked the map of alliances in the Spanish Civil War. In the same line, Moore

(1998) describes how Zimbabwean rural inhabitants resisted resettlement policies of the Zimbabwean government. Moore writes that this expression of subaltern agency demonstrates that “subalternity is relational and not essential” (Moore, 1998: 369).

Therefore, subaltern scholarship describing the workings of vulnerability and resistance is important because it brings attention to networks of subaltern actors, those whose agency is obscured by the workings of power (Spivak, 1988), rather than those who act from positions of power. Following subaltern scholarship, this thesis views Bangladeshi women as subaltern actors because their subjectivities are obscured by dominant discourses of the migration industry which are discussed in Chapter 5, and their agency exercised through running away is misinterpreted as immorality, discussed in Chapter 6.

Similarly to Butler reflecting upon vulnerability, subaltern feminists argue against theorizing subaltern women as “characterized by dependency” in various forms of patriarchy (Mohanty, 2003:30) who are fully disempowered prior to entering a process of institutionalized empowerment in which they are all “assumed to have similar desires” (Ibid.). In the same line, subaltern authors argue against the view of vulnerability as a lack of empowerment which is understood as economic progress of individuals. Therefore, instead of simplifying vulnerable bodies of subaltern actors as isolated in their desires for economic improvement, they should be understood as involved in complex networks and incoherent groups. In these groups, mutual needs can mobilize collective action (Mohanty, 2003). At the same time, aversive situations can reveal cracks in internalized dominant ideologies and engender individual agency (Bhavnani and Foran, 2003).

Furthermore, subaltern geographers build upon relational accounts of resistance as “constituted through engaging with unequal geographies shaped by dominant processes” (Featherstone, 2008: 2). Again, similarly to Butler, subaltern authors refuse the view of resistance as fully determined by dominant powers (Chandra, 2015): Featherstone refuses the view of “resistance as a mirror of domination” (Featherstone, 2008:5). Instead, resistance is negotiated in a dialogue with dominant forces

(Chandra, 2015). This reading of resistance as a negotiation builds upon Scott's concept of "everyday forms of resistance": acts which display calculative rationality in challenging dominant power structures. In his original account, Scott viewed the dynamics of networks of resistance as relatively detached from dominant forms of power. More recent subaltern scholarship however elaborated on this reading and considered these forms of resistance as interacting with dominant power structures (Chandra, 2015; Chatterjee, 2011; Theodossopoulos, 2014). This approach permits investigation of new forms of resistance, for example groups which fight for law enforcement or those who engage with resistance as members of powerful institutions. This thesis then engages with these insights of subaltern scholars and examines domestic workers' engagement in everyday forms of resistance.

In sum, based on Ahmed, I see affect as performative. This means that affect gains intensity by being named and performed. I further see performativity of affect as relevant to the studies of relationships in training centers and agencies and especially to the production of legal status. While Ahmed writes about the concept of affective economies as a response to a question on the persistence of power in face of resistance, she does not directly explain how exactly affect interacts with power. She discusses how affect works to support subordination. In this thesis, I build upon Butler's reading of Foucault to examine how affect interacts with power in producing legal status and engendering agency which I understand based on Butler (1997) as a capacity to act upon individual desires. In this account, the concept of vulnerability becomes particularly important as it stresses that subjugated bodies can be affected but this does not necessarily imply that they lose their agency. Vulnerability here stands for the capacity to relate, to affect and to be affected. Butler (Ibid.) sees vulnerability as a pre-requisite of resistance. I read Butler's work on resistance and vulnerability together with subaltern scholarship which highlights the importance of spatialized networks in forming collective political agency, a theme I explore in examining domestic workers' collective and individual response to power impositions and circulations of affect in the migration industry.

2.5. Conceptual approach

In exploring production of domestic workers' legal status, this thesis first investigates the impact of economic, political and social structures on migrants' vulnerabilities. In Chapter 4, I build upon feminist research and geographical literature explaining production of migrants' legal status and consider there the impact of economic interests of a host society and economic inequalities between host society and country of origin, patriarchal regime, legal regulations and governmental agendas. In doing that, I highlight the workings of "legality", understood as engagement in formal employment, which has been traditionally viewed in geographical and feminist literature as reducing migrants' vulnerabilities.

To deepen understanding of production of legal status and to investigate factors affecting it which cannot be captured by examination of social, economic and political structures, Chapter 5 engages with the concept of governmentality to investigate power dynamics in training centers and employment agencies. Based on the work of authors engaging with governmentality in migration studies and scholarship on migration industries, production of legal status is examined as a process where power dynamics in employment agencies and training plays an important role in producing migrants' legal status.

As the work of scholars of affect and subaltern authors suggests, affective life alters the workings of power and can therefore contribute to migrant workers' decisions to stay in formal employment or leave. Chapter 6 therefore uses the concept of affect as an ensemble of performative social practices enabling bodies to "affect and to be affected" (Ahmed, 2004: iv), to develop a deeper understanding of how engagement in relationships within migration industry institutions contributes to the production of migrants' legal status. Based on memos from participant observations and coding of interviews, the chapter specifically engages with love and shame, based on Ahmed's affect theory as a bonding centered around a collectively imagined ideal and an inward-oriented feeling of exclusion.

2.6. Summary

This chapter reflected upon scholarship relevant to migrant workers' legal status. I first examined the current framing of the theme in geographical scholarship and feminist literature on domestic work. I suggested that there is a tendency to overemphasize structures which confine migrant workers in subordinate positions. This view risks neglect of the importance of institutions mediating larger social, economic and political regimes of governmentality and positions migrants as passive victims by omitting their resistance strategies; and staff in agencies as passive participants in structural oppressions. It also risks the implication that "legality" signifies less subordination than "illegality." I extend this account and reflect upon the complex relationship between legal status and vulnerability and the importance of migration industry institutions in producing legal status using scholarship analyzing the migration industry and governmental regimes regulating migration. While these authors recognize the role of intermediaries and migration industry institutions in mediating oppressive power structures, they are often seen as proxies rather than agents in producing migrants' legal status. In addition, individuals engaged in migration processes are often treated as passively internalizing state- and market-centered governmental regimes. I therefore engaged with Ahmed's affect theory to recognize individuals engaged in the migration industry as active actors who are however affected by dominant social practices. The chapter refines the current understanding of migrants' legal status by emphasizing the importance of affective life in its production.

3. Project design process and methodology

3. 1. Introduction

This chapter discusses my approach to research design and methodology. The research was designed as a multi-sited ethnography and a comparative study which focuses on the experiences of migrant workers in three employment agencies, their partner manpower agencies and training centers. Agencies and research participants were recruited by snowballing. There are only five agencies currently active in recruiting Bangladeshi women as domestic workers in Hong Kong, so the recruitment of three agencies is relatively representative. Foremost, my approach was informed by feminist

epistemology and its sensitivity to unequal power dynamics in the field, both in terms of the relationship between researcher and research participants and in terms of participants' unequal engagement in knowledge production, and data were collected in line with feminist ethics of care.

3.2. Feminist epistemologies

I based my research design on feminist epistemologies as identified by Hesse-Biber and Brooks (2007: 419; and Hesse-Biber, 2014: 1-14). Two principles proved especially relevant for this thesis: power and representation; and authority in knowledge production. The first underscores the need for experiences of subjugated groups to be represented and the second considers inequalities between researcher and subjects.

Following the principle of power and representation, I strived to remain mindful that doing research in a gendered field with unequal distribution of power, such as in case of unequal distribution of power among managers and domestic workers in employment agencies and training centres, requires heightened sensitivity to representation of traditionally subjugated experiences (Buch and Staller, 2014: 113). Interviewed managers in recruitment agencies often appeared knowledgeable about the migration process, open to my questions and observations, and empathetic towards Bangladeshi women. I therefore had to overcome any tendency to allow them to frame my perspective. I later understood that many agencies are under pressure from Hong Kong media and NGOs. They often hoped that "an impartial research" could at least partially rectify their reputation, which was not my goal. Therefore, in line with Hesse-Biber (2014: 1-14), I attempted to address the issue of unequal representation of voices by conducting in-depth interviews with domestic workers themselves.

Following the principle of authority in knowledge production, I also reflected on my own authority in this research by questioning the relationship between my position as a researcher and that of my respondents. In response to concerns about power inequalities in knowledge production, feminist researchers often engage in participatory methods. Enria (2016) created an inclusive research space by involving her respondents in theatre. In her description of a collaborative drama she demonstrates

how knowledge can be generated jointly by a researcher and research participants. Brickell and Garrett (2015) organized storytelling workshops to investigate causes of domestic violence in Cambodia which allowed sharing of communal knowledge they had not gained through previously-employed traditional qualitative and quantitative methods.

Throughout the research process I shared my findings with participants in the study whose perspectives and roles in the migration industry varied significantly. While their reflections stimulated more in-depth information sharing they also revealed our biases. For example, by acknowledging to trainers and managers that I knew and would write about illegal additional charges levied on domestic workers, I learnt about the difficulties of cooperation in multicultural environments and application of law in “messy social realities” (Goodin, Pettit and Poge, 2012: 537). I also discussed perceived motivations of running away with both formally employed Bangladeshi women and runaways. Through engaging in a dialogue with my respondents, my own positionality as a researcher also evolved, as described in section 3.4.1.

However, this cannot be viewed as a transfer of responsibility for produced knowledge from me onto research participants. Indeed, this has been criticized as a misreading of feminist epistemologies (Sprague, 2005: 58; Henry, 2004, Nagar, 1997). This critique builds on Visweswaran’s classical text on feminist epistemologies (1994) where she argues that researcher’s accountability to the struggles of the less powerful is more important than directly giving them a “voice”. I therefore followed Silverman (2015: 4) and used dialogue to understand differences in position between me and my research participants. However, I did not allow compromise of my epistemological authority. I had, as a researcher, evidence that was accessible to me from my social context (Sprague, 2005; Harding, 1986), discussed below.

The feminist approach to ethnography, especially the sensitivity to feminist epistemologies, had several practical implications for the design of this research. Most importantly, it implied privileging of

subjugated voices and the involvement of my respondents in knowledge production while not compromising on my epistemological authority. I will describe next how I applied this approach in designing this research as comparative.

3.3. Research design

Scholars have reflected research on strategies for conducting research in Muslim and South Asian communities. Bolognani (2005) commented that researching Pakistanis in London during a time of increased multi-cultural tensions made it important to spend time with the community. She noted that researchers who rely too heavily on data from institutions risk misinterpreting hierarchies, relationships, attitudes, structures of networks and cultural differences. Abrar and Redcliff (2004), who conducted fieldwork with Urdu-speakers in Bangladeshi refugee camps, wrote about the insights that they received from a key informant. While being aware that the informant's perspective as well as selection of interviewees affected objectivity of the research, they nevertheless noted that the benefits of his involvement in the research outweighed the costs as it allowed access to data which could not otherwise be collected otherwise.

Mindful of Bolognani, I decided to contact members of the Bangladeshi Association in Hong Kong. I interviewed five Bangladeshi students who introduced me to other members. I also attended national celebrations and informal gatherings. It emerged however that Bangladeshis in Hong Kong present a relatively divided group and that domestic workers have very limited contact with other nationals who are mainly businessmen, bankers and students. Nonetheless one contact made there proved useful as she had previously worked as a translator in an agency recruiting Bangladeshi women. She became an "entry route" to Bangladeshi domestic workers and connected me with a Bangladeshi translator who became my first informant.

I decided, in light of recommendations from members of the Bangladeshi community, to approach domestic workers through Bangladeshi staff in employment agencies. This strategy turned out to have many advantages. Most importantly, I was able to gain trust and credibility as a researcher in the community of domestic workers. Furthermore, interaction with the first employment agency

meant I was able to contact other migration industry institutions, such as their training centers and partners in Bangladesh. I began to be invited by domestic workers themselves to events where agency staff were not present. In contrast, my attempt to conduct field research in training centers and among migrants without prior contact through an agency insider proved unsuccessful. Contacting runaway domestic workers without prior contact with their agency friends was similarly unsuccessful.

Nevertheless, I am aware that gaining access through employment agencies could affect objectivity of the research. This aspect of the research design became particularly apparent in the initial phase of the project when some domestic workers, especially those in conflict with the agency, perceived me as potentially biased. In the long term and through a lot of personal interaction outside formal interviews I managed to overcome these limitations. But at the same time, hearing the perspective of agents and domestic workers selected by them prior to listening to the stories of runaway girls, affected my initial views. I was however able to refine many of my assumptions through closer contact with domestic workers themselves during the 2-year-long field research in Hong Kong and Bangladesh.

While I had to reconsider many of my original perspectives, employment agencies nevertheless remained an important reference point in analyzing the production of legal status of Bangladeshi domestic workers for this thesis: as with Abrar and Redcliff, the benefits outweighed the costs. Many of the women's discussions were connected to internal regulations, staff or services. Simultaneously, the majority of their social contacts were made through agencies in Bangladeshi training centers and Hong Kong's agencies. I therefore decided to investigate how the migration industry, specifically Hong Kong's employment agencies, their Bangladeshi partner manpower agencies and training centers, govern migration of domestic workers and in what ways (if at all) these institutions contribute to the women's decision to leave formal employers or stay with them in case of difficulties.

3.3.1. Multi-sited ethnography

I selected multi-sited ethnography as the main methodological approach to researching what affects production of legal status and how relationships within institutions of the migration industry contribute to this process. I made this decision because in researching why migrant women decide to leave their formal employers, I considered it important to investigate not only their situation in the destination country but also the knowledge and bonds that are produced in training centers and manpower agencies in their country of origin.

Following the account of a multi-sited ethnographer Mark-Anthony Falzon, my aim was to “follow people, connections, associations and relationships across space because they are substantially continuous but spatially non-contiguous” (Falzon, 2016: 1). In this approach, it is more important to define the site based on actors and phenomena under study than territorial boundaries. As this thesis investigates the contribution of employment agencies to the production of domestic workers’ legal status, it was the institutions of the migration industry which defined the field.

Multi-sited ethnography has both advantages and disadvantages in terms of theory and practice. I elaborate on these below.

On a theoretical level, the main advantage is that multi-sited ethnography builds on the understanding of space as a product of social relations (Massey, 1995; Soja, 1989). This means that a space is viewed as dynamic, heterogeneous and formed by social relations (Massey, 2005). Social realities therefore cannot be fully accounted for by “the local” because they are continuously formed in an interaction with external knowledge and relationships. Marcus (1995) argued that setting boundaries of an ethnographic field based on a territory risks omitting many transnational phenomena.

On a practical level, the employment of multi-sited ethnography in migration studies allows a significant shift towards a more in-depth research of causalities. While the runaway crisis happened in Hong Kong, the women’s decisions to run away were informed by their knowledge of laws and opportunities to exchange their employers which they gained in Bangladeshi training centers.

While multi-sited ethnography has significant theoretical and practical advantages for studies of migrants, it has been nevertheless criticised for two major reasons. Both of them are relevant to my own methodological concerns and I would like to briefly reflect on them.

The first criticism of multi-sited ethnography refers to its theoretical underpinnings. Scholars such as Hage (2005) and Candea (2007) point out that social phenomena can be also followed in local settings. In their view, boundaries of an ethnographic field are always arbitrary and researchers need to avoid the seduction of “limitless narrative possibilities” (Candea, 2007: 168) and naive attempts for holistic explanations. Following connections in Hong Kong would therefore also generate significant insights about migrant domestic workers, for example about their relationships with their employers. But by doing this, this thesis would not respond to the main research question on the production of migrant women’s legal status. It is therefore important for this thesis to explore how are participants of the study affected by their transnational experience. However, as suggested by Candea (2007), it is equally important to make a “methodological cut” and avoid sacrificing depth of a research to its extent. In case of this thesis I therefore decided to follow only Bangladeshi women and only three employment agencies working in Hong Kong and Bangladesh. I then researched more in depth only employment agencies in Hong Kong and training centers and manpower agencies in Bangladesh. I decided not to follow their recruitment sites and not to research their interaction with employers in households.

The remark about lack of depth is closely linked to another, more practical, potential disadvantage of multi-sited ethnography. According to Hage (2005: 466), engaging in multi-sited ethnography means “opting not to cover depth.” However, multiple ethnographers proved that depth does not need to be sacrificed and that multi-sited ethnography generates important insights which would otherwise be left under-researched. For example, Smith (2006) was able to demonstrate in his study of Mexican migrants in their home town and New York that assimilation does not inhibit homeland connections, including engagement in local politics and describes how researching both sites allowed him better to understand power relations between Mexican migrants and communities in their

home town. Bloemraad (2006) in her study of migrants in Toronto and Boston showed that Canadian multiculturalism enabled faster integration of specific ethnic groups than the American “melting pot”. She conducted qualitative interviews and used a quasi-experimental design to collect her qualitative data which she combined with quantitative methods arguing that it was the comparative approach and inclusion of in-depth interviews that allowed her to generate new insights into integration.

While lack of depth presented one of my initial concerns, I found out that my Bangladesh experience contributed to deepening relationships with my respondents in Hong Kong and vice versa. Our shared knowledge presented an important means for accessing new interviewees. By doing small services, such as taking gifts from Hong Kong-based workers to Bangladesh, I was able to gain more credibility in the community. Importantly, I could validate data on the functioning of recruitment agencies. By talking to people employed in different positions in the migration industry in Bangladesh and Hong Kong, I could verify information about fees, rules and procedures. In studying the production of legal status of Bangladeshi domestic workers, the advantages of multi-sidedness outweighed its disadvantages.

In Hong Kong the fieldwork lasted 2 years but its intensity differed significantly based on the availability of my respondents. The fact that domestic workers in Hong Kong are only allowed to leave the households of their employers for around ten hours per week had a significant effect on this. I visited Bangladesh twice, first for two months (April-June 2016) returning for two weeks for additional interviews with illegal workers (December 2016). I was attached to the BRAC Institute of Governance and Development, which was helpful in discussing cultural specifics linked to migration and facilitating access to migrants.

3.3.2. Comparative institutional design

Pilot interviews with domestic workers from two agencies, revealing differing perspectives among workers and managers led to the adoption of a comparative approach. This approach was informed by the literature on transnational research as well pragmatic field considerations, discussed below.

Scholars of methodological transnationalism, such as Amelina and Faist (2012) and Anthias (2009), advocate for methodologies that avoid the sense of nation-state in studying migration. This builds on criticism of so-called methodological nationalism (Wimmer and Schiller, 2003) which refers to a tendency among migration scholars to assume that nation, state and society are natural social and political forms. They argue that transnationalism is a constant of modern life which has been insufficiently described because it was overshadowed by nationalistic thinking:..they criticize the “territorialization of social science imaginary and the reduction of the analytical focus to the boundaries of the state.” (Wimmer and Shiller, 2003: 307). In migration research, processes, practices, actors and networks are often researched within state boundaries and contrasted to other findings in other countries. As a result, many transnational phenomena remain insufficiently researched. In Wimmer’s and Shiller’s view, much research overestimates the internal homogeneity of migrant communities and underestimates internal differences making national factors appear more significant than they in fact are. Methodological transnationalism aims to enhance objectivity in migration research by engaging with transnational phenomena.

From a practical viewpoint, these theoretical insights became relevant to this thesis during pilot interviews which revealed differences in migration experience linked to institutions of the migration industry. These differences concerned the bribes that the women paid in training centers, the quality of training, and relationships with employers and recruiters. Furthermore, agencies focus on women of different social status, educational background and geographical areas which results in ethnical, class and educational diversity among Bangladeshi workers in Hong Kong. While some agencies recorded only a few runaways, others had much bigger numbers. My research design enabled comparison of these institutional differences.

Scholars of methodological transnationalism also urge migration researchers to avoid pre-defining a specific space as a unit of analysis (Amelina and Faist, 2012; Shiller, Faist and Nergis, Pries and Seeliger in Amelina, 2012). Therefore, rather than privileging the site of employment agencies in Hong Kong, I tracked social relations and saw them as constitutive of social spaces.

Anthias (2009: 2) however argues that even within methodological transnationalism, nationality still “possesses important affective, discursive, experiential and political relations within a global context” and therefore should not be entirely abandoned. In this sense, the lens of a nation-state can be used for specific analytical purposes. I therefore decided to focus only on Bangladeshi domestic workers because their nationality implies shared characteristics of being a minority among Hong Kong's domestic workers, coming from a patriarchal social context, going through the same administrative process and having similar experience with rule of law in their home country.

In summary, transnational studies and reflection on pilot interviews commended a comparative research design of this thesis better to capture factors affecting legal decision making inside the migration industry.

3.3.3. Entering the field

In researching institutions and domestic workers as transnational actors, I approached access negotiations from the perspective of feminist geography. As Marshall notes (2002), researchers inhabit the borderlands between the “outside” and “inside” as well as between the “familiar” and the “strange” which is relevant in terms of access negotiations: decisions about access determine knowledge production. Marshall (2002: 177-178 and 181) demonstrated how different settings and different modes of access affected research of women's communities on island Grand Mannan. While women from these communities were relatively open when approached in informal settings, they became much less forthcoming in more formal settings. Lin and Yeoh (2013: 128) argue for heightened sensitivity “towards the multifarious ways in which disparate lifeworlds, both of the ‘mobile’ and the ‘left behind’, are always mutually intertwined”. These insights are relevant to this research as many domestic workers and trainees in training centers acted differently in front of authority figures from the migration industry than when they spoke among their peers. I was first allowed to speak to domestic workers only when agency staff were present. I handed out consent forms and told interviewees that if they would like to keep in touch, they could write their WhatsApp number or Facebook nicknames thereon. I later contacted them and thanked them for the interview, sent them pictures that we took during the interview and we often continued the conversation when we met

again. In my approach therefore, I was following the advice of feminist authors, giving preference to subjugated voices of women whom I strived to interview in the long-term and in informal settings.

In feminist geography and feminist scholarship in general, decisions about access are based on ethical considerations (Moss, 2002: 1-13). As noted by Miller and Bell (in Miller et al., 2012: 68), “who is giving consent and to what must be considered throughout.” In this sense, a researcher has to consider the power of gatekeepers in choosing interviewees and reflect on the extent to which these interviewees can exercise their own power during the research. Watts (2006) further argues by drawing on Davis and Gremen (1998) that agency and power of research participants are hardly ever straightforward and they can simultaneously comply and resist engagement in the study. A situation occurred where a gatekeeper organized a meeting with overstaying domestic workers who initially agreed to be interviewed. I later discovered that, despite my reassurances, they became concerned that I could report them to immigration. With regard to issues where voluntary participation of interviewees cannot be straightforwardly claimed, feminist authors (for example Miller and Bell in Miller et al., 2012; Roberts, 1997) stress that while decision-making about access cannot be always fully controlled by the researcher, in some ethically complicated cases, it is better to stop interviewing or reduce participants’ commitment to the study to one single interview. Ethical concerns can be relevant despite prior agreement on a consent form (Watts, 2006) as I learnt from this case. I later tried to reduce my contact with runaways to one interview during which I made sure that they felt comfortable; I did not press to meet those whose friends said that they felt afraid to meet me.

As some key feminist researchers such as Stacey (1988:26), Hesse-Biber (2014:3) and Davis (2008) argue, researchers are critically dependent on relationships with women that they study. Initial interviews persuaded me that while dealing with Bangladeshi women and managers in recruitment agencies, in-depth data gathering was only possible through empathy and reciprocity. Further, I perceived as critical the engagement of gatekeepers. Finally, social media were used for obtaining contacts, building trust and facilitating communication.

Creswell states that “there needs to be some kind of reciprocity back to the participants for their involvement” (2013: 98). I first attempted to provide gifts or financial rewards to my respondents in Hong Kong but they were often refused. Instead, especially with domestic workers, I was asked for friendship, emotional support and advice on the legal process. In Bangladesh, respondents were more receptive to gifts but that lessened in importance. Mertens (2010: 74) writes that “determining reciprocity is a complex matter because people’s ideas of equity and fair exchange usually include varying ideas of right and wrong”. Following Merten’s (2010: 74-75) advice, I asked my interviewees what I could do for them in exchange for their time and ideas. The mutual sharing necessarily included people whose perspective on motivations of legal decision-making of Bangladeshi women in Hong Kong differed significantly, often based on their role in the migration industry. In response to these concerns both Creswell (2007: 9) and Mertens (2010: 75) argue that exploring and responding to differences is a necessary condition of a research and I therefore dedicated extra time to understand conflicting perspectives.

Furthermore, due to the multi-sitedness of the research, I had to engage with multiple informal gatekeepers who provided valuable insights into the functioning of recruitment agencies and some brought me closer to overstaying women. Female Bangladeshi staff in agencies were the first to become important informants. Two overstaying workers became excellent informants who connected me with other former Bangladeshi domestic workers and explained the challenges of leaving employers’ households. In Bangladesh, three employees in local branches of the business were insightful in sharing their knowledge and providing contacts.

Finally, I acknowledge the importance of social media in gaining access to research data. Silverman’s (2011) remark that the internet facilitates formation of relationships became especially relevant in gaining access to Bangladeshi domestic workers and maintaining regular contact. Besides the opportunity to track connections, social media also allowed me to communicate with people who do not speak English. WhatsApp and Facebook enabled us to exchange basic information and pictures and agree on a meeting where people who spoke better English would be present to facilitate our discussion. Social media also mediated oral encounters (Seargeant et al., 2014).

3.3.4. Choosing respondents

Choice of participating agencies and domestic workers were closely connected. The choice of purposeful snowballing as the main technique for choosing respondents was affected by the strong bonds inside the Bangladeshi community.

I focused on selecting information-rich cases to respond to my research question as did Parennas (2015) and Constable (2013). In Patton's words, "Information-rich cases are those from which one can learn a great deal about issues of central importance to the purpose of the inquiry" (Patton, 2015: 264). Engagement with relatively few respondents who provided rich information was chosen for this research to provide an in-depth insight rather than generalizations.

I included those agencies which (1) had their main base in Hong Kong and another in Bangladesh; (2) those where Bangladeshi staff are heavily involved as well as agencies where Bangladeshi staff is not significantly involved in assistance and training; (3) agencies with history of overstaying domestic workers; and (4) both larger and smaller businesses. With domestic workers, to fully understand their legal decision-making, I interviewed both formally employed workers and runaways in Hong Kong, trainees in training centers, and returned migrants. As Suri (2011: 5) writes, the selection based on maximum variation can help "identify essential features...of a phenomenon as experienced by diverse stakeholders among varied contexts". The decision to opt for a maximum-variation approach was informed by the aim to capture factors contributing to running away in different contexts throughout the migration process. Throughout the 2-year field research, I followed two employment agencies and one small association of recruitment agencies operating in Hong Kong and Bangladesh.

