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3

**An Uncertain Shift from 'Protectionism' to
'Empowerment'? Probing the
Decision by Norka to Recruit Women
Domestic Workers for Kuwait**

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India's Economy and indeed its society has been undergoing a major change since the onset of economic reforms in 1991. Overall growth rate of the economy has increased, the economy is getting increasingly integrated with the rest of the world and public policies are now becoming very specific compared over arching framework policies of the pre-reform period. Over the past few years, a number of important policies have been enunciated, like for instance the policy on moving towards a cashless economy to evolving a common market in the country through the introduction of a Goods and Services Tax. Issues are becoming complex and the empirical basis difficult to decipher. For instance the use of payroll data to understand growth in employment, origin-destination passenger data from railways to understand internal migration, Goods and Services Tax Network data to understand interstate trade. Further, new technologies such as Artificial Intelligence, Robotics and Block Chain are likely to change how manufacturing and services are going to be organised. The series under the "Commentary on India's Economy and Society" is expected to demystify the debates that are currently taking place in the country so that it contributes to an informed conversation on these topics. The topics for discussion are chosen by individual members of the faculty, but they are all on issues that are current but continuing in nature. The pieces are well researched, engages itself sufficiently with the literature on the issue discussed and has been publicly presented in the form of a seminar at the Centre. In this way, the series complements our "Working Paper Series".

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**AN UNCERTAIN SHIFT FROM 'PROTECTIONISM' TO
'EMPOWERMENT'? PROBING THE DECISION BY NORKA
TO RECRUIT WOMEN DOMESTIC WORKERS FOR KUWAIT**

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ABSTRACT

NORKA ROOTS, a public sector undertaking under the Department of Non Resident Keralites Affairs (NORKA), is working to meet a demand for 500 women domestics from Al Durrah, a government supported recruitment agency in Kuwait. This is a first for a state run agency in India. Hitherto, these agencies refused to recruit migrant domestic workers (MDW) citing rampant abuse in the Middle East, where the major demand lies. Their position was consistent with India's emigration policy and the dominant public opinion that sought to suppress the mobility of women as domestic workers purportedly to protect them from coming to harm. Norka's officials claim that the decision to initiate recruitment was taken to empower women. But, the decision emerged in circumstances that raise room for skepticism. Commercial relations between India and Kuwait became strained when India enforced severe restrictions on the recruitment of MDWs in 2014-15. Kuwait banned the recruitment of Indian nurses by its Ministry of Health in November 2017. The Government of Kerala has been keen to reopen recruitment as Kuwait has been a big destination of Malayalee nurses. Norka has been at the forefront of a struggle to do so even as on the other side, Al Durra had been pushing for opening up recruitment of MDWs. Another telling factor is Norka's lack of preparedness. The agency is facing a stiff challenge in mobilizing candidates. Did it assume that aspirants would flock to it once it opened its doors for recruitment? This would have been unrealistic because a hostile emigration policy has bred a complex nexus between MDWs and clandestine recruiters and aspirants view the government with suspicion. Nevertheless, if Norka stays the course and builds a stable foundation for safe recruitment, it could motivate other state agencies to recruit and begin a process of setting right a historical injustice committed against MDWs. But will Norka demonstrate political will to persist with its decision if the pressure to reinstate the recruitment of nurses eases or if there is a backlash against the decision from domestic public opinion?

Keywords: Gender, Migrant Domestic Workers, Emigration Policy, Recruitment.

JEL Classification: F22, J61, J88, L38

An Uncertain Shift from ‘Protectionism’ to ‘Empowerment’? Probing the Decision by Norka to Recruit Women Domestic Workers for Kuwait

1. Introduction

For the first time since they came into being over the past quarter century, a state owned agency has begun organized recruitment of women domestic workers for employment in a Middle Eastern country. NORKA ROOTS (henceforth Norka), a public sector undertaking under the Department of Non Resident Keralites Affairs, is currently working to meet a ‘demand’ for 500 women domestics from Al Durra Home Employment Co., a government supported recruitment agency in Kuwait. State run agencies refused to recruit MDWs hitherto taking a position that was consistent with India’s emigration policy, which sought to suppress the recruitment of MDWs to the Middle East, where the major demand lies, supposedly to prevent them from coming to harm in view of exploitative conditions of work in the region. Norka’s decision is laudable not the least because an adverse emigration policy had curbed women’s right to mobility, despite India being a signatory to CEDAW, and narrowed the scope for safe migration. If Norka stays the course and induces other state agencies to recruit, it could generate greater openness and dynamism in the recruiting industry and initiate a process of turning around a historical injustice to women workers.

There has been strong demand for MDWs in the Middle East and corresponding aspirations for such employment among a section of women in Kerala. Norka received a license to recruit workers in 2011 but refused to recruit MDWs despite damning evidence that clandestine operators, acting in connivance with rent-seeking state officials, were taking women across the border with no certainty of employment and at huge risk to their safety. Recalling this history is useful because Norka decided to recruit MDWs in circumstances that raise room for skepticism. I seek to place Norka’s decision in a wider context and to probe whether Norka acted on the concerns of MDWs or on considerations extraneous to the sector.

