

Cycles of Irregularity

The Intergenerational Impacts of Trafficking Policies on Migrant Families

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Nadia, who had turned twenty-three just three days before I met her in 2013, was born and raised in the United Arab Emirates (UAE). Yet, she has never had Emirati or, for that matter, any other form of legal citizenship. For the first fourteen years of her life, she lived with her mother and five other women in makeshift housing near the Dubai Creek. Nadia's mother had migrated from India to seek domestic work in Dubai in the late 1980s. During her time working for a local family, she became pregnant and gave birth to Nadia. Although unaware of the details, Nadia was told by her mother that she had been fired when her employers discovered her pregnancy. For the first few years of Nadia's life, her mother worked informally as a domestic worker for several other Indian families. However, with housing costs rising and the cost of sustaining her daughter increasing, she decided to enter sex work when Nadia was roughly seven years old in order to supplement her income. Nadia recalled her mother being "honest" with her about the nature of her employment, and said that her mother's work never embarrassed her.

One day in 2004, when Nadia was fourteen years old, her mother was arrested in a brothel raid and deported to India after six weeks of detention. Nadia's requests to see her mother were denied, and she was taken to a local orphanage outside of Dubai. The mother's attempts to be with her daughter also failed. The situation worsened when Nadia discovered her condition of statelessness, which would prohibit her from traveling to India to be reunited

with her mother. The circumstances of the mother's deportation also prevented her from returning to the UAE to see her daughter. Distraught, stateless, and parentless, Nadia remained in the orphanage for several years. After turning nineteen, Nadia decided to run away in the hope that she could find employment, save money, and eventually find a way to move to India. Through several contacts with her friends, Nadia managed to reach neighboring Oman. Finding work there was not easy, however, because she was stateless and lacked formal training. After a few months of working informally—first as a nanny, then a waitress, and then a bartender—Nadia faced the same challenges in making ends meet as her mother had before her. Tired of working odd jobs, she contacted some friends of her mother's and was able to find work as a dancer at a local establishment back in Dubai. She has been working in the sex industry for the past four years and continues to work to save money in order to find a way to reunite with her mother.

I met Lucinda one warm Wednesday afternoon when I visited an informal women's shelter at the Philippines Embassy. One of the Filipino labor attachés had been kind enough to allow me to visit the women in this shelter on occasion to talk to them about their experiences, and the reasons for them being sheltered. Most of the women were in their twenties, and had migrated to Kuwait as domestic workers. When things went wrong with their employers, such as abuse, inadequate wages, or in some cases both, the women absconded and ran away to the shelter. A few had ended up there due to abuses that had occurred outside the workplace, which had rendered them illegal. A few had even been sent to the embassy by their employers when they were found to be pregnant; in most of those cases, the embassy did their best to send them home before the baby was born.

I had just sat down to talk to a woman covered in knife wounds when a very young girl walked up and sat down across the table from me, eyeing the three muffins that another of the women had brought me. I slid the plate over to her, and she devoured one quickly. I was surprised to see a little girl in the shelter, as usually the children were sent to the orphanage. "Oh, you met Lucinda?" asked Ellie, the woman I had come to speak to. I nodded and stretched my hand out to shake Lucinda's while introducing myself. She turned away and faced the window. I asked Ellie if I should leave as I had the feeling I was making Lucinda uncomfortable. "Don't leave, please," Lucinda interjected. "I want you to interview me, hear my story," she said, trading seats with Ellie, who stood up and started brushing Lucinda's hair. Lucinda took another muffin from my plate and began telling me her story.

Lucinda told me that she thought she was nine years old, though her mother, who was also living in the shelter, had told her that she had lost track of the years. When I asked Ellie and Lucinda if I could speak to

Lucinda's mother, they shrugged their shoulders. I insisted that I needed Lucinda's mother's permission to talk to her, so she ran downstairs, had her sign the consent form, and returned. Ellie leaned over the balcony to ask Lucinda's mother if she wanted to be interviewed by me, but she did not answer. Lucinda returned quickly, and she and Ellie resumed her story. They were both speaking quickly, and I struggled to keep up but was able to piece together the details from the various stories they told. It turned out that Lucinda's mother, Marissa, had become pregnant after a year of employment as a domestic worker in Kuwait. Instead of turning her in to the police, Marissa's sponsor told her that she would be welcome to have the child at their home but that both mother and child would then be rendered illegal. They explained to her that children born out of wedlock could sometimes be separated from their mothers, who could then be detained and often deported. Afraid of this consequence, Marissa gave birth at home (with the assistance of her employer's sister), but from that point on neither Marissa nor Lucinda left the house out of fear of being caught by the police. Knowing that Lucinda was stateless, Marissa was terrified her daughter would be taken away from her. When it came time to renew her visa and contract, Marissa was afraid to do so, worrying that the authorities would find out about Lucinda, and arrest her.