Association A comprises three relatively small recruitment agencies, each of them servicing several hundreds domestic workers from the Philippines, Indonesia and Bangladesh. Interviewed managers claim that forming an association allows them better access to negotiations with both Bangladeshi and Hong Kong governments. The most intensely researched and probably economically strongest

agency within the association is most active in employing Bangladeshi women and engaging in political negotiations. The manager, Mr Ron. is most active in negotiations over conditions of the business with Bangladeshi and Hong Kong's government institutions. Another agency within the association is headed by Mr Nick, vice-president of the association. The third researched agency is Mrs Laila's, who is treasurer of the association. The agencies share common training centers in Bangladesh out of which only one, Comilla, is currently active. Association A was recommended by the Bangladeshi consulate in Hong Kong as it has been relatively successful in preventing running away. In training centers and recruitment agencies they employ Bangladeshi staff. Some of their staff are Christians and certain Christian ideologies are apparent in their training. The Bangladeshi consulate has complained about the Christian undertone of the business but the staff is proud of reflecting human rights in their treatment of workers and Mr Ron is in contact with the ILO over contributing to standards of ethical recruitment. Association A mainly works with Filipinos and Indonesians and the Bangladeshi branch of the business reportedly does not generate any profit.

Agency B is one of the largest recruitment agencies in Hong Kong currently servicing more than 1,000 Filipino and Indonesian domestic workers. It was selected based on recommendations from Association A. It was the first agency that started hiring Bangladeshi women for work in Hong Kong and it has the record of the highest number of Bangladeshis running away. Agency B closed for a year before they restarted their business in May 2016. During closure, they negotiated new conditions of business with the Bangladeshi government. At the beginning of their involvement in Bangladesh they cooperated with Agency C although a conflict led to them finding a new local partner. Their training center employs one Indonesian and one Bangladeshi. With its almost thirty-year tradition of being one of the most successful recruitment agencies in Hong Kong, Agency B has significant experience.

Agency C claims to be one of the oldest and most successful agencies in Bangladesh, mainly involved in the migration of men and women to the Middle East. It is currently servicing more than 1,000 migrant workers. They see the migration of Bangladeshi women to Hong Kong as a very promising business area. Agency C does not employ Bangladeshi staff either in its training centers

or in their partner agency in Hong Kong. They are significantly involved in negotiations with the Bangladeshi government over regulating domestic work and to this extent they cooperate with other agencies.

Table 1. Employment agencies - summary of activities in Hong Kong

Employment agency	Manager	Partner manpower agency or partner employment agency	Bangladeshi staff in HK (joint role of translator, consultant and trainer)	Current number of Bangladeshi domestic workers in HK	Number of recruited Bangladeshi domestic workers since May 2012 until December 2016
A.	Mr Ron (head), Mr Nick (vice-president), Mrs Laila, (treasurer)	Agency X Dhaka	Ishika (Walmart) Barsha (SmartMetro, Wang Fullco)	82	Around 250
B.	Mr John, HK	Agency Y Dhaka	Golon Anik (former staff)	1	Around 400
C.	Mr Sadman, Bangladesh	Agency Z, HK	Not employed	3 only for C.	Recruitment merged with C. 2014. In 2016 they recruited and trained 15.

Table 2. Employment agencies – summary of activities in Bangladesh

Name	Number of trainees in June 2016	Number of interviewed trainees in June 2016
A.	12	12
B.	10	5
C.	5	5

The Memorandum of Understanding between the Bangladeshi government and Hong Kong recruiters was originally signed by twelve agencies of which only five appear to have been active in December 2017. Given the small number of agencies, these three companies were relatively representative of businesses providing services for Bangladeshi domestic workers migrating to Hong Kong.

In agencies and training centers I often first conducted preliminary group interview where agency staff were present and helped with translation for those who did not speak English. During these group interviews I collected personal contact details. Based on language skills, willingness to share their experience and potential richness of data that they could provide, I followed up with some of the women.

Table 3. Summary of interviewed domestic workers

Agency	Number of interviewed workers in formal employment	Number of interviewed runaways
A.	14	3
B.	5	5 and 3 participated in observations and wanted to remain anonymous without signing a consent form
C.	2	1

3.3.5. Interviews

Reflecting on feminist interviewing, Hesse-Biber (2014:189) notes that a research is feminist if it *“gets an understanding of women’s lives...promotes social justice and social change, and is mindful of the researcher-researched relationship and the power and authority imbued in the researcher’s*

role...” As a feminist interviewer, I was therefore striving to reveal subjugated knowledge while being sensitive about power inequalities in our relationship but without surrendering my epistemological authority.

Responding to the main research question on the production of legal status required talking and listening to people in different roles and I had to be flexible in my approaches. I noticed significant differences in interviewing elites in Bangladesh (who sometimes perceived the interviews as prestigious events), trainers in training centers, (some of whom thought that they were helping a poor PhD student) and runaway domestic workers who told me that they were doing the interview to spread the message to other Bangladeshi women to prevent them from ending up “illegal”. Sometimes, interviews became a part of power dynamics among business partners who used the time to voice complaints about one another. Reacting to specific interview situations, I had to be flexible in employing in-depth and semi-structured interview styles employed so as to complement one another in responding to my research aims, per Warren and Karner, 2005 and Pillow and Mayo, 2011. In all, I interviewed 29 people in Bangladesh and 25 in Hong Kong. In both sites I talked to current and former domestic workers, managers, trainers of domestic workers, translators and administrative staff in agencies. Most interviews lasted around three hours. Some I visited in their homes; others were interviewed in my home.

With most of my interviewees I maintained a long-term contact. From each agency, at least one Bangladeshi domestic worker was interviewed three times or four times – at the beginning of their stay in Hong Kong, after few months and shortly before returning home. I maintained regular contact with two key informants registered as asylum-seekers: each was formally interviewed at least three times and we had many informal talks throughout the research period. In addition, I had the opportunity to meet families of two migrant women; I was often in online contact with managers in employment agencies. Two out of three managers in agencies were interviewed twice, once for a general interview on the functioning of the business and once for an update after negotiations with the Bangladeshi government in May/June 2016.

While inclusion of several follow up sessions is common in a feminist approach to in-depth interviews, feminist ethnographers stress that such an intense interaction requires in-depth reflection on the relationship between a researcher and an interviewee. Some feminist scholars suggest that researchers should share their biographies or interact relatively openly in order to reduce power hierarchies between the interviewer and the interviewee. Gubrium and Holstein (2008: 251) conceptualize this as “the everyday narrative activity that unfolds within circumstantially situated social interaction”. By her/his presence, the interviewer creates possibilities for certain narratives. Others, for example Stacey (1991), one of the first feminist ethnographers, and Ahmed (2000) argue that too personal a rapport can create the illusion that there are no power hierarchies and differences in authority over the produced knowledge. I tried to balance these two approaches but most importantly, the focus of the interaction was on the narratives of my interviewees and I hardly ever intervened.

At the beginning of each interview, I first explained the purpose of the research and the importance of including the interviewee's opinion. I then let respondents read a consent form, approved by the university. I explained that if they agreed, the interview would be recorded and the recording would be discarded within a year. Following feminist researchers (Hesse-Biber, 2007; Hyndman, 2001), I made sure that participants fully understood their role in co-producing knowledge. I attempted to engage them in the study, encouraged them to share their subjective experience and also asked them to comment on my understanding of the functioning of the migration industry. A similarly open and participatory interview-style has been used by researchers of vulnerable communities to contrast local subjective experience to perspectives of governments and international organizations, for example by Antwi-Agyei et al. (2015) and Pattman (2005). Both of these works illuminate a substantial difference between perceptions of the governing entity and local subjects. These works provided important inspiration as I found a similar gap between domestic workers and employment agencies.

Hesse-Biber (2014: 189) argues that regardless of specific style, the interview is made feminist by the type of questions that feminists ask and how they are asked. Practical experience in the field revealed deeper knowledge could be accessed when I was prepared with a set of issues of concern

rather than specific questions. Often, I began asking questions but instead of responding directly, the interviewees embarked on their life stories, usually centered around their legal status. Managers often spontaneously started explaining the overall functioning of their business; I had to re-navigate towards specific research-question themes. In interviewing formally working domestic workers I was interested in their opinions on running away, their understanding of the law and regulations of migration, their relationships with staff in recruitment agencies and with other domestic workers and their overall migration experience. In interviewing runaway girls, I included similar questions as I asked formally working domestic workers but I was most interested in the sequence of events that led them to leaving their formal employers. I asked questions such as: "If you could tell another Bangladeshi who is coming to Hong Kong about your experience, what would you want her to know?" or "Why do you think that some stay with their employers and some decide to leave?" or sometimes "If somebody is now in the same situation as you were a year ago, what would you tell her with the knowledge that you have now?" When interviewing staff in agencies, I was interested in their interpretations of and experience with the law governing domestic work and in the exact functioning of the business.

To collect basic information on age, reasons to come to Hong Kong, family background, and future plans, I conducted short group interviews as a part of participant observations in training centers and recruitment agencies. I asked only factual questions on their age, education, marital status, number of children etc. These interviews were an entry route to more in-depth discussions that we subsequently had either when they were collecting their passports at the labor migration department in Dhaka or during their holidays in Hong Kong.

When conducting some interviews, especially with currently overstaying domestic workers, I witnessed a strong willingness to share their stories. I approached these interviews with the technique of active listening. Active listening has been advocated by scholars seeking to represent voices and sensitive themes that were marginalized in the 1980s and 1990s. Greenberg and Ainsworth (2006) outlined strategies of active listening for stories of trauma. They wrote that "the narration of traumatic memories often differs from that of regular memories, which have a beginning, middle, and end.

Survivors' stories often lack a cohesive plot and narrative development." I also experienced these interrupted narratives with overstaying domestic workers discussing traumatic memories.

3.3.6. Participant observations

I often visited employment agencies at weekends to spend at a few hours observing domestic workers interacting with the staff. I visited agencies working under Association A seven times, Agency B two times and Agency C once. I visited Association A's partners once, Agency B's partners twice but Agency C's partners in Hong Kong refused to participate in the research. In Bangladesh, I visited Association A's partner agency once and Agency B's partner agency three times. I visited Association A's training center twice, taking the opportunity to sleep over in the same room as future domestic workers, participate in their daily routines and interact with their trainers. I spent one full day with domestic workers in Karaniganj, a training center of Agency B. The differences in time spent in each site were determined by its accessibility. I was open about my role as a researcher and took detailed notes.

Following Cresswell (2013), I often switched between participant and an observer because it allowed me to integrate in the group while collecting data. I therefore participated at times in activities together with domestic workers/trainees, such as exercising, cooking, chatting, Skyping their families, swimming, taking pictures; other times I remained relatively passive and wrote notes.

As a part of the research I conducted a focus group with domestic workers on 22 January 2017 at the Hong Kong Baptist University. The focus group was attended only by domestic workers from Association A who had a holiday that day. While I was originally hoping to conduct the focus group according to guidance from feminist textbooks on methodologies, such as Hesse-Biber (2014), I adjusted my approach according to the preferences of the participants and we ended up "just chatting" in a circle.

3.3.7. Feminist approach and grounded theory

I analysed collected data based on grounded theory as described by Strauss and Corbin (1991). The sequence of analyzing went as follows: I first regrouped the data based on agencies and then focused on notes from participant observations in offices and training centers, and interviews from domestic workers and agency staff and managers. I then coded each transcript from interviews which helped me to generate key concepts. I read through all notes from participant observations and wrote memos which together with these concepts helped me to generate an outline of this thesis.

Feminist researchers (for example Lather, 2013; Hesse-Bibber, 2014) argue that basing data analysis on coding runs the risk of reproducing traditional biases that we might perceive as objective science. This is because ontologies and epistemologies that allow coding might be blind towards oppressive structures. In the same line, qualitative researchers building on Foucault's analyses of prisons (1975, 1979) warn that "data as such do not speak" (Pierre and Jackson, 2014) I was therefore reading literature informing my conceptual approach simultaneously with coding.

In order to respond to my research question, I also had to interpret affective experiences. In doing that, I took into account the flow of discussion as well as the setting, the presence of other people, and body language. But still, in some cases, interpreting affect was difficult. For example, I found the atmosphere in the room during a pre-departure briefing in Agency B threatening but my sense was later refuted by a domestic worker present nearby. I therefore had to rely on follow-up in-depth interviews in interpreting people's emotions and consultations with the BRAC Institute of Governance and Development (BIGD).

Reflecting on ethics and validity of ethnographic observations in feminist research, Miheswah (2005) further suggests that feminist researchers should allow local authorities to comment on them. While I reviewed some of my findings with domestic workers and staff in agencies, I decided not to share my data entirely and retain the final authority in analysing them. In this I followed the advice of Borland (2007) who argues that especially in the case of potential conflict, the ethnographer should maintain the dialogue between opposing sides but interpret the data herself/himself.

In sum, I conceived data analysis as a non-linear process during which I organised data according to grounded theory while simultaneously engaging with key theories and concepts. Interpretations of affects then required follow-up interviews and consultations with BIGD and I kept final authority over interpreting my data even though I also reviewed some of my findings with my respondents.

3.3.8. Language

One of the selection criteria for domestic work required by Hong Kong's agencies is English-speaking ability: for me a significant advantage, though some interviewees, especially in training centers, were not fluent. During fieldwork in training centers, I had to rely on their trainers for interpretation. I am aware that there are significant limitations pertaining to the trainers' authority over the interviewed Bangladeshi women and hope to have addressed these limitations during subsequent in-depth interviews where the conversations were translated by other domestic workers.

3.4. Positionality and ethics in feminist research

This section describes how I navigated the ethics of the study and my own positionality as a feminist researcher. The section's placement at the end of this chapter signals the ongoing nature of such positionality and ethics and their fluid nature. My goal is to situate the knowledge produced in relation to gender, race and other social hierarchies. Reflecting on positionality in feminist research praxis, Sandra Harding (1992) coined the concept of "strong objectivity" in arguing that acknowledging subjectivities of a researcher can reduce the systematic biases of social values, interests and agendas that characterize the community that she/he is a member of. For me, this involved acknowledging and reflecting on my biography that I carried into the field and how this positioned the study. Bourdieu's work on habitus and practice (2005) argues that a researcher not only affects objects of knowledge, but is also affected by them. This leads me to reflect on ethics of care in relation to specific situations from the field work, the legal settings in which the research was conducted and how this interacted with ethics of care. Such discussion helps establish the legitimacy of the methods and data

3.4.1. Positionality

Multiple researchers (Hopkins, 2002; Valentine, 2007) emphasize, that an ethnographer's identity cannot be reduced to a set of fixed social categories, such as gender and race. Instead, these categories intersect and develop gradually with interactions in the field. Here I further elaborate on specific features of my identity that became significant especially in building relationships with research participants. I would also like to demonstrate how the potential paradox of being a white woman living abroad and traveling independently facilitated rapport based on differences rather than similarities.

As many female ethnographers (Edwards, 1990; Anderson, 2006; Pillow and Mayo, 2007) researching women contend, assuming commonality based on gender is impossible. Feminist theory went through a significant evolution in the past three decades, mainly thanks to researchers of color (including Sara Ahmed, 2000; Visweswaran, 1994), to establish this. Both Edwards (1990) and Anderson (1998) argue that signaling differences early during interviews can be conducive to more balanced power dynamics than searching for commonalities. I therefore mentioned differences between our opportunities both at the beginning of interviews and while questioned on specific issues relating to gender equality. Even without me introducing it, the theme of women's empowerment through migration was often brought into discussions by participants. Participant domestic workers were mainly divorcees or in unhappy marriages, reporting abuse. If married, many stopped communicating with their spouses during the migration process as husbands repeatedly required remittances or suspected them of infidelity and prostitution. Husbands of runaway girls in at least four cases threatened to kill them if they returned as they had already remarried. Many Bangladeshi interviewees migrated with hopes to fulfil their personal dreams, experience greater freedom outside a restrictive patriarchal environment and to save money. The fact that I was a woman by myself in Hong Kong and Bangladesh was often admired. I had to explain structural inequalities which allowed me to travel freely and this fortunately made relationships friendlier, avoiding jealousy. The question of whether Bangladeshi women are empowered through migration deserves greater investigation. But, for me, being a single woman contributed to better access to interviews and training centers: in one center, a male translator was not allowed to stay overnight, whereas I was. I experienced similar

privilege in accessing Oriti, an overstaying worker, who became one of my key informants because she believed women should collaborate.

My position was not only influenced by gender but also by intersecting identity as a white foreigner albeitly differently in Hong Kong and Bangladesh. In Hong Kong, my interviewees and I shared the position of foreigners experiencing same disconnect with local community. "Locals" became a reference category for the comparison of lifestyles. In this sense, whiteness did not serve directly as the primary reference category as warned by Emirbayer and Desmond (2011). Instead, it was the dominant group of "locals" which often shaped our discussions, for example about work. When some were surprised that their employers work every day, including weekends, until late at night, a lifestyle to which I also was not used to from Europe, I could understand. In Bangladesh, my position was affected by security issues in the country. Prior to my first fieldwork, there had been attacks on foreigners and as a result many organizations regulated movement of their non-Bangladeshi employers. I was welcomed warmly with an appreciation of the journey undertaken. This both reinforced power inequalities among us and strengthen the interviewees' trust in me.

To conclude, my position changed during the two years of interacting with my respondents. As Kohl and McCutcheon (2015), suggest reflexivity is continued and affected by our knowledge base. While conducting pilot interviews, I made the unintentional mistake of victimizing the women, by exaggerating their subordinate position within migration industry institutions and their families. This bias stemmed from my previous work with women-refugees. Through casual discussions I realized that some women migrated against the will of their families which they perceived as an empowering step. One of the most significant realizations throughout the research process was how differently womanhood was perceived. One overstaying worker told me: "Being born as a woman means that I am very unlucky." Aurna, another Bangladeshi worker, only told me after several meetings that she had a son. Then she explained that she does not worry about him as he is financially assured from remittances and his grandparents take care of him: her focus on her career was deliberate. These casual discussions heightened my awareness of my biases: I had, for example, expected migrant women to feel more attached to their children and to always perceive their identities as mothers as

primary. In the next section, I discuss how I used the “ethics of care” lens to consider the implications of my positionality for knowledge production.

3.4.2. Ethics of care

In this section I describe how I engaged with ethics of care which involves the denial of “abstract and idealised forms of judgement made by persons who are dominant in an established social order” (Held, 2006:250). These abstract regulations are often insufficiently representative of moral dilemmas faced by women involved in multiple relationships. Ethics of care reflects not only power relations but also affectionate responsiveness to needs of others and self. One of the most significant features of data collection in research engaging with ethics of care is its relationality. For Noddings (1984), moral decision-making is not primarily guided by absolute social norms but by relational affective and cognitive requirements of dependent relationships. The relationality in ethics of care cannot be reduced to responsiveness to particular needs. As argued by Held (2006), care involves an attitude and a set of values, such as empathy and trust. In the past three decades, feminist authors have stressed different aspects of the caring relationships Joan Tronto (1993) views care mainly as an activity, a labor. Blum (1985) emphasizes empathy and other values in theorizing caring. A relational understanding of ethics is not limited to feminism but is discussed in theories of morality as justice. For Michael Slote (2008) caring involves concern for the well-being of others encompassing all humanity. Mario Bunge (2012) views care as a value underpinning moral behavior.

The main complication of adopting “ethics of care” lens is that the perspective of participants in the study matters in evaluating the ethical standing of the research. This of course does not mean that a researcher should relinquish his/her authority or values in favor of the research participant. But the relationality can be particularly problematic when the research involves people with opposing views on the subject and is conducted in a specific legal environment. Here I present three ways in which the ethics of care can be problematic.

First, relational approaches in feminist research may essentialize women as “more caring” and risk confining them to traditional stereotypical positions and caring vocations. Tong (1989) warns that, in

a patriarchal society, caring may be a woman's strategy for survival. She argues that "any ethics for women that overemphasizes relationships and underestimates rights risks valorizing an ethics that may reinforce women's subordination to men" (Tong, 1989: 167). While researching, I heard such stereotypes of Bangladeshi women: "Our women are obedient and therefore suitable for domestic work." and "This work is only done by women because it requires caring for children." or "Only women's small skilful hands are suitable for this kind of work." Meanwhile, my position as a researcher was never questioned nor did I notice being a subject to stereotyping by the authorities. It is possible however that domestic workers were more open as they might perceive that, as a woman, I am more caring. I often brought a small gift, even though I knew it was not necessary. I attentively listened to their stories, while giving importance to their emotions and I followed up on developments in their lives. I perceived this form of relationships as a form of justice. The challenge for the relational approach to ethics is then to reflect that relationality presents a big part of many women's experience but at the same time engagement in caring relationships should not be presupposed based on gender.

A second problematic aspect of ethics of care in research is my own cognition and the extent to which I can evaluate the impact of my actions. In one case I was introduced to two overstaying domestic workers who agreed to come and visit me. My key informant, their close friend, was there with us. Neither runaway provided their real name and we agreed that they did not need to sign the consent form but that some of their concerns would nevertheless be included in my data. I informed them about the research and offered to show them my ID and student card. During the meeting, both appeared relatively open and suggested we meet informally again. But I later found out from my informant that they were scared that I was an undercover policewoman and worried about their imprisonment because of what they told me. I tried to call them and I sent them a scan of my student card but they never contacted me again and my informant did not confirm whether that gesture had made them feel any safer.

In another case I experienced a conflict between ethics of care and the law. One of my informants, an overstaying worker, wanted to be reunited with her daughter in Bangladesh. As she was staying

and working in Hong Kong informally, I suggested that we consult a lawyer for the best approach to the situation. According to Hong Kong immigration law this respondent would have to spend time in jail in order to regularize her stay and be deported back home to Bangladesh. Rana was illiterate, married at the age of twelve, with multiple experiences of gender-based violence. She was clearly unable to understand her legal situation. The lawyer could not have been more helpful in clarifying the legal impasse to me but despite our efforts my informant herself was unable to understand the complexity of legal regulations. Furthermore, the lawyer multiple times mentioned that she advised that Rana regularize her status in the Hong Kong immigration office and refused to provide any further consultations simply because the legal office, as well as any other organization, would cross the law themselves if they provided any services to “illegal” workers. Finally, I was advised not to provide any further assistance to “illegal” workers as I could be imprisoned or fined for “embedding illegal work”.

While ethics of care stresses the importance of social context and does not require that I take respondents to legal advisors, it nevertheless implies the obligation to listen attentively and without judgement to the concerns of my respondents, runaways, and maintain a caring attitude in participant observations, including decision-making over legal status: the main subject of the thesis. Second, Rana’s legal decision-making was done in a relational context, and staying “illegally” in Hong Kong compounded her accumulating legal problems. In this context I had the capacity to provide adequate legal guidance which could be perceived as a clash between ethics and the law. Finally, in line with feminist poststructuralist theories (Mills on Butler and Ethics, 2017; Held, 2006), law is in this thesis considered as an expression of power. Immigration law then appears to presuppose that individuals working “illegally” will make a confession at the immigration department if they are denied legal and social services. This implies that from the viewpoint of the law, Rana is perceived as acting autonomously based on specific legal knowledge. The law presents itself as an ethical framework or moral guidance which reinforces the illusion that Rana decided to remain in “illegality” based on cognitive autonomy. Feminist ethics challenges these traditional perspectives with the concept of relational autonomy. Understanding ethics from the viewpoint of relational autonomy means that individuals are perceived as acting and gaining knowledge in a relational context (Mackenzie and

Stoljar, 2000 and McLeod and Sherwin in the same volume). Rana and many other women's legal decision-making, reflects a history of subordination. Reflecting on advocacy research and epistemic communities, Lorraine Code (2000: 185) writes that nonstandard members, such as women, occupy "positions from which they cannot achieve (*certain*) outcomes without the guidance of another." In this way feminist authors position research ethics within a network of social relations. Currently, Rana consults her legal situation with a Bangladesh-based NGO.

3.5. Limitations of the methodological approach

There are twofold significant limitations of the selected methodology. First, I did not engage with Bangladeshi women's families. Second, I did not engage with their employers. While I am aware that the perspectives of these two groups of potential respondents would be valuable, I also acknowledge that involving them would risk sacrificing depth of the study as the time and resources were limited to the scope of a PhD research. Still, I would like to further briefly reflect on difficulties in accessing them and explain why I decided to exclude them.

Some of the women involved in the research did not tell their close or wide families about the nature of their work in Hong Kong. Especially those who ran away often stopped, at least temporarily, communicating with their families. Some others were misinformed and told that the women work in restaurants or perform any other work because domestic work was perceived negatively by middle-class families which in some cases themselves employed domestic workers. This was the case of Saana and Flora who were both previously living in relatively big houses of their families in the rural area. Collecting data in families would, therefore, risk to become unethical and could cause some of the women's exclusion from their communities. Nevertheless, I still had the opportunity to speak with some migrant's families occasionally. For example, speaking with the family of Salma a year after she came back, I learnt that her parents were originally misinformed about the nature of her work but speaking about it with their daughter sitting nearby a year after that, both her mother and father agreed that it was a good step which made Salma stronger and happier. I also spoke at least two times with Anna's family which consisted of 9 siblings ranging in their age from 30 to 56 and their own families. They were generally very appreciative of their sister as she managed to support the

entire family from first a domestic worker's salary and then illegal factory worker's income after the death of their parents. Some teenagers from Anna's family hoped themselves to travel one day outside the country as their sister became perceived as a role model of a strong and independent woman. These data were however scarce and insufficient to produce relevant generalizable results.

Furthermore, I am aware that studies of families employing Bangladeshi women would bring important results and fresh perspectives, potentially challenging the perspective of domestic workers themselves. Similar studies have already done in Hong Kong and elsewhere in Asia. It must be therefore acknowledged, as Constable (2007) also does in her chapter dedicated entirely to the relationship between employers and domestic workers, that some employers strive to maintain fair working relationships. It is true that the intimate sphere of a household allows misdeeds not only from the employer's position but also from the part of domestic workers. Arguing from a different perspective after an ethnographic research with both migrant women and their employers, Lan (2006) in her book *Global Cinderella: migrant domestics and newly rich employers in Taiwan*, describes that migrant women are often the first "victims" of local women's emancipation. This is because many Taiwanese women are eager to use their newly acquired economic opportunities while employing women from developing countries under most challenging conditions to make up for domestic work, previously perceived as solely local women's responsibility. Lan pays special attention to the process through which are migrant women "othered" on the most immediate household level. However, in case of this research, the contact with employers was simply discouraged by employment agencies and involving them present a risk of losing precious credibility among my research participants.

3.6. Summary

In approaching data collection for this research, I built upon feminist epistemologies and especially the feminist principles of power and representation and authority over knowledge production. This research was then designed as a multi-sited ethnography which compares experiences of Bangladeshi domestic workers from three different agencies. I chose participating agencies based on snow-

balling but I strived to achieve diversity in terms of size, approach and staff involvement in my selection. The choice of participating agencies then determined the choice of participating domestic workers. The main research methods were interviews and participant observations. I analysed data based on grounded theory. Data collection was affected by my own positionality and while in field, I was guided by feminist ethics of care.

4. Mapping experiences of Bangladeshi women travelling to Hong Kong for domestic work

4.1. Introduction

This chapter focuses on migration experiences of Bangladeshi women travelling for domestic work in Hong Kong specifically bringing attention to vulnerabilities that the women experience both as runaways and as formally employed domestic workers.