Arguably, the decision comes at a time when India’s emigration rules are more stringent than ever before. In August 2016, a Ministry of External Affairs (MEA) order confined the recruitment of

women domestic workers *exclusively* to six state owned agencies. These agencies had no previous record of recruitment of MDWs and the order was interpreted as a means of ending legal recruitment altogether.¹ Since then, these agencies have recruited a small number of MDWs based on individual requests mostly from Indian nationals in the Middle East.

The decision emerged in the context of strained commercial relations between India and Kuwait, that had direct repercussions for Kerala. It took shape between October 2017 and April 2018 when efforts were on to heal the friction that developed when India sought to enforce conditions for recruitment of MDWs to Kuwait over 2014-15. Al Durra, which was established in 2015 in the wake of public demand to reduce the cost of sponsoring MDWs, approached Indian agencies in September 2017 at a time when the deployment of Indian nurses to Kuwait had been disrupted by a massive corruption scandal. Kerala has been a major supplier of nurses and domestic workers to Kuwait.

Did Norka's readiness to side step long held reservations against the recruitment of MDWs emerge from an understanding of the sector? Initial efforts to recruit MDWs reveal that Norka was not well acquainted with supply-side characteristics. Hamstrung by lack of experience, Norka also failed to gauge the challenge of recruitment in a sector that has been relegated to an underbelly of the recruitment industry. In 2013, the Self Employed Women's Association (SEWA) which organizes MDWs in Kerala, held a public hearing on the plight of domestic workers. The jury at the public hearing included high ranking government officials and recommended recruitment by the two state owned agencies in Kerala. SEWA sees that recruitment by state agencies could endow the process with much needed dignity and incentivize the adoption of fair practices by private agencies. SEWA, which could have provided a more nuanced understanding of the sector, was kept in the dark about Norka's plan to recruit.

My concern is that an ill informed decision or one that is compelled by extraneous considerations is likely to be unstable, easy to overturn and therefore inimical to the interests of MDWs. Norka's decision to recruit MDWs has been accompanied by a shift in rhetoric from that of 'protection' of women that was used to justify suppression of recruitment to 'women's empowerment'. However, empowering change must be grounded in a commitment to gender and social justice, therefore it is important to understand also whether Norka's actions demonstrate its commitment.

2. Emigration Policy and Perspective

India's emigration rules were reinforced in 2007 to include a condition that sponsors of MDWs must provide a bank guarantee of \$2500 to the Indian embassy at the destination to be used if the woman ran into trouble with her sponsor. This raised the cost of sponsoring MDWs and signaled

1 They are Norka roots and ODEPC from Kerala, OMCL from Tamil Nadu, OMCAP from Andhra Pradesh, TOMCOM from Telengana and UPFC from Uttar Pradesh.

India's strong intent to control recruitment. In 2016, the MEA banned recruitment by all except six state agencies. Barriers to migration are operated through the emigration clearance system, which is the Indian state's mechanism to prevent migrants from coming to harm. Women below 30 years in the ECR category were already prohibited from emigrating and aspirants were required to undergo a cumbersome process that includes the mobilization and screening of several documents.

India's policy perspective is informed by several currents. A key issue is a settled indifference towards the welfare of unskilled migrants in the Middle East despite their disproportionate contributions to remittances compared to workers in the OECD. This indifference translates into an aversion to India being perceived as a sending country of 'unskilled' women workers and a callous disregard for the rights of this category of workers. Public opinion is mobilized to demand a ban on recruitment of MDWs when reports of their abuse hit the headlines in India. The demand is underpinned by an entrenched patriarchy that views labouring women as justly deprived of their right to mobility. Otherwise, why are similar demands not made when laboring men are abused in the Middle East or when more affluent / skilled Indians or students are exploited or even killed in racial crime in the OECD countries?

Disproportionately from the historically oppressed social groups, MDWs are also marked by personal disadvantage in social and economic terms (Kodoth, 2016). They are stereotyped in sexual terms as eager to use migration to profit by illicit means or as weak, passive and ignorant and therefore highly vulnerable to abuse. Officials concerned with emigration and recruitment in Kerala have openly voiced suspicion of MDWs in these terms (Walton Roberts, 2012, Kodoth, 2014, 2017). Having met the first batch of women recruits, Norka's CEO, wrestled with these stereotypes:

Why do they go? It is not [a] settled [question]. My situation makes me go, my family situation. There are many reasons. Those who came for training were from good families. They were aware of everything. If I can get a reasonable salary, why would I go? We do not know enough about these things.

His reference to the recruits being from 'good families' emerges by default from the stereotype as does his assertion that their pursuit of overseas jobs, driven by family compulsions, was licit.