As soon as Lucinda was old enough to help around the house, she did so, and was rewarded with sweets from her mother's employer. When Lucinda turned seven, however, Marissa's employer began withholding her wages. The children Marissa took care of also grew increasingly aggressive and would often tease and hurt Lucinda. Afraid to go to the authorities, Marissa worked for two years without pay, while Lucinda suffered from increased bullying. At one point, Lucinda was locked in the dryer by the two young boys who were Marissa's charges. Another time, Lucinda recalled that the boys took turns throwing shoes at her. When Marissa tried to stand up for her daughter, her employer became very angry and started to hit Marissa. One afternoon her employer came home and poured boiling water on Marissa's legs, complaining that Marissa had not prepared food for the children that was to their liking. The next morning Marissa and Lucinda packed their things and decided to take their chances by running away to the Philippines Embassy. They were placed in the informal shelter while their cases were examined. For nine years, Lucinda had managed to be incorporated into the home of her mother's employer—but now that had ended, and she indicated extreme fear of what would happen next.

Both Lucinda and Nadia were able to stay and find employment in the informal economy in the Gulf Cooperation Council (GCC). Although neither of them had been able to obtain citizenship, they had both circumvented laws about their presence in Kuwait and the UAE through informal channels,

thus manifesting the perverse (in that it is illegal but works) aspect of integration. Their living and working situations point to an example of legally produced illegality, in which both young women were living and working illegally in the host country, not because they had done anything illegal, but because the contours of the immigration and labor laws do not take into account the possibilities or circumstances of their birth. In addition, the incongruence between home and host country laws further restricted these women's movements, keeping them simultaneously stateless and immobile.

Intergenerational Irregular (Im)Migration

This chapter highlights the intergenerational impacts of irregular migration, which is contoured and often produced by flawed policies to address gendered migration and citizenship. I draw on in-depth fieldwork with migrant women and the children of migrant women in two migrant-receiving countries in the GCC—Kuwait and the UAE. The stories of young people such as Nadia and Lucinda show how challenges with family reunification and with sending and receiving states reproduce inequality and irregular employment. Laws pertaining or responding to hypersexualized moral panic around human trafficking, labor laws, and citizenship regulations affect migrants and their kin, leading to not only the production but also the reproduction of irregularity across generations.

Gendered migration, wherein women migrate with as much if not more frequency than men (Parreñas 2001; Hondangeu-Sotelo 2003; Constable 2014; Boris and Parreñas 2010; Michel 2011) has been increasing globally for over three decades, and many migrant women have given birth to children at some point during their migratory journeys. While some scholars have focused on the effect of absentee parents on the lives of children left behind (Parreñas 2005; Yeoh and Lam 2007; Suzuki 2015a), others have focused on the challenges that migrant women themselves face (Parreñas 2001; Parreñas 2005; Lan 2008; Pratt 2012). Pratt (2012) and Suzuki (2015a) have engaged the question of what happens when these women are reunited with their children, either upon returning to the home country or in the host country. These studies, focused on how migration affects parenting, provide an important lens to examine the effects of parenting on migration as well as the experiences of children who remain in the home country while their mothers migrate abroad. In addition, fieldwork with the children of migrants—both in the host country and at home—shows how different migratory experiences can affect these children. This chapter will focus on the children who were born in the host countries of the UAE and Kuwait to migrant women who were working or had migrated irregularly.

It is interesting to note that thirty out of the thirty-five children I interviewed were also working informally in their home or host countries. These young people experience heightened feelings of liminality as they struggle to explore and express their subjectivities in countries where they do not always feel welcome. Their experiences highlight the tangled mobilities and the entanglement of issues of citizenship, law, and family.

Governments across the globe have expressed increasing frustration at the rising numbers of what are variously termed “illegal,” “informal,” or “irregular” migrants and immigrants. Globally, tensions exist between those understood as sending countries and those understood as receiving countries, as they struggle to negotiate ways to mitigate the undocumented flow of people across their borders. However, policymakers and individuals engaging in larger discourses about the woes of “illegal” or “irregular” migration frequently overlook the roles that national and international laws and policies play in producing situations wherein irregular migration or employment becomes the comparatively better—and sometimes only—option for social, economic, emotional, and physical mobility. To add to this, moral panic (Cohen 1972) about human trafficking and the ensuing policies also elide the lived experiences of migrants.