In reflecting upon the migration experience of Bangladeshi migrant women, my intention is to point out that the socioeconomic and political vulnerabilities to which they are subjected provide a reasonable but incomplete explanation for their running away. At the same time, by examining how Bangladeshi women experience law in formal employment, I intend to demonstrate that legality does not necessarily provide access to protection. Legality can work in unexpected ways and sometimes even increase the vulnerabilities that women experience. These reflections demonstrate the necessity of further investigations into the production of Bangladeshi women's legal status in Hong Kong which I pursue in the following two chapters.

In reflecting upon the case study of Bangladeshi women in Hong Kong, this chapter also contextualizes their situation by briefly mentioning the case of Filipinas and Indonesians who together present around 98% of domestic workers in Hong Kong (AHKA, 2017). A description of the overall situation of domestic workers in Hong Kong is included especially in section 4.3. and 4.4. As the reflection on legality by the end of this chapter suggests, the extent of which Bangladeshi women run away is unique in comparison to Filipinas and Indonesians.

The chapter is divided into four sections. It first summarizes data pertaining to Bangladeshi domestic workers and the runaway crisis. The next two sections discuss the socioeconomic and political sources of vulnerabilities that the women experience in Hong Kong. I conclude by showing how legality impacts participants of this research.

4.2. Bangladeshi migrant domestic workers

In the first ten months of 2017, 100,000 Bangladeshi women migrated abroad (BMET Statistics, 2017), most of them to work as domestic workers in the Middle East. According to the Bangladeshi Bureau of Manpower, Employment and Training (BMET), the top recipients were Lebanon, Saudi Arabia and the UAE (BMET Statistics, 2017). Bangladesh also recently signed bilateral agreements with Jordan and Saudi Arabia to increase the number of migrating women. There is also an increasing number of Bangladeshi migrant workers in countries such as Jordan and Mauritania.

Abuses of Bangladeshi migrant domestic workers are common and sources from civil society and the government differ in estimating their extent. OKUP, one of the main Bangladeshi NGOs working with migrants, argues that in some countries up to 90% of Bangladeshi migrant women experience human rights abuses (OKUP, 2016). Representatives of the BMET interviewed for this research conversely claimed a maximum of 10%.

Women currently represent around 18% of Bangladeshi migrants: a steep increase in comparison to 2001 when women represented only around 1%. Women remit a bigger proportion of their salaries than men and, as interviews with governmental officials confirm, migrant women's remittances are perceived as increasingly important pillars of the country's economy (DFID, 2016). Oishi (2005) argues in her study - which compared migration experiences of workers from Indonesia, Philippines and Bangladesh in the Middle East - that social legitimacy of women's migration enhanced by the supportive approach of key institutions can affect intensity of the migration flow. By increasing legitimacy of women's migration, the current Bangladeshi government contributes significantly to the increase in Bangladeshi women migrating (Siddiqui, 2012).

Women's migration from Bangladesh is reinforced by unemployment, segregation of the labour market and patriarchal norms in families and society in general (Afsar, 2005; Dannecker, 2005; Siddiqui, 2001). According to a study by Sultana and Fatima (2017), Bangladeshi migrant domestic workers are often inspired to travel abroad by female relatives and neighbors experiencing similar challenges. These personal networks can determine women's destination countries but can, more sinisterly, contribute to their vulnerability during the migration process by reinforcing gendered stereotypes.

There are currently around 15 000 Bangladeshi migrant workers in Hong Kong (Ullah, 2012) out of which around 1,400 are domestic workers. These are only rough estimates based on number of entries. Most Bangladeshis in Hong Kong are men between 30 and 40 who work as construction workers and who came legally but stayed to work in the informal sector for many years (Ullah, 2012). As such, Bangladeshi women are both a national minority in Hong Kong and, as women, a minority among Bangladeshi migrant workers. In the rest of this section, I describe sociodemographic characteristics of the researched migrant domestic workers; and the runaway crisis, an event which affected the migration experience of most.

4.2.1 Sociodemographic characteristics of researched Bangladeshi domestic workers

This subsection outlines some basic sociodemographic characteristics of Bangladeshi women who migrated to Hong Kong via the three researched employment agencies. These agencies were often inconsistent in their data collection. I have therefore included only well-documented batches of migrant workers in my data tables.

In the last two years, association A recruited around twenty workers every three months. Out of these trainees, usually two or three left the training center without a training certificate as they decided not to migrate to Hong Kong. Around 50% of those who finished the training and migrated were divorced or abused in their marriages. At least two workers from the association were younger than 25, the officially allowed age for women migrants. Those women admitted to their trainers that they falsified their IDs to be eligible for the training. Almost all interviewed trainees and domestic workers from association A were Muslims but some converted to Christianity as they were taught

basic Christian principles and prayers in the training center. Most recruited migrant workers came from Khulna, Chittagong, Dhaka or other cities.

Table 4: Training Center Comilla, Association A

Batch	Number of trainees	Average age	Former occupation	Marital status	Number of children
January 2013	23		Mostly housewives, some garment factory workers	12 divorced, some single, 2 widows, some married and/or close to separation	Usually 1-2, few without children
March 2014	29			At least 11 divorced, at least 4 married	
February 2016	3	25	1 student, 1 domestic worker, 1 housewife	2 single, 1 married	1 has 2 children, 2 have no children

Agency B recruited 300 women from 10 May 2013 to 12 March 2015 before they stopped recruitment in April 2015 and restarted again February 2016. At least 80 of these women were divorced and many experienced abusive marital relationships. Agency B did not keep records about the number of recruited women who did not finish their training. In May 2016, at least one interviewed trainee was below 25. Around 70% of migrant women recruited in 2013 had already worked as domestic workers in the Middle East; many others had been otherwise employed, for example as garment workers. In the past five years, almost all trainees in Karaniganj were Muslims and a few were Buddhists. The Agency recently started recruiting migrant workers from ethnic minorities living in Bangladesh's Southern Hill Tract district. According to interviewed managers, women from that region

are expected to run away less because they are poorer and more hardworking. The Mongoloid tribal women from this area are also expected to be better accepted by Chinese employers in Hong Kong than Bengali women due to cultural similarities.

Table 5: Training Center Karaniganj, Agency B

Batch	Number of trainees	Average age	Former occupation	Status	Average number of children
October 2015	21	26	3 domestic workers in the Middle East, 1 domestic worker in Dhaka, 1 NGO worker, 1 nurse 1 garment factory worker 14 housewives or students	10 divorced, at least 3 single, at least 1 married	1
April 2016	5	25.5	3 garment factory workers 1 student 1 shop assistant	3 divorced, 1 married, 1 single	1

Finally, Agency C recruited only around 20 migrant workers from 2015 to 2016. Out of four trainees interviewed in Sheik Hasina Training Center, two were younger than 25. Two out of four interviewed trainees were married as children. They were all Muslims. The Agency claims not to keep personal details of recruited women but some personal data are available on their website which profiles its recruits. The website indicates that all have at least two years of experience as domestic workers, they are mostly married and some are single. It is however possible that the women adjusted their profiles in order to suit perceived preferences of potential employers. Similarly to Agency B, Agency C is currently shifting all recruitment to the Hill Track region.

Table 6: Training Center Sheik Hasina, Agency C

	Number of trainees	Average age	Former occupation	Status	Number of children
4 batches since July 2015	18	Unknown	4 worked as domestic workers in the Middle East and 1 in Macao, 1 garment factory worker and 12 housewives	unknown	0-2

In response to the runaway crisis, recruiters in all agencies changed in the past three years requirements for trainees accepted to training centers. While at the beginning women were accepted mainly based on required age - 25 to 35 - workers recruited from 2014 onwards were required to have at least 10 years of education and were tested on their ability to read and write in Bangla and what agencies called “a good attitude”, meaning that the women did not argue with them during the interview. Association A included so-called IQ tests in their recruitment which tested basic logic.

Overall, the sociodemographic characteristics of Bangladeshi domestic workers migrating to Hong Kong and their numbers are significantly affected by recruitment strategies of Hong Kong’s agencies. As a result of these strategies, many women now travelling to Hong Kong belong to educated lower middle-class or they have recently lost their social status due to illness in the family or financial difficulties. Many also have significant professional experience which is important because lack of skills is often perceived by employment agencies as one of the reasons for running away.

4.2.2. Runaways and the runaway crisis

“A Pakistani man helped her from jail. Last time she came to the agency to take some money that she deposited there. The agency gave her the money. She spoke smart. She even said sorry to me, she apologized. That was two to three years ago, we have not met since then. At the beginning when she came to Hong Kong, she was very innocent. She always listened to me, I explained that to her two or three times. One day I noticed that her hands were dry and I bought her a cream. She also called me. I never believed this one would run away. She ran away because she was sad, her employer was shouting at her. There were always complains...”

- Anik, Bangladeshi coordinator in Agency B, 6 May 2016, fast food restaurant, Dhaka

“They can destroy the industry...agency feels pressure because the employer complains, it is not fair to the employer. They never consider the whole situation.”

- Mr John, manager of Agency B, 21 January 2016, Agency B, Hong Kong

Agency B was the first to start recruiting Bangladeshi women for domestic work. In the first two years, when they were partnered with Agency C, Agency B sent almost 300 trained women to Hong Kong and around 60% of them ran away. While there were many who ran away from other agencies, the impact was most visible in Agency B because it started with the most ambitious recruitment strategy.

According to Agency B, there were two or three leaders in the first two batches who persuaded the others to run away and earn more money outside the households of their formal employers. Another common explanation in all researched agencies is that workers were persuaded to run away by Pakistani, Indian and Bangladeshi men who pretended to be their boyfriends but who later sold them as prostitutes. These rumors are often useful as mechanisms for social control which declaim the urgency of behaving in a respectable manner and avoiding contact with South Asian men. Individual

interviews with runaways however suggest that the women often simply could not change their abusive employers and could not come home for reasons such as unpaid migration debt or a threat of abuse by family members.

Currently, some runaway domestic workers work as part-time dish washers in restaurants where they earn only around 1000HKD per month. Three of them who were interviewed are registered as asylum-seekers and as such they are prohibited from working. They often find it hard not to work not only because of money but also because lack of engagement makes them feel depressed. This form of employment has become increasingly difficult in recent years as police increased raids targeting illegal workers. When caught, they may be imprisoned for several months. Three respondents of this research spent two to ten months in jail. Runaways working in restaurants often have good contacts with other migrant workers in Hong Kong who help them find new employment, but they live in constant fear of police.

Some other runaways work informally in Hong Kong homes. This is considered good employment among Bangladeshi women and the salary is around the same as for formal workers. They work either part or full-time and they are able to live outside their employers' households. The three interviewees who were in this informal employment were happy and felt safer than in households of their formal employers.

The third group of runaways works in assembly lines, for example separating second-hand clothes. Most runaways working in these facilities date South Asian asylum-seekers with whom they share accommodation and some reportedly married their boyfriends in the mosque opposite Chung King Mansion. The hourly wage is around 60HKD if sent to a bank account. One interviewee did not manage to open a bank accounts prior to running away. If given in cash, the hourly wage for this work is only 30HKD which can reportedly make some opt for prostitution.

Prostitution is commonly associated with running away and, during fieldwork, I often encountered gossip about Bangladeshi women being sold by Pakistani men - although in at least three cases they were only cohabiting in one room with partners. The almost automatic association between prostitution and running away signifies a moral panic in the migration industry but also illustrates the stigma that runaway women have to face both in agencies and in their communities in Bangladesh. Nevertheless, interviews with close friends of former domestic workers suggest that some do work as prostitutes. They are usually located around Chung King Mansion, Kowloon Park or Sham Shui Po and while they start earning around 500HKD per hour, the wage reportedly quickly decreases in just few months to around 200HKD and even less after a year.

The runaway crisis peaked in 2013-2014 and since then all agencies introduced preventive measures and slowed down recruitment. The preventive measures encompassed briefing sessions, employment of Bangladeshi coordinators and pre-departure ceremonies during which they had to promise that they would not run away or sign a declaration. All agencies made sure that the workers are not recruited by middlemen, a factor seen as contributing to running away. Agency B stopped recruiting for a year and Agency C, their former partners, started recruiting only around 5 to 10 workers per batch. Association A reduced the number of recruited workers to around 20 per batch.

In 2015, Agency B started negotiating with the Bangladeshi government over a penalty on runaways, a proposal which was eventually supported by all involved agencies. The penalty would require guarantors of migrating women to pay 5000 USD in case they run away. This penalty was however rejected by the Bangladeshi government and therefore it has not been adopted to date.

The preventive measures, and especially the reduction of recruitment, substantially slowed down the runaway crisis. I am aware of only two domestic workers who ran away from Association A in 2016, two who ran away from Agency C and I do not have any information about runaways from Agency B. These are accounts that were not shared officially but I received the information from

Bangladeshi coordinators. All of those who ran away attended college or at least 10 years of education and they spoke Cantonese/English. While the number of runaways has been reduced, Bangladeshi domestic workers continue to experience multiple levels of vulnerability which I will discuss in the rest of this chapter.

4.3 Accounting for socioeconomic sources of vulnerability

Feminist literature on domestic work often refers to socioeconomic vulnerabilities in describing production of domestic workers' subordination pertaining to their legal status. Yeah and Huang (2010) suggest that immobilities of migrant domestic workers' in Singapore are produced in everyday negotiations with their employers which take place at the background of global economic inequalities. Parennas (2013) argues that the refusal of European states to acknowledge foreign domestic workers as freelancers produces an illegal diaspora of migrant women. Her analysis suggests that the conditional residency status that binds domestic workers to sponsoring employers is informed by states' patriarchal view of domestic work.

The focus on socioeconomic vulnerabilities in feminist scholarship, namely economic inequalities, patriarchal cultures and inequalities in employer-domestic worker relationships produced by framing of migrant workers as a subordinate workforce by state authorities, is important because it highlights that migrant domestic workers' legal status is to a significant extent produced structurally. In this section I acknowledge that all these factors increase vulnerabilities that Bangladeshi women experience in Hong Kong. But at the same time, the women's socioeconomic vulnerabilities work in a way which cannot fully explain production of their legal status.

After briefly reflecting on the position of Bangladeshi women in Hong Kong's economy, I examine their relationships with their families and employers, often seen by feminist scholarship but also employment agencies as major reasons for running away. From this examination, it will be shown that neither strict patriarchal norms nor abusive employers necessarily lead to running away.

4.3.1 Domestic workers as exploited labour

“You know about this...Bangladeshis is poor....more than Indonesia and Philippines and I think many kindly help us Bangladeshi people...so many times...agency tell us.”

- Saliha, domestic worker, 17 January 2017

The opportunity to work in Hong Kong as domestic workers has often been described by interviewed managers in employment agencies as economically highly advantageous for Bangladeshi women. Hong Kong's wages for domestic workers exceed average wages for female workers in Bangladeshi garment factories more than seven times (Wage Indicator, 2016). Domestic workers' financial remuneration was a key reasons why the Bangladeshi government decided to sign a Memorandum of Understanding with Hong Kong employment agencies.

Migrant domestic workers make up around 10% of Hong Kong's workforce and, according to data from the Hong Kong Legislative Council (LEGCO, 2017), their contribution to the Special Administrative Region's GDP was 6.6% in 2012 and it is likely to have risen significantly in recent years with an ongoing inflow of migrant women from the Philippines, Indonesia and other countries. From 2014 to 2015, the number of domestic workers increased by around 7,000. According to Hong Kong Justice Centre, in 2016, there were around 336,600 domestic workers, of whom over 90% came from the Philippines or Indonesia. According to media sources (Guardian, 14 March 2016; Quartz 19 February 2014), Hong Kong has one of the highest densities of foreign domestic workers in the world.

Hong Kong also has worldwide one of the most significant participation of women in the labor force (World Bank, 2017). According to data from the Hong Kong's Census and Statistics Department, the overall labor force increased by 44.8%, from 2.7 million in 1986 to 3.71 million in 2016. The Census and Statistics Department attributes this sharp rise to increasing engagement of women in the economy whose participation in paid employment increased by 96% in the past three decades.

As in Singapore (Yeoh and Huang: 2016), these developments in the structure of the labor force signify two major shifts in relation to reproductive labor. First, most households are no longer capable of managing the reproductive sphere without external support. Second, this urgent need for external support means that reproductive work has become part of market relations rather than personal inter-familial relations. As a result, many Hong Kongers became dependent on domestic workers to maintain their lifestyle.

But at the same time, the salary offered to migrant workers in Hong Kong, the minimum allowable wage, is 4410HKD per a month, which is rate-adjusted to inflation every two or three years. Despite these adjustments, the minimum allowable wage is far below minimum hourly wage of 34,50 HKD given the fact that average working hours are 71.9 per a week (Justice Centre, 2016). Consequentially, Hong Kong's households contribute to devaluing reproductive work by outsourcing it to Third World Women perceived as cheap laborers (ILO, 2017; Yeates, 2005).

This economic subordination of migrant women translates into their everyday realities. According to a large-scale survey conducted by Justice Centre Hong Kong in 2016, more than 66% of migrant domestic workers show strong signs of exploitation and 17% are in forced labor. From the survey, 57,7% of Hong Kong's domestic workers received less than the minimum allowable wage. While most are allowed to take a day off as mandated in Hong Kong law, more than a third have to work before they leave their employers' homes. Almost 10% are regularly woken up at night by their employers and 40% do not sleep alone in a room. Domestic workers in Hong Kong therefore present an exploited population group.

4.3.2 Family contexts and vulnerability

"Actually most problem in our culture...some people have very bad thinking. They think: a woman in Hong Kong? Not good!"

- Saliha, Aurona and Rafsan, domestic workers, 20 October 2015

In describing experiences of Bangladeshi women entering the labour market, Kabeer (2000) suggests that they often have to engage in negotiations with their families and in doing that, they frame their choice as necessary for ensuring the financial welfare of their families and fulfilling their role as “good mothers and wives in the future”. Observed migrating Bangladeshi women had to engage in similar negotiations and they often used a similar framing to avoid escalation of conflicts with their parents, siblings and spouses.

According to authors describing gender norms in Bangladesh (Kabeer, 2000; Sultana and Fatima, 2017), male dominance is inscribed in the understanding that women’s confinement to household employment is pivotal to the honor of her family. As Rashid (2016: 2) explains, women’s migration from Bangladesh “involves unsettling of the patriarchal gender order”. Interviews with migrant workers suggest that patriarchy is experienced differently among married, divorced and single women.

Interviewed women who were married usually reported sending their whole salary or a significant proportion to their husbands or other male family members. Five times during the 2-year-long fieldwork husbands of researched domestic workers were found to have spent the remittances on consumption. For example, Aurna sent her whole salary to her husband for almost a year to ensure protection of their son and herself before she found out that he married another woman and used her remittances to support his new family. This situation is common for many Bangladeshi women who often sacrifice individual benefits for perceived protection within the patriarchy, by their spouses, and it is described by literature in development studies as perceived interest response (Sen, 1990). Kabeer (2002) refers to the situation of Bangladeshi women acting in line with perceived interests within patriarchal society when she argues that patriarchal norms support internalization of women’s low self-worth. In order to combat risky management of remittances, which often leaves workers vulnerable and reportedly demotivated to work hard, Association A introduced a program supporting Bangladeshi women to bank money. As a part of this program, trainers and so called “angels”, selected leaders among domestic workers, are instructed to motivate their co-nationals to set up their own accounts and plan to increase their personal savings.

Furthermore, as section 4.2.1. suggested, a number of recruited workers in each agency were divorced or expecting a divorce. Interviewed divorced domestic workers declared that migration was for them a strategy to provide education to their children after losing the financial support of their spouses. Migration for them presented also as a gateway out of unsatisfactory family life. Barsha from Association A left to avoid being confined to the house of her family: a requirement of her in-laws after her divorce. In another case, Hridi, also from Agency A, migrated to leave the husband who physically abused her. Therefore, for many, the decision to leave Bangladesh became the first act of “running away”. The fact that many women opted for migration to escape patriarchy enhanced the importance of women’s collectives in training centers and agencies. After experiencing disruptions in their marriages, the friends made in recruitment agencies became alternative families. Finally, all interviewed women who migrated as singles did so to support their families. By migrating to Hong Kong, often leaving their studies, the women became they main household providers. Anna left her bachelor studies in business when her mother got sick with cancer and the family needed extra finance for her treatment. Similarly, Shohan left her high school studies to support her four siblings and her mother when her father became ill. According to Rashid (2016), single women migrants face fewer challenges than married women whose employment outside the household is hardly ever accepted by general society. In Rashid’s account (2016), one of the main reasons for this support is the understanding in general Bangladeshi society that employment of single women is necessary for a family’s survival.

For interviewed Bangladeshi women, the act of leaving their in-laws and maternal families for Hong Kong presented an important demonstration of individual decision-making. The women nonetheless maintained close contact with their relatives through regular Skype calls, usually every holiday, and daily contact on Facebook Messenger.

According to agencies, the pressure of families is for Bangladeshi women the main reason for running away. Mr Ron even said during an interview that he would not have invested in the business in Bangladesh had he known about the “family issue”. Other managers saw families of migrant workers as a major threat to their businesses.

Part of this unfavorable image of migrants' families in the migration industry is caused by the fact that many interviewed Bangladeshi women are afraid to return after breaking their contracts. They mostly fear the stigma associated with migration. When she was dismissed by her first employer, Aurna spent two months in a training center in Comilla rather than returning home to face her husband who suspected her of "having boyfriends", a euphemism for prostitution. Similarly, Ermin stayed in a training center for a year without contacting her family while searching for a new employer. During that time, she pretended that she was working in Hong Kong because she wanted to avoid "losing face" before her family and village.

The difficulty in acceptance of migration among family members and the impact that migration has on families can be illustrated by the frequency of divorces. At least five domestic workers actively participating in the research divorced or separated with their husbands during their stay in Hong Kong. According to Bangladeshi trainers, most who left Hong Kong as married women were later divorced by their husbands. Some interviewed Bangladeshi women also admitted that their husbands complained about lack of sex while they were in Hong Kong. This was the case for Saliha who decided to prolong her contract in Hong Kong after her husband divorced her for "not taking care of their daughter and not being a good wife".

At the same time, many families of migrant workers are dependent on remittances. Anna left for Hong Kong to earn money for cancer treatment for her mother. After her mother died, she continued to support her eight older siblings and their families. The father of Morion, who was 24 when interviewed, decided that she should migrate to Hong Kong because their family was poor. While it is probable that remittances are also to a significant extent used to fuel consumption, the interviewed women often stressed health issues and education of their children as primary reasons for staying in Hong Kong. Rana has remained in informal employment for the past five years because she wanted to support her daughter's primary school attendance in Dhaka. Some respondents, especially those working informally, declared that there were insufficient work alternatives for them in Bangladesh to support their families. Saba, who is a recently divorced runaway with one child,

claimed that without primary education she could not even find employment in Bangladeshi factories and that she would be without resources necessary for her daughter's education if she returned home. In this way, the financial needs of families also play out in Bangladeshi women's decision-making over their legal status in Hong Kong.

Therefore, for some migrant women staying in Hong Kong became the only alternative. Family pressure motivates some to stay with abusive employers and others to run away and work informally. Being aware of family pressures, agencies try to reduce women's contact with their relatives. In Agency B, trainees are not allowed to meet with their spouses, parents or siblings from the moment they enter the training center. In Agency A, trainers engage in friendly negotiations with family members to explain them conditions of work in Hong Kong and simultaneously try their best to limit women's exposure to their husbands prior to departure. Agency C refuses to recruit women whose contact with their families is deemed too intense.

However, the link between running away and patriarchal norms in Bangladesh cannot be established that easily. Most interviewed migrant women in various stages of the migration process and both formally and informally working declared their intention to stay in Hong Kong for exactly two years: for the duration of their contracts. At the same time, many Bangladeshi women are increasingly active in negotiating patriarchy. Kabeer (2000) pointed out in her study of Bangladeshi garment workers that Third World Women, who are often constructed as docile, increasingly succeed in acting upon their preferences while negotiating with patriarchal structures over entering the labor market. These developments in family relationships then also change power dynamics between spouses, parents and daughters and migrant women and their communities.

In 2005, when Oishi pursued her in-depth study of 11 Bangladeshi women-domestic workers, all of her respondents were former housewives with only very limited entrepreneurial aspirations and limited education attainment. As a result, Oishi's respondents were mostly unsuccessful in negotiating patriarchal norms on return. In contrast, many interviewed Bangladeshi women in Hong Kong became good negotiators with their families through the migration process and they often managed to

act upon their will. During a particularly intense situation, Auroana's ex-husband told her that she had to return to Bangladesh or he would kidnap her child. During an interview she said: "I told him: No - I do not come back and you do not kidnap my child." With the help of her parents in Bangladesh and local police she managed to protect the child and she also managed to resist her in-laws who tried to convince her to come back to Bangladesh. In many other cases, the women decided to stay in Hong Kong disregarding the pressures of their families. Most interviewees claim that it was migration which made them stronger and many also speak about the importance of women's strength when speaking about the position of women in Bangladeshi society.

Despite this, as Sabsay notes in a volume on vulnerability co-edited with Butler (2016), while many women certainly face significant obstacles related to patriarchy, women's precarity is often addressed in decontextualized ways by establishing negative cultural stereotypes. An example of that would be a common exaggeration of conditions from which Bangladeshi women come while distracting attention from the abuses that they face in Hong Kong. This approach could, according to Sabsay (2016), contribute to a production of a racialized other and the positioning of Bangladeshi women as pitied subjects which can work to reinforce power hierarchies in the migration industry. In the next section I reflect on domestic workers' employers, another posited factor in running away.

4.3.3. Relationships with employers in Hong Kong

"I think they want a simple girl...because I have lived in HK, I know the employers."

- Dona, a Hong Konger and a trainer in Sheikh Hasina Training Center, 16 May 2016

During an interview in Sheikh Hasina Training Center, Dona argued that Hong Kong employers want to employ Bangladeshi domestic workers because they are "pure and simple". In general, rather than being effective, Bangladeshi girls are expected to be obedient to employers' wishes. They are advertised as such on the labor market. When opening the migration channel in 2013, Bangladeshi Consul General M. S. Mahmood stated for the South China Morning Post on 19 April 2013: "We have some advantage as our people, because of cultural, social and religious reasons are much

more loyal, obedient and caring as far as domestic work is concerned.” Dona supported these common perceptions claiming that: “They [employers] think...if I could get a more pure, simpler girl...everything would be easier...so that’s why they are willing to try.”

According to all interviewed managers, one of the most common motivations for employers to hire a Bangladeshi domestic worker is disappointment with workers of other nationalities. Mr Nick said during an interview: “There were so many issues with Filipinos, Indonesians...stealing...so they just want to try a new market.” Similarly, Mr John said that the employers who hire Bangladeshis “do not like Indonesians or Filipinos”. He said: “They consider maybe... I can easier control, some [employers] consider that they are not so choosy, [and they think] maybe she will follow my order...more hardworking.”