By looking at the disconnection between human trafficking and citizenship legislation on the one hand and the lived experiences of migrants on the other, the production of irregular migration and employment can be observed. Moreover, by exploring the lived experiences of migrants and their families, the lasting impacts of these policies in producing *cycles* of entangled irregular social mobility between generations are highlighted. The experiences examined in this chapter demonstrate the need to pay particular attention to the vulnerabilities and precarity that children of irregular migrant women face as results of the challenges and exclusions their mothers faced. These vulnerable and precarious conditions can be directly linked to their (or their mother’s) migratory or employment status—statuses often produced by policies disconnected from lived experiences.

Many of the migrants whose experiences are analyzed in this chapter operate in grey areas alongside an ever-shifting continuum of legal/illegal, licit/illicit, and formal/informal economies and statuses. Illegality is not a quality that adheres to human beings as a defining feature of their humanness; instead, it is a status produced by states and immigration policies through efforts to contour a limited notion of the rights-bearing subject (Anderson, Sharma, and Wright 2009; De Genova 2002; Luibhéid 2013). As Garcés-Masareñas (2010: 83) astutely argues, illegality must be explained “from within ... the context of immigration policy itself and the contradictions besetting the nation-state with regard to labor demands.” By deploying intimacy as an overarching framework for analyzing inter-Asian migrations,

the works on intimate labor by Friedman (2010), Parreñas (2005), and Boris and Parreñas (2010) broaden Garcés-Mascareñas's analytical scope by showing how illegality is produced across a broad swath of intimate and care-based labors to include both those that are openly remunerated (as in the case of domestic and sex workers) and those framed by the non-commodified rhetoric of familial obligation and intimacy. Immigration policies, as Anderson (2009) notes, produce particular kinds of people by molding them into migrants, workers, and familial dependents; and these molds also shape the forms of illegality that are made to attach to those statuses through the effects of immigration policies (Willen 2007).

Illegality may emerge from the barriers erected by migration categories (such as the distinction between worker and wife, or the legal incompatibility of worker and mother) from the way these categories interact with temporal restrictions designed to limit migrants' presence in and impact on the host society, and from long-standing relationships of mutual dependence between legal/licit economies and illicit or informal sectors. Scholars such as Kim (2015), Yeoh and Chee (2015), Suzuki (2015b), and Faier (2009) demonstrate in fine detail how the realm of the illicit is produced and bolstered by formal laws, legal categories, and migration paradigms, with particular attention to the historical and national specificities of how migrant illegality is constructed. If illegality is a mirror image of legality in a given time and place (Garcés-Mascareñas 2010), then its defining features and contours will be shaped by the immigration regimes specific to particular nation-states and international norms in that historical moment (De Genova 2002: 424). At the same time, however, the intergenerational cycles of irregularity within migration that I describe also display some shared trends with respect to how illegality is produced across the region, including its terms and configurations, and the consequences it generates for migrants forced to live within the "confines of legality" (De Genova and Peutz 2010; Garcés-Mascareñas 2010; Willen 2007).

By looking at the entangled intergenerational impacts of irregular migration, I aim to make an assessment of how illegality is produced by state investments in limiting what have been called "migration pathway switching" (Friedman and Mahdavi 2015; Yeoh and Chee 2015), especially with regard to the fluidity of relationships and practices of intimate life captured under the realm of human trafficking. Not only do migrants move between formal and informal sectors of the economy, but some also seek to switch their status from temporary foreign worker to permanent spouse of a citizen with rights to residency and ultimately citizenship. The "wife or worker" and "mother or worker" paradigms interrogated in the works of Constable (2014), Hsia (2015), Yeoh and Chee (2015), and Friedman (2015) reflect state desires to fix migrants in a single status, and restrict

access to employment and residency rights. A migrant domestic worker on a temporary visa may become illegal by becoming pregnant or marrying a citizen, acts that establish claims to permanency and belonging, and are thus rendered illegitimate by her original migration status. Farmer (2004) has written extensively about the phenomenon of “structural violence,” and has extended his analysis to discuss what he calls “cycles” of structural violence. Structural violence, as defined by Farmer (2004) and Galtung (1969) many decades before, refers to embedded structural inequalities (such as racism, sexism, and age discrimination) that have an adverse effect on the quality of life and health of certain populations. When Farmer writes about cycles of structural violence, he is pointing to the ways in which inequality and discrimination become reproduced and compounded within certain populations. He describes people as being caught in “cycles” wherein one type of discrimination builds on another and reinforces inequality, which can be passed down through generations. While in previous work I have argued that the inequalities migrants face in the Gulf take on forms of structural violence (Mahdavi 2011), here I aim to build on Farmer’s analysis to highlight the production of cycles of *irregularity* experienced by migrant women and their children.