At interview at the beginning of the research, Mr Ron pointed out that many employers are used to Muslims from employing Indonesians and they are therefore not afraid to hire Bangladeshis. Describing a similar situation in the labor market in Taiwan, Lan (2006) argued that the advertising of domestic workers based on nationality contributes to making national, racial and religious differences appear not as a result of socialization but rather as natural and unchangeable. Building upon Lan (2006), Yeoh and Huang (2016: 35) pointed out that racialization, that is, the judgement of domestic workers’ skills based on their nationality, is probably one of the most important factors driving decision-making among Singaporean employers. Given the frequency of abuse in Hong Kong, marketing Bangladeshi domestic workers as simple and obedient risks increasing their vulnerability.

It must be acknowledged that some Bangladeshi domestic workers are satisfied with their employers. At least six interviewees claimed to feel happy in their current employment. But even among them, conditions of employment mandated by the law were not fully observed. Rafsan’s employers did not pay for her flight back home. Saliha says she is satisfied with her employer but admits that she was beaten by grandparents and children in the family of her first employer. While Jumna is now satisfied with her second employer, she left her first employer who was abusive which meant she had to wait in a Bangladeshi training center for several months and pay an additional 4000HKD.

None of the interviewed domestic workers was allowed to leave their employers' houses for a full 24 hours during their holidays and all of them had to do some work that day. Some women are also ignorant of the health insurance which should be provided by employers and they expected to pay by themselves for health-related expenses.

Many interviewed Bangladeshi women thought that they have been assigned to "more difficult" employers because they are new in Hong Kong's labor market. There are differences among investigated agencies in their strategies for pairing Bangladeshi workers with employers as each company specializes in different employers. Association A works mostly with employers from Hong Kong or Mainland China and who belong to the lower middle-class and they claim to facilitate employment for Bangladeshi women with employers they know well. Agency B specializes in upper middle-class employers and they often assign Bangladeshi women "on discount" to employers who have a history of conflicts with their domestic workers. Finally, Hong Kong-based partners of Agency C have mostly client-employers from the upper middle-class, including some foreigners, but they refused to discuss their approach. In order to maintain a good reputation, all agencies strive to keep domestic workers with one employer for as long as possible despite the fact that they receive commission for each new contract and negligible profits for continuing contracts. Agencies also emphasize that it is better for domestic workers if they finish their 2-year contracts because it will then become easier for them to find new employers.

Importantly, most domestic workers fear exchanging employers because they fear their visa would not be renewed. Conditions for visa-renewal are not specified by the Hong Kong Immigration Department and therefore rumors that domestic workers terminating contracts themselves will not be allowed to reenter the region abound. These rumors are reinforced by agencies who also claim that the Immigration Department refuse visa-renewal to workers who do not finish their second contracts. The Immigration Department however refuted that claim in email correspondence for this research and it was repeatedly refuted by an immigration lawyer for domestic workers who is in frequent contact with the Department. The Immigration Department sometimes makes a call to applicants but this call does not indicate that they are excluded from the process of renewing their visa. It often just

signifies that the officers need additional information. This form of contact is however frequently interpreted as a refusal of issuing new visa.

If agencies expect that a worker would be denied a new visa, they do not search for new employers. The importance of these perceptions can be illustrated by a discussion with domestic workers during a focus group on 22 January 2017:

Veronika: *When you once have a bad employer – will or will not the agency find you a new employer?*

Ermin, Ishika, Jennifer, Barsha: *Once, they will...two times employer (Note: Meaning that their visa will be renewed.), they will...When resign, not give me employer*

Veronika: *If terminate? (Note: Meaning if they are terminated by their employers.)*

Domestic workers: *If terminate, give employer...Three times terminate, then you cannot ...if three times resign, cannot*

Ishika: *Two times resign...sometimes ok, sometimes not...long waiting...*

Given these assumptions re visa-eligibility is reinforced by agencies, many domestic workers would rather stay with abusive employers than try to change. These considerations also play a key role for many Bangladeshi women who run away without trying to stay “legal” and change employers in a formal way.

Additionally, Bangladeshi women often perceive dependency on their agencies to change employers. This perception is encouraged both by agencies and the Bangladeshi consulate. In reality, the women are not obliged to depend on their agencies to find new employers. Websites such as HelperChoice or Geoexpat connect workers directly with employers without additional fees. The HelperChoice website is designed in a way that allows simple login with a Facebook account via smartphone, and, after providing basic information, potential employers contact them on WhatsApp. Jennifer and Tripty found new employers via HelperChoice when they were severely abused in the households of their employers and employment agencies claimed that due to lack of experience they

would be unable to find alternative employment. Both Jennifer and Tripty benefitted from the advice of a Filipino friend who instructed them how to fill in their online profile to attract employers by stressing cleanliness, honesty, disposition and Hindi-speaking ability or by advising them on strategies for effective and assertive communication with employers during job interviews. Jennifer and Tripty are however exceptional in this regard. In contrast, Shosana and Aurna, decided to run away because their agency told them that they were “too bad” to find a new work and they were uninformed about the possibility of searching for employers by themselves.

In sum, Bangladeshi women are often marketed as obedient and simple which can, in some cases, make them more prone to ending up with abusive employers. However, perceived dependency on agencies in exchanging employers motivates many to run away.

4.4. Accounting for political sources of vulnerability

In addition to socioeconomic vulnerabilities, unequal relationships between countries with advanced and developing economies and involvement of institutions of the migration industry as proxies of systems reproducing these structural inequalities are often theorised in feminist scholarship and migration studies as a reason for domestic workers' subordination and runawayness. For example Hoang (2016) suggests that runawayness is a product of structural vulnerabilities produced by neoliberal governmentality where employment agencies work as proxies reinforcing neoliberal rationalities. Giles et al. (2014) argue that due to the global neoliberal order, nuclear families in developed economies face care deficit and are forced to outsource care work to migrant domestic workers from developing economies who are subsequently, due to engagement in an undervalued sphere of social relations, produced by the neoliberal regime as a subordinate workforce. Within this volume, Romero et al. (2014) examine institutions of the migration industry as actors contributing to this dynamics.

In this section, I point out that in the examined migration flow, the political production of vulnerabilities worked in a less direct way than is usually expected by scholars explaining domestic workers' subordination and production of their legal status by workings of oppressive neoliberal regimes where

employment agencies act as proxies. This is mainly because the agreement between employment agencies and the Bangladeshi government was specifically designed with the intention to protect migrating women and as interviews with governmental representatives and managers suggest, all parties agree that one of the main aims of the agreement is to promote Bangladeshi women's empowerment. I demonstrate that the Memorandum signed between the Bangladeshi government and employment agencies gave the latter substantial powers over regulating the migration flow. As a result, agencies became almost fully responsible for keeping domestic workers in formal employment: a move which could contribute to reinforcing the women's vulnerabilities.

4.4.1. The role of governmental agendas

"Sometimes I also ask myself: is it that the Bangladeshi women at this moment cannot be a domestic helper? It is my question all the time."

- Mr Ron, head of Association A, Hong Kong, 21 July 2017

When Mr Ron wonders whether Bangladeshi women are prepared to work as domestic helpers, he speaks about their skills and about the support provided by the Bangladeshi government in teaching them the required skill set and in setting up an effective policy framework which would prevent them from running away. In contrast to the involvement of the Bangladeshi government, Mr Ron sees Hong Kong's laws and administrative procedures as effective in protecting migrating women and regulating the new migration flow.

In contrast to Bangladesh, Hong Kong's government regulates domestic work through robust bureaucratic procedures. Designated officers in the Immigration Department are instructed to deal with domestic workers who overstay their visa and/or work informally according to specific procedures. Concomitantly, there is another, much less used, set of procedures for complaining about abusive employers. Domestic workers should all receive a Guide for domestic workers written by the Hong Kong Immigration Department informing them about their rights and obligations. They sign Terms and Conditions of their employment which define the minimum allowable wage. Arranging for a

helper to come requires extensive communication with the Immigration Department and employers have to provide number of supportive documents including a proof of financial position and proof of residential address.

In Bangladesh, Hong Kong was selected as a pilot country for promoting safe migration of Bangladeshi women as it has a relatively robust legal framework and relatively high minimum allowable wage for migrant workers which exceed at least three times usual salary of migrant workers in the Middle East. On 27 October 2013, Hong Kong agencies and the Bangladeshi government signed a Memorandum of Understanding that aimed to “promote opportunities for overseas employment and to establish a safe and fair system of migration, to ensure rights and welfare of migrant workers and members of their families”. The fact that the Memorandum was signed between representatives of the Bangladeshi government and employment agencies was unusual because the Memoranda are normally signed at governmental level. This approach was recommended by IOM, based on a review of regional policies governing migration for domestic work, as the safest option. Making agencies directly accountable for abuses aimed at increasing women’s safety during migration. Additionally, another Memorandum aimed to protect migrant women in training centers. According to an interview with the head of BMET, Nurul Islam, the agreement with Hong Kong employment agencies was officially endorsed by Bangladeshi Prime Minister, Sheikh Hasina.

Signing the Memorandum presented for Bangladesh a potentially important step towards women’s safe and more equal access to labor migration. In Bangladeshi politics, women’s migration has been contentious for a long time. In 1981, the Bangladeshi government imposed a complete ban on migration of women unaccompanied by male guardians except for highly skilled workers which was lifted in 1988 and replaced by a restriction which allowed considering individual cases for a governmental exception. However, the ban was again reimposed in 1997. This step, described by OHCHR (2010: 9) as “the most regressive” migration policy in the country thus far, was justified as a “protection” of the women’s honor (ibid.). After number of protests in Bangladeshi civil society, the ban was lifted in 2003 for all professions except for domestic workers working in non-Bangladeshi overseas

households. The banning of migration for domestic work was again strongly criticized by representatives of the Bangladeshi non-governmental sector for excluding women from socio-economic advancement (Siddiqui, 2012; RMMRU, 2009). Later, again after a series of civil society protests, the government allowed migration of all women above the age of 35. The first training centers for female domestic workers started appearing in the early 2000s. In 2006, the age limit for female migrant domestic and garment workers was reduced to 25 and single women were granted the equal right to migrate.

Currently, the Bangladeshi government considers women's labor migration as one of its priorities (RMMR, 2009). But despite the current government's encouragement of female migration, the majority of migrant women, who usually work in Middle Eastern households, do not enjoy freedom of movement or strong institutional protection when migrating (Siddiqui, 2012) although the opening of the migration channel from Bangladesh was designed with the intention to be protective and beneficial for all parties. The Memorandum built upon number of international human rights treaties and signatories were aware of the risks of migration for domestic work, including human rights abuses, and they pledged to prevent them.

Of all Bangladeshi government institutions, migrating women have most intense contact with the Bangladeshi consulate in Hong Kong which, in line with the Bangladeshi government, perceives regulation of domestic workers as one of its priorities. Bangladeshi diplomats provide official briefing for incoming domestic workers and issue new travel documents. Around once a year, they organize a social event for formally working Bangladeshi women. Mr Alim, who was in charge of the agenda on domestic workers during the research, set up a hotline for domestic workers aimed at preventing Bangladeshi women from running away. The intention behind the hotline was to provide accurate information about administrative procedures to workers who were at risk of leaving their employers. As of March 2017, zero abuses were reported through the hotline. Instead, the hotline serves primarily as an information channel on administrative procedures for workers wishing to change employers after finishing their contract. As with reporting of gender-based violence to police authorities,

the fact that no abuses were reported does not signify absence of abuse but rather a distance between authorities and survivors (Palermo et al., 2013). This silence on abuses is misinterpreted by Bangladeshi officials in Hong Kong who still perceive Hong Kong employers as safe for Bangladeshi women.

During interviews, runaways or those considering leaving their formal employers declared they consciously avoided the neighborhood where the consulate is located. Having the power to organize repatriations, the Bangladeshi consulate is feared by those who overstay their visa or those who are contemplating running away.

The consulate is also in charge of translating the Terms and Conditions of Employment Contract and the Guide for domestic workers into Bangla. At the time of writing, these documents still have not been translated despite the fact that first Bangladeshi domestic workers started coming to Hong Kong in 2012.

Soon after signing the Memorandum, the Hong Kong agencies started complaining about lack of support from the Bangladeshi government and about corruption among governmental officers. They often perceive that the Bangladeshi government dedicates more attention to women's migration to the Middle East where the demand for Bangladeshi women is greater, the migration process faster and the skill requirements lower. At the same time, they complain Hong Kong Immigration is slow in issuing visas for Bangladeshi migrants who they suspect of running away.

The Memorandum, signed with only twelve, gave rise to the expectation among institutions of the Bangladeshi government that Bangladeshi domestic workers could only come to Hong Kong and leave with their agencies. Bangladeshi domestic workers thus became dependent on their agencies, a move which reinforced the pressure on managers to make them stay with abusive employers rather than allowing them to negotiate Hong Kong's labor market independently. Bangladeshi women therefore have to face double dependency: on agencies and on their employers for their visas. While the focus of this study is on the relationships between domestic workers and agencies,

both dependencies contribute critically to running away. I discuss involvement of employment agencies in the next section.

4.4.2 Involvement of employment agencies

“We do not have another strategy, Bangladeshis were our only strategy.”

- Mr John, director of Agency B, 21 January 2015

Mr John and all other managers of observed employment agencies expected in 2015 a gradual withdrawal of Filipinos and Indonesians from Hong Kong’s labor market. Shortly after winning the presidential election in October 2016, Duterte announced that “this generation of domestic workers will be the last one” (cited in GMA Network, 25 October 2016). Gradual withdrawal of overseas Filipinos from domestic work then became part of Philippine official policy (Straits Times, 18 May 2016). Simultaneously, the Indonesian government also became more proactive in protecting Indonesian migrant women and announced a plan to professionalize Indonesian maids as a road map to gradual withdrawal which should have begun in 2017 (Straits Times, 18 May 2016). Indonesian president Joko Widodo set a goal to withdraw Indonesian domestic workers by 2017 first from the Middle East and later from other destinations, including Hong Kong (Reuters, 16 June 2016; Ejinsight, 23 February 2015). The policy was specifically aimed against the common employment practice of maids being obliged to reside with their employers in order to maintain valid visa, as in Hong Kong.

In Hong Kong, there are currently around 191,000 Filipinos and 154,000 Indonesians who form around 97% of the overall domestic work workforce (Association for Hong Kong Agencies, 2017). This withdrawal presented a threat to the migration industry, especially since the temporary withdrawal of Filipinos from Hong Kong in 2003 was in recent memory (Philippine Star, 1 April 2003). That event impacted not only business but also Hong Kong families. Proclamations about withdrawal have not materialized: migrations has actually risen. But the Philippine government again threatened to curb migration flow in November 2017 (South China Morning Post, 27 November 2017). These warnings have forced Hong Kong’s employment agencies to search for alternatives.

Managers of observed agencies therefore started exploring options in the region to diversify recruitment. Mr Ron founded the Association of Vietnamese Employers but despite strong lobbying from the Vietnamese consulate, the Hong Kong government refused to issue working visas for Vietnamese domestic workers (South China Morning Post, 18 May 2015). Working visas would be also refused for workers from mainland China, Macau, Taiwan, Afghanistan, Cuba, Laos, North Korea or Nepal (South China Morning Post, 18 May 2015). According to further interviews with agency managers, Sri Lankan maids were rejected by Hong Kong employers because of the dark color of their skin. Recruiters attempting to hire women from Myanmar encountered difficulties because of scandals over human rights abuses (Hong Kong's Helpers' Campaign, 6 January 2015): interviewed managers of Association A said that the scandals discouraged them from continuing their business in the country. One manager also discussed attempts to recruit from Madagascar but reportedly, the increase in Madagascan taxes made costs prohibitive. These challenges with recruiting maids in other countries left Hong Kong employment agencies with limited options and strengthened their focus on recruitment in Bangladesh.

Hong Kong employment agencies are now the main players regulating migration of Bangladeshi women throughout the migration process. Before the women enter Hong Kong, employment agencies manage their recruitment, run their training centers and organize selection of employers, flights and loans. At the airport, domestic workers are picked up by Bangladeshi coordinators or other staff from their agencies which are from that moment responsible for ensuring validity of their visa and other administrative procedures to ensure legality in Hong Kong. During the migration process, agencies also become main information-providers and interpreters of the legal system.

Agencies decided whether workers are eligible to change employers, a service for which the women have to pay an additional 6000HKD. If the agency finds employers for them relatively early, they can wait for the new visa in a dorm in Macao. Those who need to be "retrained" must return to Bangladesh and wait for up to a year: availability of new employers can never be fully secured.

Managers of employment agencies perceived recruitment of Bangladeshis as critically important for survival of their businesses. They had much more control over the migration flow than when recruiting Indonesians or Filipinos. But in January 2014, Joseph Law, the chairman of the Employers of Overseas Domestic Helpers Association argued with reference to the runaway crisis that: “They [Bangladeshi women] have already proved to be a failure.” (The Daily Star, 28 January 2014). The chairman cited culture and education as the main reasons for the so-called failure of Bangladeshi women in the Hong Kong labor market. It was in this atmosphere that Mr John said that his company had no post-2017 strategy after the unsuccessful attempt to make Bangladeshi women the major national group of domestic workers in his agency. Since then, the situation has evolved and in the past two years, having substantial control over the migration process, agencies managed to curb the number of runaways and increase the number of those who work legally. The legality of those who stayed with their employers can however work in unexpected ways.

4.5. Workings of legality in Hong Kong

“I am having problems with my employer...I want to change the owner...Can you help me in any way to find a new owner?”

- Rafsan, Bangladeshi domestic worker in Hong Kong, 23 June 2017

Rafsan’s visa in Hong Kong is tied to employment in her employers’ households which for her connotes “ownership”. The “live-in policy” mandates that workers reside in their employers’ households. This policy increases the risk of excessive working hours, abuses and forced labor which Hong Kong activists and media depict as modern slavery (Justice Centre Report cited in South China Morning Post, 29 October 2016). Leaving the household of an employer for more than fourteen consecutive days is a breach of law resulting in the invalidation of a domestic worker’s visa (HKSAR Immigration Ordinance, Chapter 115).

Under Hong Kong law domestic workers have two weeks to find new employers after their contract terminates. In five cases of Bangladeshi domestic workers who later decided to run away, employment agencies bought their return flights prior to the expiry of the two-week period. During a focus

group, women recruited by Agency A said that Bangladeshis do not have the right for these two weeks to find new employers.

The two-week rule is actually part of the conditions of employment circumscribed in the Employment Ordinance (Chapter 57) and the Immigration Ordinance (Chapter 115). Hong Kong is one of the rare places in Asia Pacific where an employment contract is a legal requirement for domestic workers. According to Tan (2015: 3), migrant domestic workers in Hong Kong have “the best terms and conditions in Asia (and probably also the Middle East).” Their contracts mandate the standard duration of employment for two years without a probation period, conditions of termination for both parties, monthly wage (warning of prosecution should employers underpay), financial responsibility of an employer for visa processing and medical treatment in case of injuries and sickness during working hours. The employer also has to specify the size of her/his residence, number of people to be served, scope of work and accommodation provision. Pregnant workers are entitled to protection of employment. Legally, domestic workers are entitled to 24 hours of rest every seven days, annual leave derived from the length of their employment and statutory holidays. In addition to that, those who do not receive meals from their employers are eligible for a daily 100HKD food and travel allowance.

Breach of these conditions are not unusual. Four respondents of this study reported that they arrived in a household where conditions were substantially different than specified in the contracts that they signed in Bangladesh. Breaches most often concerned the dwelling size, number of family members and scope of work. In two cases, domestic workers were forced to work in their employers’ restaurants. In one case, a domestic worker was asked to take care of a small private zoo with alligators instead of performing light domestic tasks as identified in her contract. One respondent was not paid any monthly wage.

Hong Kong’s laws appear relatively protective in comparison to other common destinations of migrant workers, civil society views law governing domestic work as a major reason for common abuses. Hong Kong Helpers Campaign together with Hong Kong Federation of Asian Domestic

Workers Unions, Hong Kong Women's Workers Association and other organizations stress especially the impact of the live-in policy and the two-week rule in encouraging forced labor and human trafficking. All civil society organizations working with domestic workers lobby for enactment of legislation stipulating standard working hours and the possibility for domestic workers to be granted permanent residency under similar conditions to other professional migrant workers.

While the live-in policy and two-week rule provide a scope for worker exploitation, women are not fully disempowered in negotiating their rights in Hong Kong. For example, Tan (2015) points out that many litigants were able to successfully sue their employers. The fact that they can do this as non-citizens is again one of the exceptional features of Hong Kong's legal system. It is true that access to litigation is discouraged by the two-week rule, but successful litigants investigated by Tan (2015) were planning to leave their abusive employers in advance and managed to find new employers before their visas expired. At the same time, in contrast to other legal systems, litigants in Hong Kong usually seek corrective justice by asking for an enforcement of rights that were already stipulated legally instead of seeking to access justice based on more general grounds. With the contribution of active civil society, many Hong Kong's domestic workers have learnt to record key conversations with employers, save up money prior to litigation and time their departure from employers. In addition to that, many have also learnt to effectively negotiate with agencies that unlawfully retain their passports (Tan, 2014 and 2015). In this way, domestic workers in Hong Kong have options for holding abusive employers to account.

However, Bangladeshi women are hardly ever informed about strategies for effective litigation or negotiation with their agencies or for reporting of abuse. For example, when encouraged by a Filipino domestic worker to complain about excessive working hours, Ermin refused the offer for help with litigation as she was persuaded that as a Bangladeshi she would be unable to find a new employer. Naomi waited for several months for wages, relying on her agency to deal with the situation. When I interviewed her, she was four months without income. Similarly, Elza never complained about her employer who starved her because she did not believe her agency would help her to find a new employer. Bangladeshi women therefore never file formal complaints against abusive employers

because they see themselves as dependent on their agencies in finding new employers as well as dealing with abusive employers and because they accept agency information that the rules are stricter for them.

Although, as discussed above, Hong Kong domestic workers do engage in collective activism, none of the interviewed or observed Bangladeshi domestic workers did so. They suggested that protests are only for Filipinos and Indonesians. The fact that activism appears segregated by nationality prevents Bangladeshis as a national minority from participating. Bangladeshi women often give up on protesting or complaining because they think it would not help them to change their situation. As a result, they remain excluded from wider supportive networks, unaware of services provided by civil society and uninformed about defensive strategies.

Finally, those who overstay their visa can refuse to be removed by seeking protection under the United Nations Convention Against Torture. According to the Convention as applied in Hong Kong, migrants who could face a “genuine and personal risk of being subjected to torture, or cruel, inhuman or degrading treatment or punishment or prosecution” in their home countries are eligible to access a food allowance of 1200HKD in supermarket coupons, a rental subsidy of 1500HKD or emergency housing for the extra needy, petty cash for travelling needs and one-off medical waiver. Those who obtain this governmental support are prohibited from working.

This governmental support for torture claimants is well known among overstaying Bangladeshi domestic workers and it allows many who fear coming back home to survive. Applying for the subsidies however requires presenting passports for a formal review. This can be complicated for Bangladeshi women whose passports are often kept by agencies. On average, it takes Bangladeshi overstaying workers around a month after running away to prepare all paperwork for the application. During this time, they do not have access to any accommodation, finance or medical care and they are dependent on their social networks.

In sum, the two-week rule and live-in policy confine migrant workers in a subordinate position while immigration and labor laws do offer scope for negotiation and improvement of workers' conditions. Bangladeshis are however largely excluded from complaining formally about abuses, suing their employers or seeking support of civil society. While they are aware of financial support provided to torture claimants, they hardly ever capitalize on strategies that could prevent them from having to run away. While working legally, Bangladeshi women experience almost always only the oppressive aspect of laws regulating domestic work in Hong Kong as the protective components hardly ever apply to them in practice. As a result, their legality can work in unanticipated ways. For Bangladeshi women, being "legal" often implies giving up legal protection, paradoxically, in exchange for a valuable legal status.

As many formally employed Bangladeshi domestic workers perceive that they cannot escape abusive employment, legality exercised in this way can make them more vulnerable than running away. Legality does not fulfil its intended function of providing increased protection. Experiencing increased vulnerability under the law can lead some to the precipice where they are forced to run away to protect their health or lives. Inadequate legal protection, including the two-week rule, therefore provides only a partial explanation for the production of migrant workers' legal status: greater investigation is required and supplied in the following two chapters.

4.6. Summary

This chapter focused on migration experiences of Bangladeshi domestic workers in Hong Kong and brought attention to the vulnerabilities that they experience. After summarizing demographic data on researched Bangladeshi domestic workers in Hong Kong and describing the runaway crisis, I focused on socioeconomic and political vulnerabilities that women experience. I leaned against the work of feminist scholars, such as Parennas (2015) to acknowledge that economic inequalities, patriarchal cultures and unequal relationships with employers contribute to migrant vulnerabilities. I also pointed out that in case of researched Bangladeshi women, these socioeconomic aspects as such do not necessarily have to lead to running away. I then proceeded by examining the vulnerabilities that are produced politically. I pointed out that scholars writing about global care chains, such

as Yeates (2012), see inequalities among countries as one of the main reasons subjugating migrant workers. In reflecting upon negotiations concerning Bangladeshi women in Hong Kong, I found that rather than directly working to produce migrant women as a subordinate population, political negotiations between the Bangladeshi government and Hong Kong agencies affected the population indirectly by making employment agencies almost fully in charge of the women's migration experience. By the end of the chapter I described how Bangladeshi women experience legality and I pointed out that legality does not necessarily make them less vulnerable than illegality. On the other hand, the strive to "stay legal" can force them to adjust to abusive employers. Legality therefore works in unanticipated ways.

The findings of this chapter suggest that existing accounts describing vulnerabilities of migrant workers can explain only partially why some Bangladeshi women run away and some stay in formal employment. The description of the situation of Bangladeshi domestic workers however also points to the fact that the women are involved in unequal power-imbued relationships with institutions of the migration industry which have a major role in regulating their migration experience. In the next chapter, I explore how power in these relationships with staff in employment agencies and training centers affects production of the women's legal status.

5. Power dynamics in the migration industry and production of migrants' legal status

5.1. Introduction

This Chapter examines how power dynamics in institutions of the migration industry contribute to the production of Bangladeshi women's legal status in Hong Kong. This is an important theme to examine because, as Chapter 4 suggests, running away and persistence in formal employment cannot be explained only by economically and politically produced vulnerabilities and pressures of employers and families. Further explorations of power dynamics are based on participant observations in employment agencies and training centers and interviews with domestic workers, staff and managers in the migration industry where special emphasis was put on investigating the role of people involved in migration industry institutions as a force impacting Bangladeshi women.

The analysis in this chapter starts by explaining Foucault's approach to power and its relevance to studies of Bangladeshi domestic workers' legal status. I specifically engage with the concepts of governmentality, biopower, sovereign and disciplinary power. The chapter proceeds by describing the application of these concepts. I first investigate the workings of governmentality in the migration industry while outlining division of labor among employment agencies, manpower agencies and training centers. This structure of the migration business is unique in the region: it differs by giving significant power over managing migrating domestic workers to Hong Kong-based employment agencies. Further examination of employment agencies and training centers suggests that power in the intimate environment of migration industry institutions can be explored by applying Foucault's thought on families. I argue that within these "families", Bangladeshi staff work as sovereign actors who have the power to decide whether the worker is eligible for contract renewal. This decision depends on the worker's alignment with requirements of discipline, discussed below. The chapter concludes by reflecting upon differences in decision-making over legal status among Bangladeshi women who experience similar power dynamics in employment agencies and similar socioeconomic and politically-produced vulnerabilities. I extend this approach by finding that power interacts with affect in producing Bangladeshi women's legal status.

5.2. Foucault's work on power

This section provides the conceptual background for the application of Foucault's work on power to the key questions in this thesis. As such, it explains key components of Foucault's thought on power and briefly outlines its relevance to migration industry institutions and Bangladeshi migrant domestic workers.

5.2.1. Governmentality

Foucault refers to governmentality as "government over a population" (Foucault, 2007:290). As such, governmentality comprises of techniques, procedures and tools for regulating habits and activities of a government's subjects with the intention of securing the well-being of a population (Ibid.). In governmentality, power is shifted from central authorities and distributed in a population through

institutions and individuals who learn to internalize discourses produced by governmental rationalities. Analysis of governmentality therefore requires identifying the ways through which it is put to work.

In his essay *Governmentality* (1991), Foucault suggests that in governmental regimes, different forms of power are in a constant interplay that can be traced in everyday relationships (Foucault, 1991). He specifically refers to three forms of power which interact in governmental regimes: biopower, sovereign and disciplinary power. But while these three forms of power present the main pillars of governmentality, Foucault does not provide exact definitions and instead describes their functioning in different historical and spatial contexts (Valverde, 2014). Acknowledging that biopower, sovereign and disciplinary power constantly evolve, I highlight below some basic characteristics of their functioning with which I shall engage in further analysis.

Biopower is exercised through institutions over a population as an aggregate. It divides the population into classifiable groups based on scientific knowledge. According to Rabinow and Rose (2002:1), biopower is a form of power which “entails one or more truth discourses about the vital character of living human beings; an array of authorities considered competent to speak that truth; strategies for intervention upon collective existence in the name of life and health; and modes of subjectification, in which individuals work on themselves in the name of individual or collective life or health.” As such, biopower manifests in subtle forms and therefore usually incites less resistance. In Foucault’s work, the term biopolitics is used to refer to a political rationality of sustaining and optimizing life of a population through governing while biopower is a tool through which it is implemented (Foucault, 2014:291-316).

Another modality of power which works as part of governmentality is sovereign power. Sovereign power is centered on powerful figures. It is often less systematic and more random and has as its purpose reinforcement of the role of the central authority (Valverde, 2016). In the past, sovereign power was viewed as exercised over a territory rather than a population. But Mountz (2015), in her summary of recent geographical evolutions in political geography, argues that sovereign power can

no longer be analyzed in a purely territorial sense. Modern sovereign power is, according to Mountz (2015), exercised over population groups by powerful authorities. In this sense, for example, Butler (2006) argues that guards in Guantanamo Bay have the power to affect the extent of punishment of individual prisoners. The fact that guards can influence the extent of punishment based on their subjectivities then affects power hierarchies in the whole system of justice.

Finally, disciplinary power targets the population as a whole but individualizes members of the population and subjects them to scientific knowledge. It normalizes, creates norms, identifies “abnormal” individuals and implies corrective measures to normalize them. Disciplinary power, as a way of controlling people’s bodies which targets not only the end result but mainly the operation of bodies, became instrumental to increasing productive bodily forces (Anderson, 2012). It typically consists of a number of processes activated in different environments which result in general domination. In *Discipline and Punish* (2012:104-131) Foucault argues that disciplinary power presents an effort to produce an obedient subject where a body is the main target, disciplined in line with goals of the population as perceived by authorities through manipulation of appearance, behaviors, and gestures.

Foucault’s work has been used by feminist authors and scholars of migration studies to show how migrants are governed and subordinated. Constable (1997) writes about domestic workers in Hong Kong as a workforce disciplined to be submissive, clean-looking and loyal in line with requirements of the market. Hoang (2017) analyzes experiences of Vietnamese contract workers and argues that neoliberal governmentality together with structural vulnerabilities and ‘technologies of the self’ as employed by investigated Vietnamese workers themselves produce migrants as a subordinate workforce. Pushed to the edge by governmental regimes, they often decide to run away. According to Geiger and Pecoud (2013:4), the objective of “defending a state” from migrants is embedded in the governmentality logic employed by modern states. States strive to fulfil this objective through strategies of disciplining individuals and promoting self-discipline.

In common with these authors, I am interested in exploring migrants' experience through the lens of Foucault's work. But I focus on exploring how power-imbued relationships with migration industry staff contribute to the production of migrant domestic workers' legal status and investigate the interaction of biopower, sovereign and disciplinary power in migration industry institutions.

In Foucault's words, the current notion of power in institutions, and specifically biopower, "renders all the more acute the problem of the foundation of sovereignty and all the more acute equally the necessity for the development of discipline" (Foucault, 1991:102). In modern government over a population, such as government over migrants, biopower, disciplinary and sovereign power reinforce one another (Foucault, 1991). The rest of this section, therefore, focuses on biopower, sovereign power and disciplinary power all of which are in constant interplay, as Foucault (1991) suggested.

5.2.2. Biopower via families

As Foucault highlighted in *Governmentality* (Foucault, 1991), families play an important role in extending state power. In his analysis, micro-power in families controls vital characteristics of a population, such as health, in line with governmental rationalities. However, as McNay (2007:60) notes, families cannot be simplified to micro-structures replicating society: a theme on which I elaborate at the end of this chapter.

In the context of the migration industry, the concept of family has three meanings. First, it refers to the workers' biological families in Bangladesh. Second, it refers to the families of domestic workers' employers. Third, the concept also applies to intimate relationships between trainers and trainees in Bangladeshi training centers and Bangladeshi coordinators and domestic workers in Hong Kong where use of the denominations "sister", "mother" and "daughter" is common. Agencies, similarly to families, provide refuge in difficulties, striving to ensure the workers' legal status and ability to perform their duties.

Foucault himself saw the use of familial denominations in institutions as significant (also in Lenoir and Duschinsky, 2012). In *Psychiatric Power* (Foucault, 2003), he noted that deviant children often

address social workers as “father” or “uncle” which can reinforce the biopolitical functioning of placement institutions. He suggests that the intimacy of these relationships gives enhanced significance to biopolitical discourses. Therefore, the use of affective denominations in training centers and employment agencies indicates that relationships in migration industry institutions ought to be examined from the perspective of power dynamics.

As Danzelot (1979) showed, the role of mothers and big sisters/little mothers is especially important in governmentality as they become responsible for surveillance of children and their normalization in line with biopolitical rationalities due to their connection with doctors, educators and other authorities (also in Logan, 2012). Mother is, in Danzelot’s account, positioned at the intersection of kinship and biopolitics. As such, her role is both oppressive and anti-oppressive. In the context of the migration industry, Bangladeshi coordinators and trainers are often called “mothers”. I examine the role of families as sovereign units operating in a biopolitical context and “mothers” as sovereign authorities in biopolitical institutions below.

5.2.3. Sovereign power

As Duschinsky and Rocha (2012:25) note, family in Foucault's thought works as a sovereign unit and “a hinge and switch point between different social, political and economic apparatuses” as well as disciplinary regimes. For Foucault (2003), societies expect that deviant individuals will be disciplined by families. If families fail, deviant individuals are sent to disciplinary institutions and, should institutions fail, they are returned to families who evaluate them as abnormal and send them to another disciplinary institution (Foucault, *Psychiatric Power*: 82). Foucault refers to this role of families in regulating modalities in which individuals are disciplined as “switching”. Agencies, similarly to Foucault’s families, present a “switching point” for domestic workers who want to exchange their employers. They decide whether a worker is assigned a new employer or returned home or kept in a training center. In this way, it is for agency-families to evaluate how women should be disciplined.

According to Foucault (2003), it is specifically parents in biopolitical families who operate as sovereign-style authorities determining how individuals should be disciplined. Similarly to Foucault's parents, staff in agencies are sovereign actors who determine whether a worker is eligible for further employment or whether she should be returned to Bangladesh. The next section explores disciplining of individuals by biopolitical families and sovereign authorities within them.

5.2.4. Disciplining bodies

Foucault argues in *History of Sexuality* (2003:51-75) that family, understood as explained above as a sovereign unit reinforcing biopolitical rationalities, is a key instrument of disciplinary power because it determines normative behaviour in external relationships. As such, families enable "organization or reorganization of cultural and biological processes associated with the disciplines as merely the cultivation of natural forms or the rectification of deviant individuals" (Lenoir and Duschinsky, 2012:25).

Similarly to Foucauldian families' discipline of deviant individuals, agencies cultivate Bangladeshi women in line with perceived market requirements. In case of contract termination, based on their ability to discipline themselves, women are either assigned new employers or returned home to wait in training centers or refused further employment in Hong Kong.

5.3. Governmentality, institutions and regulations governing migrant's experiences of legal status

Governmentality comprises of "institutions, procedures, analyses and reflections, calculations and tactics" (Foucault, 1991:102) that enable its exercise. As stated on the website of Hong Kong's Labour Department, the role of employment agencies as migration industry institutions is to administer employment for migrant workers in line with Employment Ordinance 57. In Bangladesh, recruitment of migrant workers can only be done by institutions with a government-issued licence and pursued in line with Overseas Employment and Migrants Act 2013. Operation of training centres is guided by a Memorandum between the Bangladeshi government and Hong Kong's employment agencies. In this sense, migration industry institutions and procedures and regulations, examined in this section,

present components of governmentality. By following regulations of the state and employing state's rationalities about who should be included and who excluded, migration industry institutions shape migrants' experiences of their legal status.

This section builds on literature from migration studies engaging with governmentality. In a study of male migration from Nepal to India, Sharma (2009) suggests that rather than migration itself complicating lives of migrant workers and their families, it is the governmental discourse of development authorities which, by positioning migrant workers as victims, reduces their access to enhanced well-being. Rudnyckj (2004) suggests that governmentality informs inter-governmental relations, training and securitisation of labour migration from Indonesia. He argues that by advocating for rights of migrant workers while using state-supported truth discourses, NGOs actively reinforce this governmentality. In *Spaces of Governmentality*, Tazzioli (2014) describes how the European Union mobilizes humanitarian-securitarian truth discourses in rescuing Tunisian migrants while reinforcing surveillance. For Tazzioli (2014), rescue efforts for Tunisian migrants represent state strategies driven by governmental rationalities.

This section explores the structure and division of labour in migration industry institutions which I see as components of governmental regimes employed by states to control migration. After briefly reflecting upon this division of labour from the regional perspective, I discuss regulations of Hong Kong's employment agencies and their effect on the business. The section proceeds by discussing the role of Bangladeshi manpower agencies and their partnership with Hong Kong's employment agencies and concludes by outlining functioning of training centres for domestic workers in Bangladesh.

5.3.1. Division of labor in regional perspective

The division of labor between employment and manpower agencies that was put in place to facilitate recruitment of Bangladeshi domestic workers was intended to be more protective than business models traditionally employed for recruitment of domestic workers in the region and it was selected based on recommendations of IOM Bangladesh. In contrast to the Jones ILO report on Bangladeshi

domestic workers employed in the Middle East (Jones, 2015), training for employment in Hong Kong can be six times longer and it is organized by Hong Kong employment agencies while Bangladeshi manpower agencies are usually in charge of visa processing. Hong Kong employment agencies are also mostly in charge of recruitment and Bangladeshi manpower agencies only organize logistics for job fairs in rural areas. This division of labor differs from the usual business structure of Hong Kong employment agencies in South East Asia where local partner manpower agencies handle both recruitment and training.

This business structure allows Hong Kong agencies to adjust skills that the workers are taught in training centers as well as recruitment strategies which, as interviews with managers suggest, is one way the industry significantly reduced the number of runaways. However, employment agencies themselves are regulated in a way which discourages care for domestic workers as customers and potentially reinforces women's subordination in formal employment.

5.3.2. Hong Kong's regulations over employment agencies

"In fact, we should be only service providers...but of course we do much more."

- Mr Ron, Head of Association A, 21 July 2016

Hong Kong employment agencies are licensed either by the Hong Kong's Employment Agencies Administration (EAA) of the Labor Department or by consulates of countries of origin of domestic workers. The number of agencies with a "labour license" issued by the Labor Department far exceeds those licensed by consulates. This is because licenses from consulates are limited and require compliance with protection of foreign national requirements. In the case of the Philippines Consulate, these requirements, for example, prohibit cleaning the windows of tall buildings. In contrast, the Bangladeshi consulate does not impose additional requirements on agencies.

Only agencies accredited by consulates may submit an employment contract to the consulate. Agencies without accreditation from consulates, around 1800 in Hong Kong, are therefore often referred to as sub-agents because they must rely on partnerships with consulate-accredited agencies. This

mechanism is important because it establishes a line of accountability between the consulate and the migration industry and allows sending countries to regulate conditions of employment in Hong Kong. All investigated employment agencies received an accreditation from the Bangladeshi consulate to which they should be liable for protecting Bangladeshi citizens. The bar is however set very low and the Bangladeshi consulate does not intervene in the operation of Hong Kong agencies and regulates employment of Bangladeshi domestic workers only by additional paperwork.

Furthermore, the mandate of EEA in Hong Kong allows it to monitor compliance of employment agencies with the Part XII of the Employment Ordinance and the Employment Agency Regulations (Cap. 57A) which sets basic standards of fair employment. The EEA issued a Code of Practice for Employment Agencies which is not legally binding. On its website, the EEA claims to have the mandate to conduct “regular and surprise inspections, complaint investigations and prosecutions.” But according to Justice Centre Hong Kong research, the success rate of complaints filed in 2014 was 0.25% and the agency almost never conducts surprise inspections. Importantly, the Administration does not have the mandate to investigate cases without a complaint directly from abused domestic workers.

According to Hong Kong labor law, employment agencies may not accept payment of fees from domestic workers except 10% from their first salary. Therefore, agents receive most of their profit from employers. Employers should then be responsible for the cost of medical examinations, training and administrative fees. However, these costs amount to 18000HKD and make the service inaccessible for most Hong Kong families. Employment agencies in Hong Kong therefore cooperate with manpower agencies in sending countries which collect fees from applicants to lessen employers' initial payment for hiring domestic workers. Some countries, such as Indonesia and the Philippines, put a cap on the amount of fees that can be collected from job applicants. Therefore, the costs of hiring a domestic worker depends on nationality. The Bangladeshi government does not limit the fees that can be collected from a future domestic worker which allows Bangladeshi manpower agencies to collect the full processing costs from recruited women allowing Hong Kong employment agencies to advertise Bangladeshi women at a “discounted price”.

In sum, employment agencies have only limited liability to the Bangladeshi consulate and Hong Kong government. As a result, treating migrant workers as clients is discouraged which affects women, for example, by raising their migration fees. A significant part of these fees is collected by Bangladeshi manpower agencies and I reflect on their role in the migration industry in the next subsection.

5.3.3. Bangladeshi manpower agencies and legal regulations over domestic work

“In our experience, they asked for 1,000,000HKD to build the training center but actually it cost only 10,000. So this is the situation. So for our company we always try to do it ourselves. For a job fair they asked 10,000HKD but when I came to the company I said: no, this is not fair...they also get so messy...not easy...at the beginning they said...ok, no problem, we have experience...but then we found out...”

- Mr Finch, Hong Kong trainer, Bangladesh

Even though conflicts between Hong Kong employment agencies and their partner Bangladesh-based manpower agencies are common, the partnership is necessary. Bangladesh-based manpower agencies are the only authorities legally allowed to process visas for Bangladeshi nationals applying for overseas employment.

To facilitate migration of Bangladeshi women, manpower agencies need to obtain a so-called “female license”: the only requirement is payment of around 3,000HKD. In case of complaints of abuse, domestic workers should be reimbursed from this deposit. However, this provision is almost never applied. Furthermore, women are only legally allowed to travel via agencies and for the duration of their employment contract abroad if they apply for a working visa.

Manpower agencies oversee organizing job fairs and medical examinations, which are legally required prior to a departure. They also facilitate issuance of passports, visas and manpower clearance required to leave Bangladesh and smart cards which record workers’ fingerprints. Smart cards are required by the Bangladeshi law prior to crossing Bangladeshi borders and the monitoring system

tied to the biodata allows the Bangladeshi government to identify the status of workers abroad, but they do not prevent running away.

In contrast to Hong Kong employment agencies, manpower agencies are never in direct contact with employers. Trained Bangladeshi workers without employment often complain to manpower agencies, unaware that they are unable to influence the timing of their departure. During observations, the manager of one manpower agency showed me 25 passports of women waiting in Bangladesh for Hong Kong employers. Some of them have waited for longer than a year after finishing their training while being unable to repay their migration loan.

Due to the length of training and high costs of flights, the amount that manpower agencies receive from Hong Kong employment agencies per worker is usually only around 250USD. From this, manpower agencies must pay costs of medical examinations and government fees for issuing travel documents. As a result, their margin of profit is usually only around 50USD per worker: five times less than for a worker going to the Middle East.

Interviews with managers of manpower agencies suggest that the provisions from recruiting Bangladeshi domestic work for Hong Kong are insufficient to pay the brokers on whom manpower agencies usually rely when facilitating labor migration to other destinations. Additionally, Hong Kong employment agencies have education requirements for recruited workers which brokers are unable to fulfil. Hong Kong is therefore unique among destination countries of Bangladeshi domestic workers in relying on job fairs for recruitment. It is required by state authorities that job fairs are authorized by local government authorities which require extra administrative payments and additional bribes for permission to organize them. After the runaway crisis, Hong Kong employment agencies prefer relatively intense involvement in fairs and often interview candidates themselves.

In the words of a manpower agency manager, business with Hong Kong partners is “too much hassle, too much headache” as the procedures are slow and recruitment is complicated. At the same

time, the profit is much less than from business with other destinations. During field work, one manpower agency decided to leave their Hong Kong-based partners. In at least two examined cases, Hong Kong businesses claimed that their Bangladeshi partners bribed government officials to ensure issuance of visas to Hong Kong. Those manpower agency managers who stay in partnership with Hong Kong explained that they see it as more stable in the long term in comparison with the Middle East, where demand for domestic workers is seen as more politicized and could be stopped at any moment. Overall, manpower agencies have significantly fewer benefits from the business and much less responsibility in managing the migration process than Hong Kong employment agencies as illustrated by the table below.

Table 7: Profits and losses

	Profits in case of successful completion of a contract	Loss in case of a domestic worker running away
Employment agencies in Hong Kong	around 5800HKD (initial fee from employers + 10% from a worker's first salary without payment to the manpower agency)	0 HKD (or 9400HKD for a training in case the worker took a loan with the agency)
Manpower agencies in Bangladesh	around 625HKD (80USD)	0HKD
Women migrants	86,541HKD for a salary for two years without migration loan	Currently around 4400HKD for those who took a loan but possibly in the future additional 390 00HKD (penalty of 5000USD if applied) paid by guarantors

5.3.4. Training centers

Training schedule in training centre in Comilla:

5:30 - Wake up, tidy up, exercise

7:30 - Take a shower

8:00 - Breakfast

9:00 - Self-study in a classroom

10:00 - Life training

10:30 - Cantonese class

12:00 - Break

13:00 - Lunch

14:30 - Practical class

16:30 - Life training

17:00 - Tea time

19:30 - Dinner

20:00 - Self-study and shower

22:00 - Sleep, lights off, mobile phones off

Operation of Bangladeshi training centers is guided by an agreement between the Bangladeshi government and employment agencies where the Bangladeshi government provides free buildings and sponsors food for three months of training. The organization of training centers is however mainly overseen by Hong Kong agencies.

The Bangladeshi government sponsors each trainee for a daily 150BDT. This “food money”, organized as a reimbursement for first purchased goods, became an easy target for corruption. According to interviews with current and former staff in training centers and manpower agencies, government officials and directors of training centers through whom the money is paid requested a percentage of the money as a bribe. Also, agencies reportedly requested sponsorship of food for more trainees than they had in reality.

At the same time, three former Bangladeshi employees in training centers reported throughout this research that Bangladeshi trainers ask trainees for bribes for “preferential access to jobs in Hong Kong” although it is usually the employers themselves who choose domestic workers from files pro-

vided by agencies and trainers. While trainers can provide suggestions to managers of training centers, their influence is very limited in the selection process. The bribes that the trainers require from trainees is, according to interviews, usually between 2,000 and 8,000HKD.

The curriculum in all observed training centers encompasses language education, classes in hygiene, Hong Kong culture, cleaning, taking care of babies and the elderly. In addition, trainers organize briefings or so called mental training to prevent Bangladeshi women from running away. The training usually takes three to four months, which is at least four times longer than for Filipinos or Indonesians travelling to Hong Kong under the same employment agencies. During training, Bangladeshi women are often not allowed to leave the training centers. According to trainers, this protects them from family pressure to stop them migrating to Hong Kong.

Therefore, it is in training centers where Bangladeshi women learn about what it means to be a domestic worker in Hong Kong. It is however also in training centers where they must cope with pressures of their biological families and where they experience intimate relationships which for some present alternative families, an issue explored below.

5.4. Biopolitics and families

In this section, I draw attention to the role of families in the migration industry and explore how these families engage in the biopolitical dynamics of the migration industry and how they affect production of migrant workers' legal status. I suggest that family for migrant workers means their family in Bangladesh, a family of their employers in Hong Kong but for many also the intimate relationships in training centers and agencies. By engaging with these three meanings of families, I hope to demonstrate that each of them can importantly contribute to the women's decision to either run away or stay in formal employment.

5.4.1. Migration debt and Bangladeshi families

“At first, they do not want to change, but then they change for their families.”

- Morion, Bangladeshi coordinator, 5 May 2016

Migration to Hong Kong is a life-changing event for both Bangladeshi women and their families. Women are usually recruited for domestic work in Hong Kong at a job fair, for example in Dhaka, Khulna, Chittagong or other regional towns. To pay for the training, they must take a loan either at a PK Bank, a Bangladeshi government bank facilitating loans for migrant workers, a designated Hong Kong bank or the agency. For many migrating Bangladeshi women, the costs of migration far exceed their families' annual budgets: by taking a migration loan they put not only themselves but also their families at risk. The official cost of training is around 1,200USD (around 9,400HKD). According to reports of international civil society (ADB, 2013; ILO, 2015), the costs of migration from Bangladesh are among the highest in the world. The women also often become the main breadwinners supporting their relatives in economic need.

On their introductory videos for potential employers, Bangladeshi women usually must promise that they will be "honest with their employers", meaning that they will not run away. The agencies then try to connect them with employers, which is successful only in around 60 to 90% of cases varying by batch and agency. Association A claims to waive training costs of those who are not employed but the exact working of loans remains unclear in all agencies and differs for each domestic worker. As a result, many women leave training centers without employment in Hong Kong having already paid a substantial portion of their fees. Those who find employers in Hong Kong use their first three months' wages to repay their migration debt. Changing employers at this time would increase their debt even further. Therefore, if the women encounter abusive employers prior to paying off their loans, they are at risk of running away because they need to find additional sources of income without risking a prolonged wait in a training center.

As interviews with migrating domestic workers suggest, if women do not manage to secure expected income during the first three months, they endure pressure from their families who cannot pay off their migration debts and who are often in urgent need of remittances, for example for medical treatments. Disciplined by migration debt, they become more submissive in their professional relationships. In the words of Morion, they "change for their families."

5.4.2. Employers' families in Hong Kong

"It is their privacy. Of course, we cannot do anything."

- Mr Ron, Head of Association A, 21 June 2016

Being dependent on employers for profit, employment agencies work hard to maintain employers' trust in dealing with conflicts. The investigated agencies therefore never interfere in what they perceive as the private space of employers' families. This includes checking payment of wages and reporting physical or emotional violence.

Agencies often attempt to smooth conflicts in households but, as far as the observations for this research indicate, they rarely explain cultural differences to both sides or help domestic workers to improve their work. Employers who have a reputation of committing abuses are not blacklisted and in two observed cases, Bangladeshi domestic workers were placed with an employer whose former domestic workers had resigned/run away due to physical violence or starving.

In sum, the governmental regime regulating domestic work treats employers' households as private "family" spaces where external actors must not interfere. In consequence women's choices are limited should they encounter abusive employers.

5.4.3. Alternative families in agencies and training centers

Field notes, 5 May 2016, Training Center Karaniganj, 2 hours from Dhaka

We are sitting with Lara, an Indonesian trainer employed by Agency B, and her four trainees in the administrative room of a big and luxurious training center. The trainees are very young and one of them admitted changing her date of birth on her ID to be accepted for training. They are nervous because this is the first time they presented their skills in front of a foreigner. They bring me a glass of lemonade but it takes them almost half-an-hour. Lara told me that they spent a long time discussing what to wear for the interview. They are keen to show what they have learnt to Lara. I dedicate

lots of time prior to the interview to make them feel comfortable, we take many pictures, make jokes and after a while they start laughing. I speak in a very soft voice. Lara is very friendly but at the same time she controls my interactions with her trainees. She also tends to respond for them when they take time to answer my questions. I noticed that the interviewees respond differently when she is not paying attention.

Veronika: So what (will happen) when you have a bad employer?

Everyone: No problem. Adjust. Take care of children, dog good.

Veronika: Hmm...So what will you do if the employer is bad?

Everyone in loud voice: Adjust...

Veronika: So what if he allows you to sleep for only 5 hours?

Everyone in one voice: OK!

Veronika: Really?

Lara: Yes, because they really want to improve. They really want to change their life. Because I teach them, because I have experience like this. If the employer really not good, we help...

Lara teaches her Bangladeshi trainees to adjust to abusive employers because she wants them to “change their lives for better” and she treats them as members of her family. During an interview in Association A, Ishika and Saleha said about Anik: “She takes care of us, this is why we call her mother”. Staff in the Sheik Hasina Training Center respect the dignity of workers and support those who are willing to work hard. But simultaneously, it is generally expected that the women will be submissive at work and adjust to all their employers’ requirements. Those who do not adjust are often perceived as lazy or “party girls.” Similarly, Bangladeshi coordinators in Association A spend their free time organizing activities for Bangladeshi domestic workers and they often speak about their personal lives. But in case of conflict, it is almost always required that workers adjust to their employers’ needs.

Mr John, manager of Agency B, claims that he does not like NGOs who work for domestic workers’ human rights because they claim to protect domestic workers without seeing agencies as helping

institutions. In his understanding, agencies are institutions that should primarily help domestic workers in difficulties. During an interview in Dhaka in April 2016 prior to the pre-departure briefing for domestic workers, Mr John said: "I give them a chance, two years they work hard and they change their lives and lives of their families." Or in another interview in Dhaka shortly thereafter he said: "All her difficulties are worth it, because it is for her life, the tedious can help her to become more confident...she learns how to communicate with the employer." Mr John was in these interviews explaining why Bangladeshi women should still go to Hong Kong despite the number of runaways and difficulties in recruitment. In his view, the helping role of agencies is apparent mainly in the long term and managers in other agencies share his view.