Research Methods

This section draws on ethnographic research conducted in Kuwait City, Dubai, and Abu Dhabi between 2008 and 2014. Fieldwork began in the UAE with domestic workers, sex workers, care providers, and service workers. This then led me to interviews with state officials and embassy personnel in the UAE and also in the United States. During this period, I made annual extended field trips to the Gulf for periods ranging from one to three months. I interviewed 213 female intimate laborers (including care workers, domestic workers, sex workers, and service workers in the beauty industry), 89 state and embassy officials, and 57 male migrant workers; I also interviewed 14 stateless children of varying ages, and 33 employers. The fieldwork also entailed participant observation at detention centers, hospitals, orphanages, shelters, and informal shelters at embassies. In addition, I conducted media analyses of articles appearing in the GCC and in the US about migrant labor in the Middle East. Finally, I supplemented the ethnographic fieldwork with a review of policies on human trafficking, domestic work, migration, and the *kefala*—a guest worker program that governs all laws pertaining to guest workers in the Gulf, and citizenship transfer laws. I have continued with online fieldwork since 2014.

Dubai, the UAE, and Kuwait in Perspective

The extremely large foreign population (estimates show that 80 percent of the UAE population are guest workers; in Dubai this number jumps to 92 percent) and the heavy dependency on foreign migrant workers have created serious problems for the UAE. Dubai is widely cited as a place with deep labor rights violations and gender inequality. Those who work on these problems confront a significant lack of data regarding actual numbers and the demographic makeup of migrants in the region. Though the statistics on the number of female migrants in particular, and the industries into which they migrate, suffer from a lack of accuracy and transparency, current statistical estimates show a dramatic increase in the number of female migrants in the last three decades. It is believed that “50 to 75 percent of the legal migrants leaving Indonesia, the Philippines, and Sri Lanka are women, most of them hoping to earn money as domestic workers in the Middle East and other parts of Asia” (Varia 2007: 4). Middle East migration scholar Ray Jureidini (2009: 76) has observed that there are over six hundred thousand domestic workers — and possibly more if undocumented migrants are considered — in the UAE. In Sabban’s (2002: 1) in-depth study of female labor in the UAE, she notes that “domestics in the UAE represent the largest and fastest growing workforce in the UAE,” with, on average, over three hundred visas per day granted to domestic workers. In general (albeit using her annual figures from 2000), the majority of domestic workers and sex workers—and it is worth repeating that spheres of intimate labor are not mutually exclusive, and indeed women do often move between spheres—migrate from India (6,730), Indonesia (11,543), Sri Lanka (7,588), and the Philippines (6,856), though increasing numbers of women are also migrating from Ethiopia, Eritrea, Nigeria, and Pakistan. Tables 2.1 and 2.2 below present the more updated population estimates of migrants to the UAE and Kuwait in 2019. Overall, migrants made up the majority of the population of both countries—approximately 88 percent in the UAE and 72 percent in Kuwait (IOM 2020).

In my field site, I found that certain structural factors, most notably those introduced by the *kefala* system, create unique forms of legal

Table 2.1. International Migrant Population in Kuwait and the UAE, 2019.

Country	International Migrant Population	Migrant Population as a Share of Total	Females among International Migrants
Kuwait	3,034.8 (thousands)	72.1 percent	33.6 percent
UAE	8,587.3 (thousands)	87.9 percent	26.3 percent

Table 2.2. Top Five Sending Countries to Host Country—Female Migrant Stock, 2019.

Kuwait	UAE
1. India—331,645	1. India—792,877
2. Egypt—173,236	2. Egypt—293,730
3. Pakistan—93,552	3. Pakistan—218,153
4. Indonesia—86,372	4. Indonesia—202,404
5. Bangladesh—61,658	5. Bangladesh—140,954

vulnerability for the UAE and Kuwait migrant workers. Female migrants in many parts of the world face challenges such as coping with abusive employers, working illegally with limited rights, and working unregulated hours with very little recourse if they are abused or if their pay is withheld. The conditions outlined by the *kefala* system in the Gulf countries, however, make the experience of intimate laborers somewhat unique. Under UAE and Kuwaiti labor laws, domestic workers are required to abide by the *kefala* system, and their residence in the country is dependent on their sponsor or *kafeel*, who is also their employer. They are dependent entirely on this person not only for residence but also for assistance in accessing services, such as health care. More problematic aspects of the General Provisions section of the 1980 UAE labor law, which structures the lived experiences of migration, includes Article 3, which states that “the provisions of this law shall not apply to the following categories ... domestic servants employed in private households, and the like ... farming and grazing workers,” and Article 72, in which seafarers are added to the list of migrant workers not protected by any labor laws. Thus, while domestic workers must abide by *kefala* procedures, they are not protected by any labor laws. They, like other migrant workers, are also unable to participate in labor unions due to the UAE law banning the creation of such organizations.

In 2017 and 2018, many GCC countries, including Kuwait and the UAE, made progress on reforming *kefala*. While neighboring countries such as Qatar and Bahrain abolished the *kefala* system outright,¹ the UAE made significant revisions, including defining work hours and the scope of work for certain migrants, and standardizing work contracts. However, as the organization Migrants’ Rights (2018) notes below:

GCC countries have made notable progress in granting migrant workers more rights and protections. However, domestic workers are generally not included under standard labor laws in the Gulf, the justification being that they work in private homes and should be treated differently

than laborers in the public sphere. Even when legislation is drafted specifically for domestic workers, it does not offer the same protections granted to laborers in other industries.²

In Kuwait, in 2018, migrant domestic workers from the Philippines organized to get the Department of Labor and Employment (DOLE) in the Philippines to issue a total ban on sending migrant Filipina domestic workers to Kuwait after reports of abuse in the nation-state rose to new heights.³ As of the writing of this chapter, however, overseas Filipina workers (OFWs) were continuing to migrate to Kuwait to work in homes.

Migrant workers are frequently subject to two levels of policing and disciplining, with these levels often suffering from incongruence. The first level involves state laws as outlined above, including labor laws (or the lack thereof), as well as the sponsorship or *kefala* system. The second level of discipline comes from the *kafeels* or sponsors themselves, who often do not abide by state laws. *Kafeels* can range from large corporations down to private employers in the home. While there are laws against retaining passports and not providing days off, and rules outlining the humanitarian treatment of workers, many sponsors take it upon themselves to discipline their employees. Many employees do not agitate for their wages or report abuse out of fear of deportation or detention, which allows these employers to continue to violate migrant workers' rights, resulting in trafficking-like experiences.

It is important to highlight that all workers in Dubai and Kuwait are migrants and not immigrants, in that they do not have the possibility of attaining residency or citizenship in the UAE or Kuwait, as naturalization is very difficult. Naturalization is only permitted through marriage to an Emirati citizen; even then, it can only take place after at least three years *and* if it has been announced by the ministry that the spouse is permitted citizenship. In some cases, it is possible to attain citizenship if the following criteria are met:

Article 6: May be granted [to] any Arab who is a Muslim if they [have] resided continuously and legally in the United Arab Emirates for no less than seven years, and have a legitimate way of living, have a good character and [have] not [been] convicted of a crime involving dishonesty [or] immorality.

Article 7: May be granted [to] any person who is a Muslim if they [have] resided continuously and legally in the United Arab Emirates since 1940 or earlier, and [have] maintained [their] residency there, and have a legitimate way of living, have a good character, [and have] not [been] convicted of a crime involving dishonesty [or] immorality, and [are] good in Arabic. (UAE 1972)

Thus, we see that attaining citizenship is subject to ethnicity and religion, as well as to living in a way deemed (usually by the ministry) as “honest and moral.” How the ministry and immigrant institution define “moral” is operationalized to exclude migrant women from this moral status (see Ahmad 2012).

UAE laws regarding pregnancy outside of marriage and abortion further complicate the situation for many workers. While female domestic workers in particular do not have rights or access to women’s health or family planning services, their pregnancy can be cause for immediate termination of their contract and their subsequent deportation. In accordance with Islamic law, abortion is strictly prohibited unless it is to save the life of the mother, or if the baby will be born with serious genetic defects and likely will not survive. The UAE government is quite clear on its stance toward pregnant women, as shown by its website:

It is of utmost importance for a woman to be married if pregnant in the U.A.E. At the hospital when you go for your first check-up, you will need to show an original marriage certificate along with copies of your passport and visa. If you are unmarried and pregnant, you should either get married or expatriate. Unmarried expectant mothers should return to their home countries for the delivery. Moreover, abortions in Dubai are illegal unless there are medical complications, and the abortion is sanctioned by the hospital.

Pregnancy outside of marriage is not permitted. Although migrant women who become pregnant while in the UAE are encouraged to return to their home countries to deliver their children, if they cannot finance their own return travel then they may be held in detention. Some women do not wish to return to their home countries for reasons including fear of family stigma, fear of returning without money to pay back their family or their own debts, or a general preference to remain in the UAE. In these cases, the women become immediately undocumented and their children are placed in a precarious position.

Disconnected: Law and Lived Experience

Human trafficking and discriminatory citizenship policies create situations of frustrating precarity, tightening the contours of migration and migratory employment possibilities in the formal or regulated sphere. Rather than alleviating challenges for states (as discussed above) or migrants, trafficking policies function to increase bureaucracy while decreasing safe avenues for migration and work. Migrants have responded by employing creativity and

Table 2.3. Contractual Sterilization Laws in Other Gulf Cooperation Council Countries.