The care that the workers receive from agencies is, in a biopolitical sense, counterweighted by the requirement to compromise temporarily on one's rights as stipulated in the employment contract which includes holidays and payments for holidays, conditions of accommodation and contact with families. But in at least three cases of interviewed women they endured physical violence and non-payment. As Srinivasan (2013:9) explains, biopower in institutions consists of "modes of subjectification in which care and harm are knotted together" and in this sense, biopolitical care enables harm in the migration industry which governs migration of Bangladeshi women. Biopolitical interventions are supported by truth discourses (Rabinow and Rose, 2006). As far as I am aware, there are at least two types of biopolitical discourses that are employed in training centers, boarding houses and offices of Hong Kong employment agencies.

The first type of discourse refers to the position of Bangladeshi women on the labor market. It is generally understood that because Bangladeshis are new in Hong Kong and because Bangladeshi women do not work as well as Filipinos, they should try more and adjust more to employers' needs. All interviewed Bangladeshi women declared that they accept working under stricter conditions than other national groups in Hong Kong. Saliha said: "My employer allows me to use a mobile phone only for 30mins every week. I work like this because we Bangladeshis try to do what employer wants, if possible..." In another interview, Anika, a Bangladeshi trainer in Hong Kong, said: "Today our girls have their holidays. But many come home before 7pm because they think their employers would be

worried for them.” When Ermin met with an Indonesian domestic worker who was surprised that she worked during her holidays, she responded: “It is ok, this is because it is different for us, Bangladeshis, we are still new.” The first and most common discourse makes domestic workers voluntarily resign many of their rights stipulated in their employment contracts.

The second type of discourse stresses the workers’ responsibility towards their country. For example, Lara said to her trainees during participant observations in Karaniganj: “People in Hong Kong think that Bangladeshi women are no good. You need to show them that Bangladeshi women can work hard!” Referring to the runaway crisis, Mr John encouraged future workers during a pre-departure briefing: “You should have a mission too.” The declared aim of this mission is to change the reputation of their co-nationals in Hong Kong. Similarly, staff in the Comilla Training Center also discussed the importance of trainees improving the Bangladeshi reputation. However, this responsibility is internalized by domestic workers much less than intended by staff in agencies. This is illustrated by interviews with Aurora who decided to run away in August 2016. Aurora said in September 2015: “Even if today is my holiday, I will make a breakfast even if I do not have to...because Filipinos would not do it but we do. We are taught to respect our mother, our father and we respect (in) the same (way) our employer.” This could refer to an internalized sense of responsibility for the reputation of her nation in Hong Kong promoted by trainers in agencies. But while Aurora took her work very seriously, she still later chose informal employment when her employer physically abused her. When she was reflecting on her decision to leave her employer, the reputation of Bangladeshis in Hong Kong was no longer important to her. As interviews consistently suggest, responsibility for the reputation of Bangladesh in Hong Kong is not relevant for domestic workers in their decision-making over their legal status in Hong Kong.

All examined agencies portray biopolitical compromises on legal rights as necessary adjustments that allow Bangladeshi women to position themselves in Hong Kong’s labor market. For example, with the appreciation that they were “given a chance”, workers in Agency C are required to act as “simple and humble girls.” Agency B points out that temporary resignation on certain rights will bring the workers benefits in the future. In Association A, some compromises are perceived as simply

necessary given the nature of the labor market. Persistence in one's employment despite abuses is thus portrayed as a form of empowerment.

Working through intimate relationships, biopower often dictates the extent to which individuals practice the rights enumerated in their contracts. Biopower thus reduces application of protective aspects of Hong Kong's labor law and the common misinterpretation of what workers are and are not allowed to do can make them more prone to running away.

5.5. Sovereign power and switching

Focus group, 22 January 2017, Hong Kong Baptist University

Veronika: How many times can you exchange your employer?

Ella and Ermin: Three

Amma: Last time...then coming, no...because another employer...maybe my employer now – little good...and maybe another employer even worse – then how...I resign or she terminates me...and that's why...don't change.

Saliha: Actually I want to tell you something...agency say cannot change...it is much better if you finish your contract...because so many Filipinos, Indonesians...after two years you find another employer...because if finish contract...the maid has experience, they say: Why you cannot do that? Why you don't understand? They do not want to do so messy and then that's why agency does not want to exchange. And I also have something I want to say something about Moriom and Aurora (recent runaways). Moriom...her employer terminated her and she came back to the training center and three months her employer again terminated her and she cannot speak well English (Moriom speaks only Cantonese fluently)...then agency said...I cannot help you...Why? I think this is not the point...because so many Filipino already more than ten years...they cannot speak Chinese...how come they can work? I do not know...I also tell the agency...Filipinos also not speak Chinese. They say: "why you always terminate?" We say, it is ok, we pay, you just find us the employer...new employer...the employer do not want the terminate maid...it is why so many friends go away, overstay. You see sometimes...we have so many problems. But we do not inform the agency.

As Saliha explains in the transcript from a focus group, agencies play a key role in determining which worker deserves another employer in Hong Kong and which should be returned home. It is employment agencies that control all stages of the migration process and that also have the power to decide which workers can “have another chance” in Hong Kong. As such, the workings of agencies can be likened to sovereign units determining how individuals will be “switched” to be disciplined within governmental regimes.

When Saliha speaks about her agency, she specifically refers to Ishika, a Bangladeshi coordinator in Association A. Bangladeshi coordinators indicate to managers which domestic workers deserve another employer after expiry of their contract and they negotiate conflicts in households. In case of conflict between employers and domestic workers or in contact with police, Bangladeshi coordinators must be available on call. Bangladeshi coordinators interpret the immigration and labor law and in doing that they make sure that the workers are informed that their visa is likely not be renewed should they themselves terminate their contracts. Coordinators also buy flights home for migrant workers who are refused further employment in Hong Kong by agencies, usually prior to the expiry of the 2-week period allowed for workers to find new employers. By negotiating conflicts in emotionally-charged situations, by interpreting legal regulations written in English to domestic workers, by reporting to managers on domestic workers’ behavior and by interpreting cultural differences, coordinators can largely affect the women’s decision-making over their legal status. But at the same time, they have only limited accountability and their work and decision-making largely depend on trust of managers. As a result, Bangladeshi coordinators, acting as sovereign authorities, play an important role in Bangladeshi women’s decision-making over their legal status.

The situation where staff in agencies have the power to “let live or make die” can be explained by employing Foucault’s analysis of sovereign power in biopolitical societies. In *Society Must Be Defended*, Foucault argues that “the power of death, the function of death, (can) be exercised in a political system centered upon biopower” (Foucault, 2004:254) and this exercise is then enabled by discourse of danger. As I explain below, this danger refers to runaway girls. Building upon Foucault,

Butler (2004) reflects on the suspension of law in war prisons where governmental officials have the sovereign right to decide who will be tried, who detained and who detained indefinitely. In the conditions of war prison, the act of deeming someone dangerous can justify indefinite detention. In this sense, Butler argues that the almost unlimited power of prison officials over detainees illustrates emergence of sovereignty in the biopolitical context of a modern state. In her account, “the power they wield to deem someone dangerous and constitute them effectively as such is a sovereign power” (Butler, 2004:59). She further describes this new form of sovereign power as “not the form of power that guarantees the representative status of political institutions, (but) rather a lawless and prerogatory power, a rogue power par excellence...”

In agencies, the sovereign power of coordinators can have both benign and less benign effects. Sometimes, coordinators can be helpful in explaining conditions of the contract and facilitating good professional relationships in households. At the same time, they can misinterpret domestic workers’ legally prescribed rights.

For example, coordinators often help explain to domestic workers cultural misunderstandings with their employers. They also help them improve their work relationship by explaining how they can perform their duties in a more professional way. Weekly meetings in one of Association A’s branches are very friendly, supportive and full of laughter. The coordinator patiently teaches her co-nationals how to perform their domestic duties, they speak about private matters and organize free time activities. The workers show full trust to their coordinator.

At the same time, in Agency B and sometimes in other branches of Association A, workers often experience shouting from their coordinators and when they complain, their demands remain in many cases unaddressed. Reflecting on the relationship between workers and translators, Ermin said: “Every girl think about terminate when I talk to her more. But when she shares...when she shares (Note: with a translator)...then my employer so angry with me...that’s why nothing say to agency...” Also, coordinators, who are often instructed by managers to do so, focus mainly on the workers’ obligations in interpreting their contracts. None of the women participating in a focus group was fully

aware about her rights and only in very rare cases did they know about conditions of their holidays from Indonesian colleagues. One of the interviews revealed that a Bangladeshi coordinator did not inform a domestic worker that she had the right for full reimbursement of her flight to Bangladesh as a favor to a loyal employer. Most interviewed runaways declared that they several times unsuccessfully attempted to share their problems with their coordinators prior to leaving their employers.

5.6. Disciplinary power and the production of disciplined bodies

Pre-departure briefing for domestic workers organized by Agency B, 5 May 2016, Dhaka

I am attending a pre-departure briefing for domestic workers run by Agency B and their Bangladeshi partner agency. The small office is packed with people. Nine women and their guarantors are attentively listening to Mr John, the main manager. This is the so-called "Chinese briefing" and is perceived by trainees as more serious because it comes close to their departure. Four staff members and Mr John are sitting at a big table. The purpose of the briefing is to discourage Bangladeshi women from "running away" in Hong Kong. Mr John keeps talking for around thirty minutes in a loud and strict voice. Before the briefing, he openly admitted that he was trying to scare the audience. This is well-accepted by staff in the agency who believe that it is necessary to make the workers understand the dangers of running away. Just a while ago, a woman in the back row started crying. In the middle of the briefing a guarantor of one of the future domestic workers raises her hand and asks a question.

Guarantor: I have a question...we can have a question, right? So what if they do not like the house, can they change?

Mr. John: No...Because everything under control of law, annual leave, medication...in Hong Kong we consider all the same...As soon as everything the same...they cannot change. You have not many choice...Singapore – lower salary, Middle East – you cannot go out, you have a salary but much lower. During today's meeting, you have to clarify for you...do not consider runaway...once you run away, your guarantor will be in big trouble...there is no alternative for you. Be fair to another girl, if you do trouble, we close the door...

Few minutes later.

Mr. John on a crying woman: So why you always cry? Why you always face like this?

You also need to lose weight...

The aim of training centers is to produce workers who will be able to finish their 2-year contract in Hong Kong. This means that in 3 to 4 months the women must learn both basic English and Cantonese, how to perform household chores and how to take care of children and the elderly in "Hong Kong-style". As trainers say, gaining employment and remaining in households of their employers requires changing from "traditional" to "modern Chinese girls" or into "good domestic workers." Agencies then must promote both physical and behavioral changes that they perceive as necessary to comply with Hong Kong employers' requirements. These changes are coded as norms in the context of the migration industry. While it is not clear to what extent agencies respond to employers' requirements and to what extent they contribute to the production of domestic workers as docile employees, agencies perceive a holistic change as necessary to make Bangladeshi women successful on the labor market.

As the transcript of the pre-departure briefing in Agency B implies, it is first necessary to change the workers' appearance. This means losing weight for many. In training centers, the workers are therefore gradually taught to eat less than they are used to. Mrs Laila explained this measure in an interview when she argued that it was necessary to lose weight because "In Hong Kong all houses are small." Also, it is expected that taking care of children requires that workers to be skinny and move fast. In case workers do not lose weight, agencies still try to "sell" them by shooting only a close-up of their faces for the agency's website. The change of appearance also includes the prohibition of traditional clothes in training centers and the obligation to cut their hair.

At the same time, trainees are also required to change their attitude. In the common understanding of many migration industry staff, employers who are willing to take the risk and provide a placement for a Bangladeshi woman must be compensated by her simplicity. All training centers require women to become humbler, meaning more submissive to the employers' requirements and, as managers

say, “not try to argue with their employers.” Training Center Comilla for this purpose introduced so-called Life Education, based on readings from the Bible and material from an American coaching company. Study material from Life Education focus on lectures such as countable purpose, suggesting focus on wages in case of difficulties, or learning to predict employers’ moods and how to motivate oneself into work after being scolded. With a stricter approach, Lora, a Hong Kong trainer in Agency C, explained what kind of trainees she connects with Hong Kong employers in this way: “They do not argue about it...good attitude...I only choose a potential attitude...I observe her during the training period...if they say my uncle is sick, I say no (you cannot go home during your training), and they are ok...That is the girls I will choose.”

So-called soft skills present an import component of the curriculum. The women for example learn how to appease potential abusers and create for themselves a safe space, and in general how to smooth conflicts. For example, in case an employer becomes aggressive, domestic workers are trained to respond only “yes ma’am”, apologize and keep silently working. In case there are adult men in the family, domestic workers are instructed to cover their neck, shoulders and knees. As Mr John says, “We teach them how to protect themselves.” All these strategies work to promote women’s submissiveness which is understood as a necessary condition of employment as a domestic worker.

Additionally, the women are also required to have a “happy face” while working. Having a sad face is perceived by recruiters as something what can put the workers in risk of being dismissed. The “face” to which Mr John refers in the extract at the beginning of this subsection therefore refers to a sad face. With a more compassionate attitude, in a feed in Facebook account run by Association A, managers suggests tactics for workers for keeping a happy attitude, for example: “If you are sad, sing a happy song.”

Finally, the religious beliefs of workers become subjects of discipline. Agents claim that Hong Kong employers are used to Muslims because they have experience with Indonesians. But while it is acceptable to declare being a Muslim, it is not allowed to pray in a Muslim way or refuse pork which is

prohibited in Islam as practiced by Bangladeshis. Comilla's staff then teach Bangladeshi women to pray in the Christian way which they often claim to be the "Hong Kong way".

Therefore, the body of a domestic worker is disciplined to become an object and target of biopower in line with norms which are similar in all examined agencies. Disciplining the body of a domestic worker usually includes changes in appearance and behavior which requires exercise and attendance of specialized classes as well as daily training. In this way, as Foucault (1975:137) writes, "discipline increases the forces of the body (in economic terms of utility) and diminishes these same forces (in political terms of obedience)."

Applying the Foucauldian reading of discipline, it could be therefore argued that, for example, having a "happy face" has its own economic utility and this is why it is emphasized during training for domestic workers. However, as Ahmed (2010: Introduction 6) notes, feminist activism and scholarship have brought attention to the "unhappy aspects of happiness". For example, many authors (authors in a volume edited by Faesey, 2012) emphasize how the unrealistic ideal of a happy housewife, as portrayed in the media, creates space for marital conflicts and women's disempowerment. Black feminists (for example Collins in Wiedmer and Hardy, 2005) engage with the concept of a happy slave, originally introduced by Simone de Beauvoir (1949), to point out how black mothers are constructed as "super-strong" which lowers expectations of their partners. This requirement of happiness, despite social inequalities, creates double burden for black women – to face racial discrimination and to take full responsibility for their families' welfare. Importantly, Ahmed (2010) also notes that happiness is often perceived as a fully individual responsibility. As Mr John said, responding to my question on frequency of abuses among domestic workers: "We teach them how to perform, how to have less conflict, how to protect themselves." In the context of the migration industry, this means, that domestic workers are required to increase their value on the labor market by having "happy faces". Internalizing the responsibility to always have a happy face can however hide oppression and reinforce biopolitical functioning of the migration industry, for example by encouraging domestic workers to adjust to abuses. Promoting happiness as a way of increasing forces of the body in an economic sense can therefore have ambiguous effects.

At the same time, disciplinary power diminishes forces of the body in a political sense. Similar to the situation of Filipino domestic workers in Hong Kong described by Constable (1997), at least two observed employment agencies working with Bangladeshis use disciplinary practices to discourage political engagement or resistance to normative appearance and behavior. Mr John, for example, noted in an interview: “Why Bangladeshis fail? There are two groups...first, when friends suggest them to leave...and also because the consul lets them keep the culture...they allow them everything...because they can also complain on the consulate...But Hong Kong is international, international is international, you cannot wear Bengali clothes... You have to change, if you do not change, you can't be here...” The agency thus discourages raising complaints to the consulate and engagement with domestic workers of other nationalities. Constable (1997) notes however that there is significant resistance towards these practices among domestic workers themselves. She further extends the Foucauldian concept of docile bodies, bodies that became an object of disciplinary power, and argues that domestic workers are far from being passive recipients of regulations. This applies equally to Bangladeshi domestic workers and I elaborate on this in the last chapter which highlights the fact that disciplinary power in the migration industry can limit political agency only to a certain extent.

The application of disciplinary power for enhancing economic utility of disciplined bodies and for diminishing their political agency plays a role in the production of workers' legal status. Certain levels of discipline are necessary from the part of Bangladeshi women to adjust to their new roles and it helps them to stay in formal employment. But for example excessive emphasis on submissiveness can lead to situations where the women no longer have capacities to perform their duties and then they easily start seeing running away as the only option. Sayeda and Bashra for example left their employers when they realized they were no longer physically capable of performing the tasks they were assigned to do. At the same time, timely complaint to their consulates or advice from more experienced Indonesian domestic workers could have prevented them from running away.

5.7. Limits of governmentality in employment agencies and training centres

Focus group, 22 January 2017

Ella has just explained that her employer has only given her two handful of plain rice per a day for the past almost two years and he also does not allow her to buy her own food. She cannot use a washing machine and she has to work for at least eighteen hours a day. All other domestic workers are aware of her situation and try to help her, for example by sharing their own food during holidays. Ella has the same employer as Moriom who ran away because she was starving.

Veronika on Saliha: OK, if you have a Bangladeshi...who has an employer like Ella, what would you recommend to her? What is the best to do?

For a while other domestic workers stop paying attention and laugh loud making me feel that this is a really stupid question.

Veronika: So when you come to Hong Kong and after 4 months you find out that your employer is still very difficult, what do you think is the best thing to do?...When you look at Ella...Ella, you decided to finish 2 years. What about others? If you tell the friend...

Saliha: Of course, they must need to finish their first contract...it is very hard for us to find another employer...she must try...try her best...until the employer terminates her...she do not break the contract..because she break, it is more hard to find another employer. And I hope to tell the friend who has a hard employer: Please, do your best, please, do not feel sad, please, finish the contract first.

So far, this chapter employed Foucauldian reading of power to investigate production of domestic workers' legal status in Hong Kong. By employing Foucauldian concepts of biopower, sovereign and disciplinary power, I argued that certain power impositions by managers, coordinators and trainers in agencies and training centres can make domestic workers more prone to running away.

However, as the above transcript indicates, there are differences among domestic workers in how they react to subordination in terms of decision-making over their legal status. For example, Ella, in contrast to Moriom, decided not to run away and she was strongly encouraged in her decision by

her friends. Simultaneously, she was also strongly encouraged by her trainer, who she had a good relationship with, to stay “legal”. Staying “legal” became in this case more important than working without abuses. Therefore, Foucauldian lens applied to relationships in the migration industry can explain production of Bangladeshi domestic workers' legal status to only a certain extent, and it needs to be extended to better understand why some Bangladeshi women stay in formal employment and others leave their employers and overstay their visa.

For this purpose, I engaged with subaltern critique of Foucault. Subaltern authors criticize Foucault for two main omissions which helped me to develop my thinking about production of domestic workers' legal status. The first refers to functioning of power at the bottom of power hierarchies and the second to the agency of subaltern actors. I describe both below.

First, subaltern authors such as Spivak (1999) and Cheach (2007) argue, that power at the bottom operates differently than at the top of social hierarchies and that it cannot be analyzed as simply diffused from powerful institutions and structures to individuals, a view implied in Foucault's reading. In the same line, Sidawal, Brunnel and Yeoh (2003) suggest that Foucault's reading of oppressive power structures reinforced by his emphasis on discourses omits the importance of negotiations of power at the bottom, the “real politics” in the words of these authors.

Second, Spivak (in Sharp, 2008) together with Chatterjee (2004) also argue that Foucault's view of power is more useful for understanding the dominator/oppressor than the ones who are dominated/oppressed. In Foucault's work, oppressive power structures appear to be imposed on subaltern agents who remain relatively passive. As Chaech (2007) suggests, Foucault risks reduction of individuals into relatively passive subjects of power. The focus on unequal structures and dominant institutions in this way disregards the importance of both individual and collective agency (Chatterjee, 2004).

Indeed, all forms of subjectification within power structures require affective investments (for example in her reading of Foucault Butler, 1997:1-31). I therefore read Foucault's work together with

scholars of affect who point out that affect interacts with power (for example Massumi, 2002; Ahmed, 2004). In Anderson's reading of Foucault (2010:2), "affective life of individuals and collectives is an "object-target of" and "condition for" contemporary forms of biopower". But as Anderson (2010) further notes, Foucault also acknowledged that affective life can be a form of resistance against oppressive power structures.

The work of these authors implies that by paying attention to everyday affective interactions in institutions of the migration industry, I should also address the first line of critique of subaltern authors and better understand how power works in spaces of the migration industry rather than expecting that it is always applied as intended by dominant authorities. Investigating how affect can alter workings of power can be particularly important in employment agencies where Bangladeshi translators were specifically hired to take care of affective life of domestic workers after the runaway crisis. One of their most important roles, as understood by managers, is to provide counselling when the workers are sad about conflicts with employers and families, to inspire them, engage them in collectives and motivate them to stay "legal".

Simultaneously, as Butler (1997:1-31) argues in *Psychic Life of Power*, affect works as a set of social practices which can engender agency. Butler's reading of Foucault here complements the work of Ahmed (2004) whose theory of affective economies informed my understanding of affect. While reflecting on the strength of extreme right-wing groups, Ahmed (2004) asks why is power so persistent even when faced with a strong resistance and she argues that affect can be deployed in a way which strengthens dominant narratives. Butler in her reflection on power and affect in *Psychic life of power* on the other hand investigates how resistance survives even in the face of dominant power impositions accompanied by dominant affects and she argues that affect can engender agency.

Butler's and Ahmed's readings of power and affect imply that paying attention to affects could allow a better understanding of collective and individual agency which affects engender. This could subsequently allow exploring the impacts of domestic workers' agency on their legal status. Simultane-

ously, paying attention to affects could help address the second line of subaltern critique of Foucault's work and engage with Bangladeshi women as active agents rather than passive recipients of power impositions. I see this as an important aspect in exploring production of migrants' legal status because I have often witnessed how domestic workers resist dominant narratives of agencies and how they either run away or stay with their employers disregard pressure from their agencies.

Finally, by bringing attention to the Foucauldian view of families in this chapter, I wished to show that evocations of intimacy can play out in a way which obscures workings of governmental regimes and production of legal status within them. However, the parallel with Foucauldian families is applicable only to a certain extent. The denominations such as "mother" or "sister" are used selectively depending on specific relationships. Simultaneously, agencies are regulated differently, and they have different primary functions than biological families. Agencies operate mainly under the immigration, labour and commercial law, rather than family law, and their purpose is mainly to produce disciplined workforce in line with the market rather than in general producing disciplined individuals, as families do in Foucauldian thought. Affective life in the migration industry, therefore, requires further investigations.

5.8. Summary

This chapter explored how power dynamics in institutions of the migration industry contribute to the production of Bangladeshi women's legal status in Hong Kong. The chapter builds upon existing work in migration studies which engages with Foucauldian reading of power, such as Constable (1997, 2007), Hoang (2017) and others. But it also extends their work with additional data and by engaging with Foucault's concept of families in governmental regimes. I argued that governmentality in the migration industry affects how migrant workers experience their legal status and also how they decide about staying in formal employment or leaving. At the same time, I also pointed out that people are affected differently by this power dynamics. While some decide to stay in abusive employment to keep precious legal status, some opt for runawayness as a way of keeping themselves safe. By the end of the chapter I point out how I developed my understanding of the role

of power in the production of migrants' legal status based on the work of subaltern actors and scholars of affect. I argue that affect can alter the impact of dominant power structures on the production of migrants' legal status. Power dynamics itself, in my view, cannot explain why Bangladeshi domestic workers either run away or stay with their formal employers. Instead, the workings of power must be explored together with affect to better understand their decision-making, a theme which I intend to explore in the next chapter.

6. Affects and legal status

6.1. Introduction

The aim of this chapter is to investigate the workings of affect in the migration industry. In doing that, this chapter builds upon the critique of governmentality in Chapter 5 and extends the reading of Foucault based on the work of subaltern authors and scholarship on affect. I therefore see affect as interacting with power and I also see this interaction as relevant for investigating production of migrant women's legal status.

The theory of affective economies (Ahmed, 2004), from which I derive my approach, defines affect as a set of social practices which are performative, meaning that their effect is consolidated by their own circulation. For example, expressions of love in training centers and agencies strengthen the intensity of emotion but also the importance of the ideal of a poor woman coming from a Bangladeshi patriarchal society who becomes empowered thanks to charitable employment agencies. Shame, being performative, is further intensified by frequent briefings in training centers which frame running away as a lack of morality.

In this chapter I build upon Butler (1997) and analyze both affects in training centers and employment agencies and resistance against them as components of affective life. In the context of the migration industry, resistance of domestic workers refers to negotiations of dominant power structures but also negotiations of dominant deployments of affect pertaining to legal status.

The focus on affective life is important because affects can either work to reinforce dominant power structures in the migration industry or engender individual and collective agency against them and both these options can impact how Bangladeshi women decide about staying with their formal employers. For example, as a part of resistance, some can decide to leave their employers and on the other hand, some can stay with their formal employers because they are strongly encouraged by their coordinators to stay “legal”.

Indeed, the performative view of emotions requires engaging with legal status as an embodied practice. I therefore paid attention to the engagement of bodies in the researched relationships in the migration industry. For interviewed Bangladeshi women, gaining weight was significant because it often indicated that they were doing well and were happy in their employment even though gaining too much weight was joked about among friends. But at the same time, observations of bodies and bodily expressions of emotions were limited by my positionality as a white foreigner. In some cases, I probably misinterpreted the women’s feelings which I was able to correct during subsequent in-depth interviews when I asked them how they felt in specific situations during recruitment, briefings and interactions with managers and employers. Still, while I paid attention to bodies, trying to avoid misinterpreting certain emotions due to my positionality, I focused mainly on affect as a discursive practice. I therefore put special emphasis on capturing expressions such as “I felt so ashamed” and “we love them so much” both in interviews and coding.