	Saudi Arabia	Qatar	Oman	Kuwait	UAE
Male Guardianship System ¹	✓	✓	✓	✓	✓
Coercion in Population Control ²	✗	✗	✗	✗	✗
Ban on Gender Discrimination in the Workplace	✓	✗	✗	✗	✗
Women May Directly Transmit Citizenship to their Children ³	✗	✗	✗	✗	✗
Women Must Obtain Male Guardian Permission to Travel	✓	✓	✓	✗	✓
Prohibition of Forced or Compulsory Labor	✓ ⁴	✓ ⁵	✓ ⁶	✓ ⁷	✓ ⁴

Notes:

1. Under the male guardianship system, a man controls a woman's life from her birth until her death. Every woman must have a male guardian, normally a father or husband, but in some cases a brother or even a son, who has the power to make a range of critical decisions on her behalf. The system is nuanced, and different in each country (USDS 2020).

2. The US Department of State (USDS) has not recorded any reports of coerced abortion or involuntary sterilization in the country in 2019 (*ibid.*).

3. Children derive citizenship only from the father (*ibid.*).

4. The law prohibits forced or compulsory labor, but the government did not effectively enforce the law. Forced labor occurred, especially among migrant workers—notably domestic servants (*ibid.*).

5. The government made efforts to prevent and eliminate forced labor, although the restrictive sponsorship system left some migrant workers vulnerable to exploitation (*ibid.*).

6. The law prohibits all forced or compulsory labor, but the law explicitly excludes domestic workers (*ibid.*).

7. The law prohibits and criminally sanctions forced or compulsory labor “except in cases specified by law for national emergency and with just remuneration.” The law allows for forced prison labor as a punishment for expressing certain political views, and in cases of seafarers who breach discipline (*ibid.*).

turning to irregular modes of migration and employment. These alternative employment and migratory spheres offer comparatively safer and more lucrative options for many of my interlocutors, such as Meskit and Alia, introduced below.

Meskit's migrant trajectory from working as domestic labor in the formal sphere of the service industry to working in the informal economy of the sex industry and living as an “illegal alien” in Dubai was similar to at least seven other women with whom I spoke. After her father died, Meskit's mother and siblings were left in high debt in her home country Ethiopia. Worried about her family's future, she decided to ask her friends about possible avenues of migration to the Gulf. After announcing her decision to her mother and siblings and receiving their blessing, Meskit approached a friend of hers who

advised a shortcut for her to get to Dubai more easily. In recent years, the Ethiopian government—in response to “moral panic” (Cohen 1972) about human trafficking—has passed a series of measures designed to regulate the flow of Ethiopians migrating for work, particularly to the Middle East (De Regt 2010). The state has imposed rules on licensing for recruiters, and has been working toward a system of employee training (similar to that in the Philippines) and contract monitoring. This increased bureaucracy has resulted in many women looking for other ways to leave Ethiopia, ways that are seen as simpler and faster routes for securing transnational employment.

Meskit’s friend put her in touch with an illegal recruiter who asked for a high fee, equivalent to US\$2,000, to secure Meskit’s passage to Dubai (via boat through the Comoros Islands) and to draw up a contract for her to work as a domestic worker. Meskit never saw the contract, but she was told she would be met by another recruiter upon her arrival in Dubai.

When she arrived in Dubai after a long journey, she was met by a recruiter and then taken to the home of her new employers, a Lebanese family who had moved to Dubai a few years before. The family took her passport and the few personal belongings that Meskit had brought with her, but then never gave them back. To this day, she is working to retrieve her passport so that she can find legal employment and return to Ethiopia someday soon. During the six months that Meskit worked for this family, she had suffered beatings from her madam (the female employer and head of the household) and sexual harassment from the male head of the household and his son. Made to work up to eighteen hours a day, the family often locked Meskit in the house when they left, without providing dinner on most weeknights. “But I don’t know where to go. I’m an illegal lady, coming illegally, so I’m not going to the embassy or police. But where to go?” she asked rhetorically. When she complained, she would be beaten, and the male head of household would make further advances toward her, making sexual threats that he would rape her one night while she was asleep.

Meskit was very afraid of these threats, so one afternoon she ran away from the apartment where she had been sequestered for the previous six months without pay. She jumped from the window of her room on the third story of the building, injuring her right leg badly; but instead of going to the hospital or police, Meskit decided to go to the church that she had been permitted to attend once a month. “I know other Ethiopians at the church; I know if I can get there, I can get help,” she said. However, she did not know her way around town, and her injured leg severely restricted her mobility. After a few days of living on the street, she met a young Emirati man who wanted to help her. After a few weeks Meskit became romantically involved with this man and eventually became pregnant. The man was

very happy to hear that she was pregnant and showered her with gifts and attention. He also promised to get her a legal visa and to be her sponsor and potentially her husband. Meskit was overjoyed, and during this period converted to Islam and became very involved at the local mosque that her Emirati boyfriend attended. After their son was born, however, things changed. The young man, who had not yet succeeded in retrieving her working papers or passport, suddenly became agitated with Meskit and ordered her to leave the house with the baby. He told her his family had heard about their situation and did not approve of his decision to continue living with Meskit in the future. He gave her some money for childrearing and sent her away. Although Meskit did not know it at the time, her son was undocumented because the boy's father had never acknowledged paternity. If caught, Meskit would likely be deported and separated from her son, who could possibly remain stateless in the UAE if the law suspected him of having Emirati paternity.