The chapter first notes key concepts with which I engage and authors, such as Butler (1997) and Chow (2003), whose work inspired my perspective. I then proceed by explaining my affect-informed reading of legality as a performance of lovability in the next section. In doing that, I highlight dominant deployments of affect in the migration industry and related discourses about runaways and the “Cinderella fairy-tale” of self-improvement. The way in which these affects are deployed invoke lovability: the potential to fulfil a pre-defined ideal which is performed by Bangladeshi domestic workers and staff in the migration industry. This ideal refers to an image of a poor woman-victim of a patriarchal society in Bangladesh who is empowered by formal employment as a domestic worker in Hong Kong. I demonstrate that lovability informs performance of legal status but also the overall conduct

of the migration industry, it works to reduce running away and encourages persistence in formal employment but also the framing of Bangladeshi women as a submissive workforce. Subsequently, the section suggests that lovability is regulated by negotiations among the migration industry, domestic workers and migrant women's solidarity networks. These negotiations then impact the women's experiences of legal status and their decision-making. Finally, the lovability-lens employed in this chapter suggests that Bangladeshi women's decision-making over their legal status is performed as a part of affective life in the migration industry.

6.2. Conceptual background

In Butler's (1997) view, individuals are radically dependent on social relations which are characterized by circulating affects. She argues that being subjected in power-imbued relationships is a necessary precondition of both individual and collective agency. Agency is in fact derived from the capacity to affect and to be affected. Based on Butler's work on affect, I see both migrants' agency and practices of affects in the migration industry as components of affective life.

Furthermore, engaging with affect and power-imbued relationships, subaltern authors (Chow, 2003; Mohanty, 2003) note that, in the eyes of the West, subalternity evokes a potential for change in line with modernity. In this sense, Third World women are often framed as a product of oppression, passive victims on display who are currently "unpure" and "imperfect" but who represent the potential to become "pure" and "perfect". The potential to improve presents an important part of her identity as constructed through the sight of others. In this way, the image of a subaltern woman projects back to the West the desired image of oneself, it helps us to construct our own identities as we desire - more advanced and in full control of our lives. As Chow's (2003) work suggests, what is at stake is not the nature of oppression but rather the expectations that the subaltern subject will be faithful to the stereotypes about her submissiveness and subordination in a patriarchal society and to the illusion of improvement of what is currently "imperfect". Not responding to these stereotypes evokes affective response. As Chow (2003) notes, love affixes the ideal of a Third World woman who ac-

cepts the opportunity for change in line with social norms. In this way, Bangladeshi domestic workers, who with migration accept the opportunity to “improve”, become involved in circulating affects tied to the normativity of legal status and “self-improvement”.

In developing my argument in the next section, I remain mindful of the warning of Eve Kosofsky-Sedgwick (2003:143) against “paranoid thinking” in academia which simplifies reading of affective spaces into theoretical accounts. Kosofsky-Sedgwick (2003) warns especially against the academic tendency to automatically conceptualize acts of love as a form of oppression. At the same time, I remain mindful of the warning of both liberal and conservative authors analyzing shame (Probyn, 2004; Nussbaum, 2004; Boschma and Eriksson, 2009) who agree that sometimes shame can be also a morally-valuable feeling inducing positive social change. Probyn (2005:94) for example points out that shame “alerts us to the presence of another and attunes us to our actions in the world” and as such it can be used politically to make people aware of their responsibilities, in this case professional ones. It is thus important to note here that many Bangladeshi women gain new skills, save money and improve their wellbeing thanks to compassionate staff in their agencies. Equally important to note is that establishing running away as a socially-endorsed alternative would have serious harmful consequences for Bangladeshi women. Criticizing love and shame in the migration industry is therefore not the aim of this chapter. Instead, I intend to examine how those affects work and impact performance and production of Bangladeshi domestic workers’ legal status in Hong Kong.

6.3. Performing lovability and producing “legality” and “illegality”

This section suggests that circulating affects interacting with power in the migration industry impact how domestic workers experience and decide about their legal status. The workings of these affects can be examined through the lens of lovability: a potential to approximate a pre-defined ideal. I intend to show that the workings of love and shame in agencies and training centers make some stay in abusive employment while pushing others into running away. By drawing attention to specific regulations that are in place and workers’ collective and individual agency, I demonstrate that affects can

both reinforce dominant power dynamics as well as work against them in producing domestic workers' legal status.

6.3.1. Love and compassion in the migration industry

5 May 2016, Training Center, Karaniganj, 2 hours from Dhaka, Bangladesh

Jane, a trainer-in-chief, walks with me in a small natural area around the training center. She tells me how she spends time with her trainees after her working hours. They often share personal stories about overcoming difficulties faced by women under patriarchy and Jane tells them how by working hard in Hong Kong she herself managed to gain strength as a poor single mother from Indonesia. She talks about these extra working hours as "coaching". Based on her own experience, she teaches her trainees to "overcome anything to improve their lives." Except for an administrative worker who comes once a week to upload videos of trainees on the agency's website, there are only women in the center. Jane also tells me how the women in the training center often hug, how they organize movie-screenings, discotheques and other social events. As Jane says, she "loves her girls and they love her." At one point during our discussion we start talking about "runaway girls" to which Jane reacts angrily.

Veronika: You know, when people are in their 20s, it seems normal that sometimes something happens and they simply want to change a job...it seems very human. Maybe the system could be set up differently...

Jane (angrily): I keep repeating them that they cannot run away because then they would never see their families in Bangladesh again. I stop talking to those who run away, I never talk to them and those who are legal as well...we never talk to them again.

Veronika: Do they sometimes contact you?

Jane: Yes, but I never respond.

Karaniganj Training Center presents itself as a space where women can sit around a table, share their stories and find joint strength. All trainers are women and they often speak about personal lives,

about abusive husbands and about inequalities that the women suffer and they proudly share with me and Hong Kong managers the intensity of this bonding by speaking about their love and the importance of women's empowerment. Morion, a Bangladeshi coordinator, told me "With some ladies we speak a lot, mostly about their families and their husbands. Some have very sad stories." Migration is then often discussed as an opportunity which can help them change their lives for the better. Jane spends her free evenings with trainees during which she tells them stories about her own experience as a domestic worker in Hong Kong and teaches them "useful" skills. This includes for example the skill to make a call home last only one or two minutes ("Maybe something like: I am here in the employer's house...it is good, something like that...") or how to adjust to abusive employers ("They know they have to adjust because I teach them, they know they came to change their lives.").

Other trainers in other training centres often say how proud they are of the women who manage to work in Hong Kong and send money to their families in Bangladesh, so-called successful cases. In Training Center Comilla, domestic workers wear company T-shirts with a slogan: "*Our dreams come true!*". This is because in Comilla, Bangladeshi women write down the dreams that they want to accomplish through migration for domestic work when participating in a pre-departure ceremony. The slogan then serves to highlight that, with their salaries in Hong Kong, many were able to support their families or buy land. The main corridor to classrooms is decorated with a poster of Cinderella, the biblical figure of Joseph and laughing photographs of past batches of domestic workers. Textbooks of so-called mental education have a motto: "*Reform my thinking, make my way! New Day, New Life!*" printed on their front pages. During regular staff meetings, the trainer-in-chief reads to staff thankful messages from former trainees currently working in Hong Kong. Trainers spend their evenings with future domestic workers who they address as "ladies" and who can approach them any time without regard to working hours. In Hong Kong, Bangladeshi coordinators in Association A claim to love and care for "their country girls", a common denomination for Bangladeshi domestic workers used by their Bangladeshi coordinators. Bangladeshi coordinator Anik, for example, repeatedly said during our encounters: "I love our country girls and I want to help them. I am sad when they run away." In this way, at least five interviewed staff in agencies and at least four

managers spoke about helping and caring for “Bangladeshi ladies” as one of the main objectives of their work and thus, providing services for Bangladeshi workers became a form of affective labor.

Describing their business in Bangladesh, managers in Association A and Agency B often refer to providing services to Bangladeshi domestic workers as a form of philanthropy. They often openly say that they see as one of their main missions helping poor Bangladeshi women against the patriarchy in Bangladesh. Mr Ron, for example, claims that he gave up on Bangladeshis as a source of income, instead, he just wants to “help poor Bangladeshi women” because in Bangladesh, a woman is “less than a potato.” Mrs Layla organized a celebration for the first three Bangladeshi women who completed their 2-year-long contract and gave each a pair of earrings. Mr John says about his business: “I have helped so many families” and when asked why he continues the business in Bangladesh, he argues that it is to help Bangladeshi women because he does not earn profit from this market. He then continued and explained further: “I am always the one to come here (to Bangladesh)...it is difficult, but I am more difficult...everybody suffers, otherwise we can’t see the future..I really broke my heart with some applicants...but also happiness.” The way in which managers and staff in agencies speak about Bangladeshi women indicates that they perceive “a capacity to alleviate their suffering” under the Bangladeshi patriarchal society through hard work that they put into their businesses, an emotion to which Berlant (2004) refers as compassion. While, prior to migration, women are often represented as needy and dependent, it is the love and compassion that they experience in employment agencies and training centers which is expected to transform their lives for better.

Expressions of love and compassion in employment agencies and training centers are closely linked to the ideal of a Bangladeshi woman who, similar to the slogan on T-shirts of trainees in Comilla, “makes her dream (of economic empowerment for her family) come true.” (A similarly idealized image of a victim in humanitarian aid is described in Lousley, 2014). Both managers and staff speak proudly about domestic workers who call them and thank them for the new opportunities that they now have in life. The pictures of those who departed hang in the corridors of training centers, stories

of those who successfully their contract are often shared with the whole group. “Dream” is a frequently used as a common code word. Coordinators in Association A often remind Bangladeshi women in Hong Kong not to forget their dreams. Saliha said during our first encounter in 2015: “I will never run away, because I have a dream, I want to buy a house, and I think about this dream.” In Agency B, staff and managers are proud of those who manage to “change their lives and lives of their families” by completing their contracts. In the same line, Ermin argued: “I want to improve, I want to become better because Mr Finch also told me.” Saba, who completed her 2-year contract, was invited as a speaker for a pre-departure briefing and told everyone that her employer was scolding her every day and followed her with a magnifying glass; she was not allowed to use gloves and she had to wash the rooftop of a big house every day from which she was often sick in winter. When she finished, Mr John said: “Ok, the case may be difficult but she still succeeded to complete her two years...she is a good sample.” Saba became a “good sample” because she managed to overcome the difficulties of domestic work and she saved enough money to support her family. Both Mr John and Mr Ron often highlight that Bangladeshi women become modernized through migration and repeat that they want to help them escape power and become better.

As Ahmed (2004:125) writes, acting in the name of love reinforces ideals but these ideals can be only secured through setting up boundaries. The ideal of a “transformed” migrant woman can be described in Ahmed’s words (2004:98) as, “an approximation of an image which depends on being inhabitable by some bodies rather than others.” In this sense, allegiance to the ideal bonds some and excludes others. As I hoped to illustrate by the interview with Sara, in training centers and in employment agencies, these boundaries are set by legal status. While women working in formal employment are praised and loved, those who run away and those who want to change their employers, understood as being prone to running away, are excluded and agencies often advise their friends to cut all connections. Legal status, often linked to submission in employers’ households, thus becomes a condition of love and compassion.

It must be noted that it is possible that expressions of love and compassion were at least partly performed because I was a foreign observer. Being white and having a history of activism, I could

easily have been regarded as someone who came to control how agencies treat domestic workers. But at the same time, the compassionate attitude of most trainers, coordinators and managers was consistent in different situations throughout the two years of research and interviews with domestic workers indicated that they made an affective bond with some of their trainers and managers who helped them with their careers.

Expressions of love and compassion therefore play an important role in employment agencies and training centers recruiting Bangladeshi domestic workers where managers often perceive themselves as philanthropists and where trainers and coordinators see affective labor as a major component of their work. Love here works performatively as expressions of love work to reinforce the ideal of a poor woman oppressed by patriarchal society in Bangladesh who is empowered by migration. But at the same time, love and compassion are conditioned by persistence in formal employment which in many cases requires submission to abusive employers.

6.3.2. Shame

16 May 2016, Training Center Sheikh Hasina, outskirts of Dhaka, Bangladesh

I arrive in the training center with the operations manager in Agency C. The building is under the authority of the Ministry of Youth and visitors may stay there only for three hours. Those who are trained here will be placed in Hong Kong's middle and upper-class families and the training seems stricter than in other agencies. The environment, which intentionally stimulates competition, reminds me of Hong Kong with its emphasis on planning and efficiency. It is run by Rosa, a trainer originally from Hong Kong who is in her 40s and who came to Bangladesh to build a "new market."

Veronika: How many runaways have you had here so far?

Rosa: Five, six...

Veronika: This is not bad...that's very usual...

Rosa: I can see that this is very very bad...Fahrad always says that I am too serious about the job...but I think it is very very bad...I know what they will end up...they just believe...they can do like

in Bangladesh...You know, Bangladesh women, they are not like rabbits, they have quite strong character...that's why...we do lots of briefing...We tell them that outside they really do not have a job...I always tell them: This is your life, you choose your own life...I was born in Hong Kong, I know a lot of things about it...but if you believe a total stranger, then there is nothing I can do...they do not believe the local trainer, they believe themselves...the only thing I can say maybe you are lazy and you just want to get to Hong Kong to have fun but you do not want to work or the other one is that they meet their boyfriend. It is all about their attitude. I have been in customer services lot of time...so I have talked to many people...

When Rosa says that runaways choose their own life she implies that in her view, running away is a free choice which stems from willfulness, laziness, loose manners and a bad attitude to work. As such, it deserves to be shamed. Rosa also believes that the bad characteristics associated with running away can be addressed by frequent briefings and firm leadership. Her agency significantly slowed down recruitment and therefore they had only six runaways in the past year. But given that they managed to facilitate employment in Hong Kong to only around twenty women, the number is not outstanding in comparison to the other two agencies. At the same time, none of the interviewed runaways from Agency C left their formal employment because they opted for an easier life in the streets or because they were uninformed about the dangers of “illegality”. Agency C, together with remaining two agencies, continues to address running away by at least one hour-long briefing every week and one “big” briefing every month. The purpose of these sessions is to draw attention to the dangers of “illegal life” and prevent “bad attitude” and “loose manners.”

The importance of the link between running away, immorality and loose manners can be illustrated by a story of Ishika and Aurna. When Ishika, a Bangladeshi coordinator, explained why one of her favorite domestic workers ran away, she argued that it all became clear when she saw her by coincidence with a man in a park. The domestic worker was trying to hide from her sight because she knew that from that time on, she would be suspected of being likely to run away. When Aurna later left her employer because of physical abuses and asked her agency “for a new chance”, she was refused and Ishika bought a flight for the next day, not giving her the opportunity to search for an

employer by herself within the legally permissible period of fourteen days. Ishika was instructed to do this by her manager with whom she agreed that Aurna is prone to running away. Aurna was scared that she would be unable to repay her debt and she therefore really decided to run away in the two days she was waiting in a boarding house for her flight to Dhaka. This case is not rare and only illustrates how in all agencies, running away turned into a moral panic which induced sexualization of bodies of runaway domestic workers, who are seen as naively seduced by “Pakistani boys”. In the same line, most managers in the investigated institutions of the migration industry speak about “Pakistani boys” who wait for “Bangladeshi girls” behind the agency, sometimes using the term “boys” as a euphemism for pimps. I myself witnessed twice that a Bangladeshi coordinator stopped a group of domestic workers in the street to prevent contact with South Asian men who were “looking strange.” As the story of Ishika and Aurna illustrates, this sexualization of running away can have an impact on women’s decision-making over their legal status.

Running away is also often explained as a lack of honesty. During one of the briefings, Mr John said explicitly: “If you run away, within seven days you need to settle...you come back, you are honest...but some people also dishonest...we have no choice...we want to change for poor girls the situation to remove from the poor.” In a similar way, Mr Ron outlined why running away is, in his eyes, a form of cheating when he talked about the system of smart cards required by the Bangladeshi government for crossing its borders: “This smart card is for a domestic helper in Hong Kong. Ok, so that means that they have the commitment that they only go to Hong Kong as a domestic worker, no other job...so that means...we are not talking about politics, we are only talking about procedures...you promise to the government to come back if you do not work as a domestic helper. Ok, so that means (that) you get the smart card...and then you go to work for another job, then you are cheating, you are cheating your government.” Runaways in this way become cheaters on the system, those who betrayed their country and gave up on the opportunity to improve their lives. They are ungrateful and dishonest, characteristics which further feed into the moral panic.

After running away, runaways are not only excluded by the collective but they themselves often cut ties with the collective. Usually, long-term inactivity on social media or a new, rather anonymous

account on Facebook signifies a change in legal status. For example, after running away, Aurna opened a new Facebook account in Bangla rather than in English with a profile photo where she had her face covered. Before regularizing her legal status as a torture claimant, she did not talk to any of her friends or relatives, including her mother, for several months. Naila deactivated her Facebook account after running away and similarly to Aurna only opened a new account after gathering enough documents to become an official asylum-seeker. The Facebook profile or background picture of runaway girls is often black or rather anonymous and they are hardly ever connected to others from the agency on social media. As research in media studies suggests, for regular internet users at the bottom of social hierarchies, similar concealment or inactivity on social media can signify willingness to remain isolated in real life (Morgan et al., 2010). For Bangladeshi domestic workers, social media present the main form of interaction with their support networks. Withdrawal is therefore not only significant in terms of interpreting their legal situation, but it can be also dangerous.

Runaways also avoid agencies, consulates and sometimes also their friends in real life. Rana, for example, refused to return to her agency and because of that, she is now, after five years as a runaway, still unsure where her passport, left with her coordinator, is. Similarly, Moriom stopped communicating with the agency and her friends after running away and it took several months until old ties with her best friends were reestablished. Anna saw her formally working friends only once in two years after leaving her employer. In this way, running away redefines some of the women's closest relationships.

By leaving their employers and rejecting the "chance" given to Bangladeshi women by agencies, runaway girls betray the pre-defined ideal of self-improvement, a Third World "Cinderella" woman who escapes poverty and patriarchy in Bangladesh through migration. In acting against the ideal, which agencies strive to make definitive of the collective, runaways also fail to give back the love that they received from their coordinators, trainers and managers. As a result, the "*badness of their action*" becomes part of their identities. Instead of moving together with others towards a common aspiration, they move against it and become excluded.

As such, runawayness and shame associated with it have significant emotional costs. Many runaway girls, including asylum-seekers, rarely leave their small rooms and they live in constant fear that they will be arrested or sent back to Bangladesh if recognized by other Bangladeshis. They are often worried, even if they are legally allowed to stay in Hong Kong, and they feel melancholic, often reflecting on their former employment and lives in Bangladesh - but they do not want to return because of the stigma associated with migration. Most of their contact is then via social media where they also experience harassment from other “illegal workers” or asylum-seekers. As Oriti, a domestic worker who overstayed her visa at the beginning of the runaway crisis, said: “I often feel so sad that I sleep through the whole day.” Oriti also often complained about men who contact her on Facebook, knowing that she was a runaway, to ask her for sex. Several interviewees then mentioned the case of Syeda, a domestic worker who was burnt by her employer, won her case and received compensation. After the court hearing, the agency reportedly suggested that she return to the same employer, which she refused. Syeda could not return home where she would face stigma due to the scar on her chest. She therefore decided to overstay her visa. According to interviews with her co-nationals, Syeda now hardly ever leaves her room and does not accept any visitors or gifts. Hong Kong’s Immigration Department refused to comment on the case when asked for this research.

While Bangladeshi women are often treated compassionately in agencies and training centers, after the runaway crisis, all of them are also perceived as potential runaways. The danger of running away is therefore not only external but also internal. Shame is thus extended from a group of runaways to Bangladeshi migrant women in general. Accepting this shame by participating in briefings where they swear that they will not run away is a part of “giving back” the love that they received. It is an act of loyalty which reassures recruiters in their position of “love-donors.” In this sense, shame is not only experienced by runaway girls but involvement in a shared shame is also required from trainees in training centers and domestic workers in Hong Kong who are encouraged to cut ties with their former colleagues. The fact that both those who are present in official spaces of the migration industry and those who are absent experience shame contrasts with number of works from current scholarship on shame (for example Probyn, 2005; Ahmed, 2004) which stress the importance of physical proximity. Probyn (2004:331), for example, notes that shame is “perhaps the most intimate

of feelings but seemingly must be brought into being by an intimate proximity to others.” But in the case of runaway girls, the experience of shame signifies emotional, rather than physical proximity. For them, the witnessing community in agencies, the community to which they desire to belong, is still emotionally present. Similarly, the regularity of briefings, in a way mainly shaming events, reinforce the “imagined” proximity of runaway girls and their “badness”. As such, the emotional proximity of runaway girls, imagined as an internal danger, affects how people interact in the migration industry but also how they experience the running away phenomenon.

In sum, running away is associated with stubbornness, laziness, loose sexual morals and dishonesty and it is discouraged and shamed. Shame, similarly to love, thus works performatively and reinforces the image of an immoral runaway. In the migration industry, shame is closely linked to the betrayal of the ideal of a poor woman empowered by labor migration. Runaway girls thus become emotionally present even though physically absent because they symbolize betrayal of love and compassion. In this way, it is the practices of love and compassion of staff in the migration industry which enable practices of shame in the intensity experienced in agencies and training centers.

6.3.3. Becoming and being (un)lovable

“It does not matter when the people have laws when they do not have hearts.”

- Oriti, a runaway domestic worker, 21 August 2016

When Anik, a Bangladeshi coordinator speaks about Oriti, she says that she was very pretty but too lazy. In Anik’s words, Oriti had two good employers but left them both. When Oriti explains her decision to run away she says that she asked for an exchange of the first employer because she had a strong allergy to her cat and the second employer terminated her for redundancy but also physically tortured her prior to that. She perceived no alternatives than running away as her agency told her that she would not be eligible for another contract and she wanted to repay her migration debt. Instead of having her employer exchanged, she was advised to work harder and improve herself. In trying to prevent Oriti from leaving her formal employer, her agency in fact contributed to her decision to run away. While employed formally, protection that should come with “legality” was not accessible

for her because it was mediated by her quotidian interactions with agencies, employers and friends. Oriti did not have access to formal complaint mechanisms because she was uninformed about the possibility of accessing them. For her, the existence of laws did not matter because how she experienced her legal status was through affects that people around her assigned to it. In her training center she was loved and encouraged, but when she ran away, she lost some of her closest relationships. Oriti ran away during the peak of the runaway crisis and she says about her life since then: "I was a business student when I arrived. But then I lost four years of my life. I am nothing now."

After the runaway crisis, agencies introduced mental education and the role of Bangladeshi coordinators whose main task, as freely admitted by managers, is to provide migrating women emotional support to keep them in formal employment. In Association A, staying with abusive employers became praised as proof of strength as newly-hired trainers started teaching domestic workers from study material from an American coaching company lectures such as countable purpose, suggesting focus on wages in case of difficulties, or how to predict employers' moods and how to motivate oneself into work after being scolded. In Agencies B and C, the runaway crisis led to the introduction of regular briefings. Deployments of affect then strengthened the urgency of biopolitical adjustments, introduced the authority of Bangladeshi coordinators and reinforced the requirements on discipline. In this way, affect became deployed for the governmental purpose of regulating Bangladeshi domestic workers and their legal status.

Affective investments, as Ahmed (2004:1) notes, make objects lovable. In this way, the affective investments of staff in agencies and training centers reinforce the lovability of the aspiration to approximate the idealized image of a poor woman empowered and modernized by migration for domestic work. Lovability thus signifies the potential to become the idealized image of an empowered woman-migrant worker. In this way, Bangladeshi women are strongly encouraged to stay "legal" but this "legality" does not ensure that they work under legally circumscribed rights and obligations but rather that they stay lovable. Coming back to Oriti's quotation, it is "hearts" that matter rather than laws.

The ideal of an empowered Third World Woman has a biopolitical value because women can be governed through the desire to approximate it. It is through evoking the potential to approximate the ideal that they are asked to give up their rights and discipline themselves in line with perceived requirements of the market. Complying with these regulations is then rewarded, for example, by celebrations of those who finish their contracts or ceremonies for those in training centers who completed their training.

It is here important that affective labor in the migration industry happens against the background of a public discourse in Hong Kong which is often critical of employment agencies (for example, the case of Erwiana, South China Morning Post, 15 July 2016) without making a distinction between employment and manpower agencies. Interviewed managers and trainers therefore often stressed that torture does not happen in their agencies and that they work hard to protect their domestic workers by finding compromises with employers. With the negative image in the media, agencies became pushed to distinguish themselves from those who “do abuses”, to build a contrasting positive image and to become “charitable businesses”. In this way, they also seek to redefine themselves as helping institutions and it is “the poor Bangladeshi women” through which this new image can be constructed. Bangladeshi women become lovable because they allow agencies to redefine themselves as institutions helping families both in Hong Kong and Bangladesh.

The performance of lovability in the migration industry creates binary options for domestic workers in abusive employment. This is because many must choose between striving to resemble the ideal of a poor and loyal woman who through submission in employment reaches economic empowerment and a shamed, immoral and excluded runaway. In Agency B, this binary is talked about as “no choice, no alternative,” words often repeated during the “big” briefing, meaning that the workers are not allowed to choose to leave their employers and that leaving them would mean exclusion. As the focus group and interviews indicated, Bangladeshi women are convinced that the opportunity to find new employers by themselves does not apply to them as opposed to other national groups in Hong Kong. Neither the agencies nor the consulate informs the workers about the possibility of exchanging

employers by themselves. At the same time, the insistence on perseverance conceals many Bangladeshi women in abusive professional relationships in employers' households which are coded by institutions as safe, as opposed to women's decision-making which is coded as too emotional and unsafe and leading to running away.

Simultaneously, the interaction of affect and power as it is currently in place in the migration industry also often conceals the reasons for running away as the women themselves see it. A number of runaways argued that they have for a long time complained about their employers and that they asked to exchange them but instead they were scolded by their coordinators or encouraged to persist in order to have a better future. When I interviewed Monica in August 2016, she had already been waiting for her salary for four months while being encouraged by her agency to stay with her employer, wait and see if things improve and find a compromise. Oriti complained to her Bangladeshi coordinator few times in a mosque which they attended together but she was scolded when she asked to exchange her employer. None of the managers admitted that runaways could leave their employers because of abuses which they argued simply do not happen with employers they chose despite being presented with concrete cases. Concealment of abuses then becomes one of the defining features of Bangladeshi women's employment in Hong Kong.

In this way, affective practices centred around the runaway crisis and the Cinderella fairy-tale of self-improvement constitute agencies and training centres as spaces where lovability is performed. Lovability refers to the potential of Bangladeshi women to approximate an ideal of a Third World woman empowered by migration which is invoked by practices of love and shame. It is then mainly through lovability, as deployed and regulated by agencies, that Bangladeshi women experience their legality.

6.3.4. Regulating lovability

"I pray to God you have an employer who treats you under the law."

- Jovi, a domestic worker encouraging her friend who recently exchanged her employer

Migration is for many a transformative experience. But while Bangladeshi domestic workers write down their dreams prior to leaving for Hong Kong or just promise their families to make their lives better, often rather than being fully in charge of their transformation they are submitted to a change. As the quotation from Jovi indicates, having an employer who treats one under the law is not seen as something the women could have the power to influence themselves; rather than that, it is often understood as a piece of good luck, or as an exception. Interviewed domestic workers in the same line often spoke about luck and being lucky. “I am not lucky” or “she is lucky” were often repeated expressions during many interviews.