Meskit and her son moved in with some of her friends from the mosque while she tried to look for possible jobs to earn enough money to pay off the fines she had incurred by overstaying her visa, and to procure an outpass—a blank passport that allows migrants to exit with amnesty but does not confer citizenship—to return to Ethiopia with her son. Due to the lack of legal working papers, Meskit began by working in a restaurant in the Ethiopian neighborhood in town. After a few months working at this job, however, she stopped getting paid. One evening she met a group of women at the restaurant who worked as sex workers in a bar called *Fantasi*. After they told her what her earning potential could be, she decided to join them that evening. This marked the beginning of Meskit's work in the informal economy of sex work. After a few months working at the bar, Meskit was arrested one night on a raid. She was put in jail for three weeks and not permitted to see her son, who was still at the home of her friends with whom she had been living.

Alia's story was similar to those of Lucinda and Meskit. However, she had remained incorporated informally in Kuwait for twenty-seven years. Alia had been born to an unwed Indian domestic worker who had decided to give birth at the hospital in Kuwait City. As happens in many instances, Alia's mother was sent to jail, while Alia remained at the hospital and was cared for by the nurses and hospital staff. It was one of the nurses who had named Alia (after her aunt), and she was the one to tell Alia the very limited details she knew about the circumstances of her birth. At first the nurses would take Alia to the prison to be nursed by her mother. However, after six months, it was discovered that Alia's mother was no longer in jail and nowhere to be found. The hospital staff did not know if she had been deported or had voluntarily returned to India. Alia's father was unknown,

and at the time it was difficult to send children in her circumstance to the orphanage (as the Emir had not yet passed a decree to allow for the transfer of stateless children). Without any clear place to send the child, the nurses ended up raising Alia in the hospital.

“I lived in the hospital until I was seven years old,” Alia recalled. “But I helped out the nurses, the ones who would give me candies and treats. I would help them, I would go do things for them, pick up their laundry, get them medicines, get them lunch, and they helped me too.” But the nurses would also tell Alia that she needed to leave the hospital, perhaps even go to school. “It was hard though, I was a little girl, and all I knew was life in the hospital,” she said. “I didn’t want to leave because I had become attached to the nurses, but at the same time, I did want to have a home.”

One day an Indian couple came to the hospital for fertility services. When they met Alia, they asked the nurses if they could take her home. They promised to take good care of her and give her a good life. At the time, adoption in Kuwait was not common, nor were there any laws regulating the process of child adoption. Today, Kuwaiti citizens may adopt, but non-citizens, such as the couple who informally adopted Alia, are not permitted to do so, and even citizens may not adopt *Bidoon* (Arabic for “without”; i.e., the stateless). Alia remembered that the nurses felt conflicted about allowing Alia to go with the couple. “They kept asking me, ‘Do you want to go with them?’ And they told me that if I didn’t want to go, I didn’t have to, and I could stay.” Alia was unsure of what to do, but the Indian couple came to visit her every day for one week, bringing her presents, clothes, and sweets. After a week of getting to know them, Alia told the nurses she would like to go and have a home. They told her she was welcome to come back to the hospital anytime, and said their goodbyes.

Alia lived with this couple for the next ten years. Although she was stateless, they arranged for her to go to the Indian school after teaching her to read and write. She did not fully understand the implications of her lack of citizenship until the Indian couple’s work permits had expired and they were preparing to go back to India. “They had often gone in the summers, but one of them would stay behind with me. Whenever they traveled, someone stayed with me, or I was sent to stay with friends. I didn’t understand what it all meant until I was seventeen and they told me they were leaving for good,” Alia said. When Alia asked if she could go to India with them, they explained to her that she would have to stay in Kuwait because she did not have a passport.

Alia was unsure of what to do next or where to go. “In those days, I cried a lot, even cried myself to sleep most nights,” she said. One day, three weeks before the Indian couple was scheduled to return home, some friends of theirs came over for a visit. These friends had two children,

ages two and three, and the wife was pregnant with a third child. Upon hearing about Alia's situation, the wife offered Alia a room and full board if she would agree to work for the family as a nanny and housekeeper. Alia agreed and has been living with this family for the past ten years. She is now twenty-seven years old and has never left Kuwait's borders. While she is aware of her statelessness and that her working for an employer is technically illegal, she narrates her situation in terms of familial incorporation. "It's true I am working here for the family, but it's also like I'm one of the family, so perhaps it's not work. Also, Kuwait is my home, the only home I have ever known, so I feel happy to stay here," she explained.

As these stories show, migrants may end up moving, working, or living outside of the formal contours of the "legal" economy for a variety of reasons. For many of my interlocutors, it was a combination of having to employ creativity in the face of ever-changing and harsh laws about migration, employment (*kefala* in the UAE made it difficult for Filipinas' to work as entertainers), and citizenship, as well as a desire to mobilize their intimate lives. Someone like Meskit chose—from amongst a series of limited options—to migrate irregularly, because formal migratory routes were not available to her due to the anti-trafficking legislature seeking to restrict the out-migration of women in particular. Beginning the journey in an irregular fashion, once she arrived at her destination it became increasingly preferable for her to choose not just irregular migration, but irregular or informal employment as well. Both Alia and Meskit chose the space of the informal economy because it afforded them more freedoms, rights and empowerment, and also allowed them to fulfill their intimate lives. Both women were able to make a living and support themselves through working irregularly. While formal, legal work options had been closed off to them due to changing laws about gendered migration, informal work became the comparatively desirable option.

Many of my interlocutors do, however, experience some vulnerability in the spaces of irregular migration or the informal economy, and their intimate lives reflect this vulnerability most presciently. This new intergenerational aspect of irregular migration and employment does bear some reflection, as it is an unfortunate by-product of new economic realities of gendered migrations across Asia. Children of migrants, such as Alia, Nadia, and Lucinda, are, in a sense, born into a situation of irregularity. Produced by laws about gendered employment as well as citizenship, their situations and lives seem somewhat bleak. Many of these migrants' children with whom I have spoken have grown up legally stateless, though they have found ways to survive; however, most of them now work in the informal economy where they face many challenges.

It is important to recognize at least three aspects of irregular migration, employment, and status that are often eclipsed by policies that do not consider the migrants' lived experience. The first is that irregularity is most often produced by policies seeking to curb (gendered) migration and citizenship, as can be seen in the cases of the women introduced above. The second is that irregular migration or working status can be seen and experienced as a better, more lucrative and empowering strategy, and one that can afford migrants with limited mobility many options for economic, social, class, physical, and intimate mobilities. Finally, it is important to highlight that while living, moving, and working irregularly might be produced and may be seen as the comparatively desirable option (and for the children of migrants, often the only option), there are vulnerabilities that migrants are exposed to when living and moving in these spaces. These include the possibility of arrest and/or deportation—what De Genova (2002) has termed “deportability”—as well as precarious living and working situations wherein migrants are regularly abused, not paid their wages, and always subject to difficult working conditions. Unfortunately, policies responding to moral panic about human trafficking do not recognize the lived realities of gendered migration in the twenty-first century. The very same policies designed to “help” or “protect” migrants are actively producing increased irregular migration and employment, which is then reproducing its impact on the next generation of migrants born abroad.

Cycles of Irregularity—Conclusion

As the cases of migrant women and their children introduced here show, irregular migration, often produced by discriminatory and ill-informed policies, has the effect of ensnaring migrant women in cycles of irregularity, wherein they have to enter various forms of irregular migration and employment in order to survive. Weak policies have also generated long-term effects that go beyond the lifespan of one migrant, spilling into the next generations, whose lives are conditioned by the lack of citizenship status and the tangled intergenerational immobility. There currently exists a new generation of young people who are facing challenges that may not have been foreseen by policymakers seeking to respond to global policies such as those embodied in anti-trafficking legislation.

While policies continue to remain disconnected from lived experience, and migrant subjectivity continues to be challenged, the very real vulnerabilities of the next generation—people like Alia, Nadia, and Lucinda—remain eclipsed. It is important to recognize the intimate lives of migrants and their kin in order to have a more robust understanding of how gendered migration

operates and is contoured within the transnational migrant economy. Without recognizing the precarity produced in the lives of migrants, and then their children, policies will continue to produce more challenges rather than alleviating the obstacles faced by increasingly vulnerable populations. These policies, while possibly well intentioned, reproduce not only cycles of structural violence but also precarity and irregularity, as they challenge migrants' subjectivities and intimate lives across borders and generations.

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NOTES

1. For more on the phenomenon of moral panic, please see Cohen's (1972) work *Moral Panic and Folk Devils*.
2. For more information, please see Migrant Rights 2017, "Migration in the Gulf: 2016 in Review."
3. For more information, please see Everist 2018, "Working for Labor Laws to Protect Domestic Workers in the Gulf."

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