But in contrast to that, agencies imagine migration to Hong Kong as a highway to empowerment for those who try hard. Running away for those who are lazy or too emotional are imagined as badly managed, and the easily affected minds of runaways became perceived by managers and staff as one of the main reasons for running away. Therefore, managers and staff introduced preventive measures which should lower the number of runaways and make the women stay loyal to the ideal of self-improvement.

Agencies do not allow Bangladeshi women to keep their passports freely. When the workers are in households of their employers, their passports are kept by the agencies. It is generally understood by agencies that this will prevent women from finding informal employers and discourage them from leaving the households of formal employers. If women run away, their passports are sent to the consulate where they have to pick them up. If the workers run away and go to the consulate within the two-week window after the expiry of their visa, the consulate will try to convince them to return to their employer or agency. While it is unlawful to keep someone's passport and Hong Kong's code of practice for recruitment agencies specifically mentions this, it is perceived as acceptable, provided the passports are fully accessible to workers at all times. Agencies can therefore claim that the workers can withdraw their passports any time, but in fact, the women are rarely aware of this option and they also often do not understand the importance of keeping one's passport.

At the same time, in at least two observed agencies, employers were instructed by staff in employment agencies not to give Bangladeshi women holidays during the first three months while they had to pay off their loans. Not having holidays and therefore also having only limited contact with their families and “Pakistani boys”, is again aimed at preventing Bangladeshi women from running away. While some employers pay for extra working time, others do not, which is almost impossible to monitor under the current system.

Finally, networking with other Bangladeshi women in a boarding house is strongly encouraged by agencies and it is perceived as an important practice preventing the workers from running away. This is also why agencies often ask employers to give holidays on the same day, usually Sunday. Coordinators in Agency A then sometimes organize trips or common meals and in some cases even contribute to these gatherings from their own salaries. At the same time, it is not common that Bangladeshis would socialize with domestic workers of other nationalities and Agency B specifically discourages that. As Mr John once said during an interview: “Why Bangladeshis fail? First, when friends suggest them to leave...” In the eyes of managers, this is because Bangladeshis are expected to work hard and not compare themselves with other, more experienced workers, because they first need to establish themselves on the Hong Kong’s labor market. But it is also true that the women often simply prefer spending time with their co-nationals. The isolation prevents them from potentially useful experience-sharing which could prevent them from running away as well as protect them from abusive professional relationships.

Therefore, persistence in formal employment and loyalty to the lovable ideal is also governed through regulatory practices. In this context, running away requires resisting not only affects circulating around legal status but also these small-scale regulations.

6.3.5. Running away as an expression of individual agency

You know, I ran away and after two months so healthy...because I eating too much food, I sleeping too long time...every day I sleeping eight hours...and I eating fruit...I am eating too much food and I am getting healthy...now I am healthy, I can do so many hard work...but at that time I am so sick.

- Aurna, 5 January, 2016, close to Kowloon Tong MTR

For Aurna, who was physically abused, leaving her formal employer was the last option for protecting her health. She was trying to adjust but at one point her body became too weak and she ran away. Leaving her employer was a conscious decision derived from her options. After running away, she was able to regain weight and she started feeling safer. Naila said two months after running away: "It is better. I feel safe. You know...when I had visa, I was always scared to say anything to my employer. It was just: Ok ma'am...keep silent. Now when I am a runaway, they (her new Pakistani employers) know I can leave anytime when I do not like it there. I am safer." As Naila says, when she was in formal employment, she always had her legal status to worry about, so she did not engage in negotiations with her employer. Oriti said about her official employment prior to running away: "I know I am here a domestic helper, I am not a Madam, I do what employer needs." Barsha, currently an asylum-seeker who worked formally in the Middle East for five years said: "When you are a helper, you are a helper, you are not Madam, you are always in lower position there." Aurna and Naila left their employers after they became physically unable to fulfil the assigned tasks and their agency refused to facilitate contracts with other employers. Barsha was terminated after her employer no longer needed her for elderly care after death of her mother.

To run away was for many an act of individual agency which required giving preference to their own health and safety and, at least to some extent, refusal to become loveable according to standards of the migration industry and the pre-defined ideal of economic empowerment through formal employment. As Aurna said when asked what she would do now after she ran away: "So what? Nothing, same, I will work."

6.3.6. Collective political agency of Bangladeshi migrant women

Focus group, 22 January 2016

Saliha: Actually...it is totally different for Indonesian women...how come they can find a new employer in thirteen days...we did not work? The employer did not pay us...we did not work? Then employer, how to? Why Bangladeshis cannot? So many things cannot?

Ermin: Because when the girl away....then black market...then agency say they do something wrong...but all of them do not do something wrong...why go outside? They need to do very hard work, they have no safety...I saw my friends...They need to do so many dishes and their house is not suitable...I have seen...I do not know how to explain the experience to agency...because agency say: "Do not meet with your friends who run away."

Veronika: Are you told not to meet with your friends who run away?

Saliha: Do not call, do not answer friend...

Veronika: Is it the same for you? (to Rumana)

Sanjida: Yes, but I do not listen...

Saliha: She listens...but she does not care...Ok, we all listen but we do not care...

As Saliha said during the focus group, current and former domestic workers maintain contact despite being discouraged to do so. For example, Anna, a runaway worker mentioned in the introduction to this thesis, managed to gather money for the cancer treatment of her mother thanks to the support of her formally and informally working runaway friends. According to Anna, in her group of four friends, they collectively managed to gather money for everyone to get safely back to Bangladesh without a migration debt. When Moriom's employer did not provide her enough food, other workers from her agency gathered money to buy her food at weekends. Zana left her employer without clothes and her friends collected their old clothes so that she could survive winter as a runaway. After running away and while waiting to collect documents to apply for asylum, most interviewed runaways stayed with their co-nationals and they were occasionally supported financially by their formally working friends. It is true that some runaways feel so ashamed that they avoid socializing. However, many also reestablish connections with their formally working friends after regularizing

their status as asylum-seekers or after an initial period of distance. Paradoxically, for all interviewed runaway girls, it was only after leaving their employers that they started engaging with domestic workers of other nationalities and sharing strategies for improving their situation, for example, for how to apply for asylum, how to find work in restaurants or in South Asian families in Hong Kong. At the same time, according to agencies, it is exactly these networks of runaways and formally employed workers which make running away attractive and why they should be discouraged.

While not all acts of resistance are collective, all of them are intentional and have a symbolic or ideological component which respond to larger social processes. In this sense, engagement in solidarity networks is deliberate and it involves active rejection of dominant interpretations of legal status by agencies and the reduction of the phenomenon of running away into a lack of rational thinking or calculations of economic profitability. In addition to support provided to runaways, jokes about trainers, nicknames and gossip all present examples of everyday forms of resistance and contribute to generating a subculture of resistance. As Scott (1985) remarks, by definition, gossip involves tales about an absent party and as such, they work to reinforce specific claims and distance the receiver from the third party. Sharing of stories about staff in agencies and runaway girls presents an important part of domestic workers' social gatherings. But in addition to serving as a form of relief strengthening mutuality, gossip also enhances awareness about rights and legal procedures. For example, thanks to gossip about a runaway friend, Saliha was able to support her friend Farhana who found out that her agency did not ask her employer to pay for her flight back to Bangladesh, against Hong Kong's regulations.

Saliha is one of the leading voices in the group of domestic workers from Association A and also the main organizer. She was introduced to me together with Aurna, her best friend, in September 2015. When asked during her first interview why some domestic workers run away, she said that they just get greedy or that they become too emotional. She also told me a story about a friend who was considering running away. Saliha brought her to Wan Chai, in the center of Hong Kong, and showed her prostitutes gathering in the streets. She then told the friend that this is the fate that would befall her, based on which her friend decided to stay with her official employer. After Aurna, Saliha's best friend, ran away in August 2016, she did not understand why it happened and she was disappointed

that Aurna did not communicate with her before and after leaving her employer. At that time, Aurna also deactivated her Facebook account. The two friends reunited after Aurna applied for asylum. In January 2017, Saliha said during a focus group session: “You know, some women run away because they are greedy, and some have no choice.” She then also spoke about other runaways who left their abusive employers, were refused to be provided with other employers and who could not return home due to family issues or debt. She continued meeting up with them during holidays.

As with Saliha, for many officially working Bangladeshi women, solidarity does not come easily. Instead, it must be earned, meaning that there would be “no other choice” than running away. For interviewed Bangladeshi domestic workers, having “no choice” signified only that they could not return home or “get one more chance” from their agency. In a situation where law is not expected to ensure justice, it is the solidarity networks which define alternative collectively agreed forms of justice. There are no regularized meetings and the collective does not perceive its moral mandate. Nevertheless, inclusion in solidarity networks depends on the evaluation of one’s reasons for running away. Thus for many, such as Zana and Aurna, the friendships established with other domestic workers can present a collective form of empowerment which in some cases can stand in contrast to the institutional forms of individualistic empowerment.

Therefore, despite being discouraged to do so, domestic workers in formal employment often socialize with runaways. These solidarity networks then engage in acts of resistance which challenge dominant interpretations of legal status deployed by the migration industry.

6.3.7. Transformations of the migration industry

22 January 2017, HKBU

After a focus group, Saliha pulled me aside together with Farhana who does not speak English fluently. She said: “Look at her! She finished her contract and her employer wanted to prolong it. But no money for flight ticket. Agency - Ishika - said: Ok, no need to pay full flight ticket.” Saliha then explains to me the agency wanted to do a favour to the employer who was obliged to pay for a flight

ticket back home between two contracts and they were hoping that in this way Farhana can better keep the job. Saliha, who was more knowledgeable about procedures, then helped her friend to get full reimbursement. I later learned that this story about an agency originally declining full reimbursement was widely shared among domestic workers.

To explain her approach to resistance, Butler recalls a picture of a woman in red dress which attracted global attention during a riot in Turkey in 2013. In the picture, a woman in holiday-style clothes was attacked by Turkish police but instead of responding aggressively or leaving the protest site, she stood firmly, exposing the force of her attackers. Thus, in Butler's words: "The agency here belongs to the camera, the crowd, and the bodies in place. It is effective precisely because the situation is unwanted and unwilling." While the woman in red exposes her vulnerability, she is not a victim. Instead, by becoming an unintentional resister, she engendered the agency of a witnessing crowd.

In her employment agency, Farhana was framed as a potential victim of patriarchy in Bangladesh who had no other option than staying with her employer in Hong Kong. Most probably, her Bangladeshi coordinator also feared that the company would be unable to find her a new employer if the relationship with her current employer deteriorated. However, as with many other cases, the attempt to depoliticize the claim had substantial effects.

For example, as many agencies are the main interpreters of laws, distrust for agencies can easily evolve to distrust for the legal system in general. Each new runaway case is witnessed by the community and further deepens the distance between agencies and domestic workers. As with Butler's example of the woman in red dress, exposure of vulnerability engenders the political agency of witnessing others.

Running away has also an impact on a more structural level. Managers in agencies confirmed worsening of relationships with the Bangladeshi government, including obstacles in obtaining visas for foreign trainers in training centers. Manpower agencies also confirmed that processing of documents

has been prolonged from both the Bangladeshi and Hong Kong sides, reportedly as a response to the number of runaways. Also, agencies in both Hong Kong and Bangladesh have reacted to this situation. Bangladeshi manpower agencies focus even more on “export” to the Middle East, their primary source of income. During the course of the study, one manpower agency ended its agreement with Hong Kong-based partners. Hong Kong recruiters then started exploring new markets in neighboring countries. For example, the Hong Kong’s government relaxed its regulations on arrival of workers from Cambodia, from 1 March 2017, which prompted at least two observed agencies to launch new partnerships in the country. In 2015, none of the interviewed managers could confirm that the Bangladeshi government would agree to leaving the migration channel open. While the interviewed representative of BMET expected that the partnerships would be prolonged, agencies themselves perceived insecurity about the agreement.

In sum, in this section I pointed out two main political effects of the specific functioning of affective life and power as described in this chapter. First, there is a growing distance between migrants and agencies as domestic workers start questioning dominant narratives of authorities in the migration industry. This distrust of agencies as interpreters of law can easily become into distrust of law in general. Second, governmental institutions as well as agencies now seem less interested in supporting migration from Bangladesh to Hong Kong and are slowly giving up on an agreement which was originally celebrated as mutually beneficial.

6.4. Summary

This chapter suggested that production of domestic workers’ legality can be examined through the lens of lovability, which is the potential to reach an ideal that the women symbolize. This potential is then invoked by circulations of love and shame in the migration industry. Examinations of legality through the lens of lovability also suggest that migrant women’s legal status is performed by the migration industry and domestic workers themselves and this performance impacts decision-making over staying in abusive employment or running away. Lovability itself is then negotiated in interactions among agencies, individual domestic workers and their solidarity networks.

7. Conclusion

7.1. Introduction

In this thesis I demonstrated that the legal status of Bangladeshi domestic workers is produced in a multi-layered process which includes social structures and power and affects institutions of the migration industry. Bangladeshi domestic workers present a national minority among migrant workers, but their relatively small number speaks to a wider dynamic. It was due to the runaway crisis that migration industry institutions started limiting the inflow of Bangladeshi women. The runaway crisis thus cannot be explained only by socio-economic and politically-produced vulnerabilities experienced by migrant workers, even though they are significant. The migration channel was opened specifically with the intention to promote safe migration and women's empowerment. Patriarchal family structures in Bangladesh do not necessarily engender running away and although the workers are permitted to exchange employers, this was an option they did not use. This chapter suggests how findings of this thesis contribute to explaining why Bangladeshi women run away or stay in formal employment. It also explains methodological limitations and directions for further research.

7.2. Empirical contribution

First, the thesis provided data on Bangladeshi women as a minority among migrant domestic workers in Hong Kong. Rough estimates based on number of entries suggest that there are around 1,400 Bangladeshi women in Hong Kong who entered with domestic workers' visa. This is only around 0.004% of all domestic workers in Hong Kong but that statistic belies their significance. The arrival of Bangladeshis in Hong Kong presented an attempt to reduce dependency on the two majority nationalities of domestic workers whose inflow is politically sensitive. But currently, being a new group of migrant domestic workers regulated under special measures, Bangladeshi women experience dependency on their agencies for exchanging employers and reporting abuses. This dependency is encouraged by both employment agencies and the Bangladeshi consulate and it reduces

the workers' access to legal protection, makes them more vulnerable to abuses and more prone to running away.

Second, the migration flow of Bangladeshi domestic workers to Hong Kong differs from migration of Bangladeshi domestic workers to the Middle East, their traditional destination. Hong Kong was selected by the Bangladeshi government as a pilot country for a new policy approach to migration, supported at the highest governmental levels in Bangladesh and launched as an initiative feeding into IOM's efforts to promote women's empowerment. Hong Kong offered wages four times higher than destinations such as Saudi Arabia and Jordan and a stronger legal framework on domestic work. Still, the migration channel is currently much less active than originally anticipated. In contrast to other destinations of Bangladeshi domestic workers, where responsibility is shared between employment and manpower agencies (Jones, 2015), Hong Kong's employment agencies are in charge of all stages of the migration process, including recruitment and training, which allows them to exercise a strong influence over the women's experience of "legality".

Third, Bangladeshi domestic workers also present a minority among around 15,000 Bangladeshis in Hong Kong who are mostly contractual male workers who came legally but stayed to work in the informal sector (Ullah, 2013). They are relatively isolated from their co-nationals and their contact with Bangladeshi and other South Asian men is perceived by employment agencies as a reason for running away.

The situation of Bangladeshi women is to some extent similar to other national groups of domestic workers - mainly Indonesians and Filipinos. There are however also significant differences. In contrast to Bangladeshis, Filipinas present a majority among domestic workers in Hong Kong. In March 2017 their population was around 193 000 which is 54% of the overall number of domestic workers in Hong Kong. As described by Constable (1997) and as suggested in Chapter 4, the everyday oppressive tactics that they experience are to a significant extent similar to the everyday experience of Bangladeshis. Similarly to them, they experience abuses in the households of their employers and they are disciplined by employment agencies to become a docile workforce. According to Chang

and Ling (in Marchant and Runyan, 2000), Filipina domestic workers are subsumed within what they call a techno-muscular capitalism - a technology-driven capitalism which reduces humans into the efficient workforce. As the authors themselves acknowledge, the forces creating the situation of Filipinas are equally relevant to other national groups of domestic workers in Hong Kong. The difference, however, lies in the way their bodies are sexualized. While Bangladeshis are marketed as obedient, simple and loyal, Hong Kong's popular culture identifies Filipinas with the sex industry (Chang and Groves, 2000: 73). As Chang and Groves (2000) argue, "in response (to the allegations of sex work), the women construct an "ethic of service" within their own communities which challenges the public discourse on the Filipina as "prostitute." This response is however not the only one within the community. Some others in contrast to that react by flaunting their sexuality. For Chang and Groves (2000: 73), these differences in the community reflect a wider socio-economic context where "women's moral identity and economic livelihood are tied to their sexuality."

Indonesians, on the other hand, are often perceived by the wide public as "less sexual" but less competent than Filipinas (Constable, 2007). They present around 44% of domestic workers in Hong Kong which accounts for around 156 000 people. As they came around a decade later, they tend to be less organized, less demanding in their rights and more vulnerable towards employment agencies and their employers (Constable, 2007; similarly in Taiwan Loveband, 2004). To this extent, there is a parallel with Bangladeshis. But as they have been gradually coming in bigger numbers and as they have had increasing contact with Filipinas, they managed to at least partly increase their abilities to negotiate unequal conditions in households of their employers (Ibid.). According to Loveband (2004), Indonesians in Taiwan are often hired to do dirtier jobs and more care work than other national groups of domestic workers but this comparative study yet needs to be done in Hong Kong.

While Bangladeshi women in Hong Kong find themselves in largely similar situations to their Filipino and Indonesian colleagues, the runaway crisis in the extent experienced by Bangladeshi women has never happened to other national groups of domestic workers. The reasons why this did not happen in case of Indonesians and Filipinas to the same extent as Bangladeshis would require a separate study. The next section considers conceptual contributions of this thesis.

7.3. Conceptual contributions

Bangladeshi women often come to training centres automatically perceived as victims and dependents. When they come to Hong Kong, a majority of them experience abuses. When abuses happen, employment agencies perceive a limited scope to act. They can send them home which often implies resignation on the ideal of a poor migrant woman empowered through migration while some can also face discriminatory practices in their communities in Bangladesh. The other option is to find them a new employer. But as Bangladeshis are often seen by employment agencies as “obedient but not yet good enough” for the Hong Kong’s labour market, their options to find employers are perceived by agencies as limited. They are therefore often asked to persist and stay with their abusive employers. As interviews suggest, the women are eventually pushed to the edge of their capacities and run away. While agencies employ a number of small-scale strategies to bypass the law and make workers stay with their employers or prevent them from running away, for example by discouraging them from socializing or by buying their flight tickets on a short notice, these tactics often only engender resistance and make running away more dangerous.

By exploring the production of legal status among Bangladeshi women in Hong Kong, the thesis strived to contribute to three areas of wider social science out of which two are directly relevant to geography. In the sections below, I would like to summarize the main conceptual contributions and suggest how they complement and further current discourse in three realms - law and society scholarship; emotional geography; and governmentality.

7.3.1. Law and society scholarship

The first empirical chapter of the thesis, Chapter 4, outlined structural factors producing socio-economic and political vulnerabilities and prompting Bangladeshi women to run away while at the same time paying special attention to the workings of legality. It argued that legality can become less protective than illegality as protective legal measures are unattainable for some. The chapter also highlighted that structural socio-economic and political vulnerabilities present only a partial explanation for running away and suggests that seemingly protective laws can be experienced as abusive and in combination with other structural inequalities can motivate some to run away and some to stay in

abusive employment. Chapter 5 argued that governmentality inside the migration industry affects how migrant workers experience their legal status. This is because agencies do not deal well with complaints about abuses. The chapter also concluded that power dynamics in migration industry institutions contribute to the production of legal status among Hong Kong-based domestic workers from Bangladesh. Chapter 6 suggested that affects, as deployed inside the migration industry, work to conceal abuses by creating a narrative about an ideal empowered woman who was given a chance, a shameful runaway and charitable agencies.

In law and society studies, legality is understood as a type of social practice. Law and society scholarship further encourage studies of “how different experiences of law become synthesized into a set of circulating schemes and habits ...” and how “...relationships among consciousness and processes of ideology and hegemony” form legal realities (Blandy and Sibley, 2010: 272). However, mainstream discourse in this field tends to imply that “legality”, understood as a form of inclusion in a host society, makes migrant domestic workers less vulnerable than illegality (for example Mundlak and Shamir, 2016; De Genova, 2002). By arguing that legality does not reduce vulnerabilities experienced by migrant workers and many opt to run away simply because they are pushed to the edge in formal employment, this thesis hoped to challenge this assumption. Furthermore, the findings of the thesis complemented some of the arguments pertaining to the production of legality and legal practices mentioned in Ho and Chua (2016) who suggest that in case of a Chinese minority in Myanmar “...internal social divisions and geopolitical considerations deter collective action towards rights assertion..” Collective action of Bangladeshi women in the classical meaning of an organized political activity was deterred by the fact that each spent most of her time in the household of her employer but also because they internalized the subordinate position on the labour market and therefore did not fully capitalise on the protection provided by the law and local activist networks. Still, the thesis hoped to show that Bangladeshi women do not actively resist the law in the traditional sense, for example via litigation, protests, engagement with NGOs, they nevertheless navigate its multiple sites and scales. Finally, the thesis suggested that legal status can work, such as in case of Bangladeshi women, mainly as an affective performance, a collective affective imagination, without any assurances of legal protection.

7.3.2. Emotional geography

In Chapter 6, the thesis introduced the concept of lovability and showed that performances of legal status can be understood through the lens of lovability. The concept is derived from Ahmed's (2004:1) assumption that objects become lovable through affective investments. Lovability here refers to the potential to approximate a pre-defined ideal of a Third World woman empowered by migration for domestic work that the women symbolize. By complying with this ideal, and therefore performing lovability, Bangladeshi women allow employment agencies to redefine themselves as charitable institutions. Lovability in institutions of the migration industry is regulated by practices of love and shame but also resisted by domestic workers' individual and collective agency. Performances of lovability by domestic workers and staff in employment agencies shape conduct of domestic work because by trying to keep domestic workers in formal employment, staff in agencies try to bypass the law. This is done, for example, through compromises with abusive employers and so-called preventive measures which complicate women's access to legal protection. Performances of lovability, therefore, shape Bangladeshi women's migration experience, make them more vulnerable to abuses and, by pushing them to the edge in compromising with abusive employers, shape their decision-making over their legal status. Affects - shame and adoration - then work to conceal abuses, they create a narrative about an ideal empowered woman who was given a chance, and shameful runaway and charitable agencies. The source of the problem - inability to change an abusive employer, or possibly search for an employer on one's own, is concealed under affective narratives. Affects in this way reduce decision-making about legal status into binary options - one either "persists", meaning deserves to be positioned as a model of empowerment, or becomes too "weak", runs away and becomes shamed. Emotions are therefore critical for explaining runawayness because they conceal abuses.

Emotional geography scholarship often underscores the need to read affects together with situated power relations (Crewe et al., 2014). This reading, for example, allows seeing compassion in certain contexts as a paternalistic position reinforcing inequalities (Berlant; 2014:4). Similarly, Pedwell

(2014: 52) suggested that seeing empathy as “produced and circulated through transnational relations of power that have emerged out of migration, colonization, development...” Therefore, rather than seeing empathy solely as a positive emotion that needs to be mechanistically cultivated, she suggests that it should be conceptualized as a critical receptivity to being affected by ways of seeing that do not confirm what we already know. In another study, James developed the use of a concept “compassion economies” to capture how “suffering of another person, when extracted, transformed and commodified can become a source of profit for the intervener” (James, 2004: 28). By linking affect and power, these authors strive to avoid binding up emotions with the ongoing “ethics of privilege” (2004:1). This thesis extends this approach by stressing that not only power in its structural form but also law as a form of expression of power can interact with affect, determine people’s realities and in case of Bangladeshi women in Hong Kong contribute to the production of their legal status.

7.3.3. Governmentality

Finally, the thesis applied Foucault’s concept of governmentality to investigate power dynamics in employment agencies and training centers. I suggested that institutions of the migration industry regulating migration of Bangladeshi women for domestic work in Hong Kong operate as sovereign units reinforcing biopolitical rationalities. I further suggested that the intimate environment of employment agencies presents, similarly to Foucault’s families, a “switching point”. This means that employment agencies decide how Bangladeshi women should be further disciplined by either assigning them employers, sending them back to training centers or their biological families. Bangladeshi coordinators and trainers in employment agencies and training centers act as sovereign actors within governmental regimes who have the power to determine women’s eligibility for exchanging employers in instances of abuse. By examining power dynamics within institutions of the migration industry, this thesis contributed to the literature on governmentality in migration studies and the literature on migration industries. The thesis combined insights from these two streams of academic scholarship. It specifically applied Foucault’s concepts to investigate power dynamics in governing migrants as a population (such as Constable, 2007 and Inda, 2002) and approached manpower and employment agencies as actors actively shaping relations within governmental regimes (such as Mahmud, 2003;

Jones, 2014). The thesis suggested that, given the intimacy of relationships in migration industry institutions, the power dynamics between staff, managers and domestic workers can be better understood by engaging with Foucault's thought on families as components of governmental regimes.

7.4. Research limitations and further research

This study engaged with only a small group of Bangladeshi domestic workers and access to statistical data was impeded by either political sensitivities or inconsistent databases of employment agencies. Further research would be therefore required to provide a more in-depth knowledge of socio-demographic characteristics of all Bangladeshi domestic workers in Hong Kong.

While acknowledging that affect is both an embodied and discursive practice, this thesis researched mainly its discursive aspect. I felt that my full comprehension of the workings of affects through bodies was limited by cultural differences between myself and my respondents. But throughout this research, some domestic workers started documenting their lives via visual arts, creative writing and dance and one launched a new women's network for empowerment. These observations suggest that Bangladeshi women have sufficient ability to pursue follow-up investigations of legal status "from within" the group which could better capture affects producing legal status as embodied practices. A study pursued by a domestic worker-researcher would be likely to provide a fresh ideological perspective.

Finally, the study engaged with Bangladeshis as a new national group in Hong Kong, but its findings cannot be generalized to other domestic workers minorities in Hong Kong, such as Cambodians, who are currently under-researched. A follow-up study would be therefore needed to determine how they experience and act upon their legal status.

7.5. Praxis

Findings of this thesis suggest that running away and experiences of abuses in formal employment could be reduced by relaxing the dependency of migrant workers on employment agencies. The assumption held by the consulate that Bangladeshi women should come to Hong Kong and stay

with one agency doubles the women's dependent status. They are not only dependent on their employers for their visa but also on their agencies for dealing with abuses: both dependencies thus increase their vulnerability. Relaxing this dependency would include informing women about the possibility of searching for employers by themselves on the internet and via other agencies and about civil society organizations which can support them in litigation.

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