The more pertinent question would have been why the Indian state refuses to provide better infrastructure for the protection of its large 'unskilled' workforce, in the Middle East. It only stands to reason that with a workforce in the Middle East that is larger than the population of nationals and exceeds that of any other sending country and being the beneficiary of significant remittances, India should act decisively to protect the interests of its less privileged migrant workers. But in a telling comparison, the Philippines, which too has a predominantly 'unskilled' workforce in the Middle East that however is much smaller than India's supports an exponentially wider outreach to its workers.

3. Norka's Decision and the Context

Norka has opened only a small window for legal recruitment. Its reach at present is limited to Kerala whereas the main sending areas have shifted to Andhra Pradesh. There is demand for MDWs across the Middle East and significant illegal mobility especially to Saudi Arabia. To the question, what changed to motivate Norka to recruit at the present juncture, the recruitment manager said it was Al Durra, which did not exist previously.

Norka's policy was not to encourage anyone to take up jobs. There were no schemes or campaigns for domestic workers' recruitment. We responded to requests from the diaspora in 2016. These were individual requests... We had not done organized recruitment because there are difficulties. It started from Kuwait because of some pressure or request from a semi government company in Kuwait.

Kuwait rejected India's bank guarantee condition for sponsorship of MDWs in 2014 and banned recruitment in 2015, when India asked it to stop issuing visas to Indian MDWs. India stopped giving emigration clearance to MDWs bound for Kuwait in 2014. Kuwait charged India with undermining its sovereignty and its law makers called for a stop to hiring 'manpower' from India (Fernandez, 2018, Garcia 2018 a). Kuwait hosts nearly a million Indian workers. Of an estimated one million domestic workers in Kuwait (Garcia and Ransome, 2017) about 3,50,000 are from India, including 90,000 women (The Times, July 7, 2018). It is notable therefore that in September 2017, the Indian Ambassador let it be known that the Indian government relaxed the bank guarantee condition in deference to Kuwait's concerns (Kuwait Times, Sept 17, 2017).

Since then, Kuwait has been pushing hard to open up channels for organized recruitment of MDWs from India. In September 2017, recruitment of MDW from India was slated for discussion at a joint working group meeting when a high level Indian delegation visited Kuwait. In October 2017, Al Durra organised a meeting in Mumbai with the six designated state agencies. Norka's official revealed that immediately after, Al Durra announced that it had applied for about 2000 visas for Indian MDWs but the Indian embassy in Kuwait pulled the brakes.

Was there interest conflict between the state and central governments at this juncture? Norka officials said they negotiated with Al Durra on the recommendation of the Indian embassy which had verified the company's credentials. This was when emigration rules remained very stringent. In 2014, the MEA had signed a first of its kind domestic workers' mobility agreement with Saudi Arabia, but organized recruitment of the kind Kuwait was pressing for was unprecedented. Norka received a green signal from the embassy in April 2018 and started the process of recruitment immediately.

Under the MoU with Al Durra, MDWs will not incur any expenses for migration. This is mandated by the rules of recruitment of foreign workers in the Middle East which however are

frequently flouted. Al Durra will pay Norka's commission of Rs 30,000 per recruit as well as the visa and travel expenses and the cost of medical examination. The contract specifies a monthly salary of KD 110 (about Rs 26,000) for 12 hours work per day, six days a week. Recruits will have six months to learn the job and to adjust to their workplaces. During this time, Al Durra may relocate workers to different employers, if there is a request from the employer or the worker.

Al Durra will also provide insurance cover for repatriation costs of workers in the event that they are forced to return after a period of six months but if a worker decides to return before that or is deported, the expenses are to be paid by Norka. There are additional safety features in the agreement. Al Durra will start a call center in all provinces and appoint a person there who speaks Malayalam. They will also equip the recruit with a local Sim card to inform the call center in case of harassment.

It is apparent that Kuwait's interests are driving the recruitment. In January 2018, the costs of recruitment of MDWs through private agencies in Kuwait was reported to be between 1200 KD and 1600 KD (\$ 4000 and \$5300) (Garcia, 2018 a). Al Durra came under fire in 2017 for signing an agreement with Sri Lanka for supply of MDWs at a sponsorship cost of KD 990. The General Manager of Al Durra defended the cost saying that Sri Lankan women did not want to go to Kuwait as domestic workers any more.

In this case, how will you be able to recruit housemaids? It's the lump sum amount that you give to the family back in Sri Lanka so they can be allowed to work in Kuwait. Plus, there are restrictions imposed by the Sri Lankan government and we have to abide by, or else they will not allow us to recruit workers. For instance, Sri Lankan women cannot come if they are under 25, or if they have children younger than five (cited in Garcia, 2018 a)

Sri Lanka's ambassador in Kuwait too was quoted as saying that the norm was to pay a lump sum to the worker prior to recruitment (Garcia and Ransome, 2017). The recruitment cost of an Indian MDW is significantly lower at about 750 KD. Norka's official estimated that it was about Rs 1,75,000 (\$2500) comprising one lakh as Al Durra's commission and the remaining as Norka's commission and the cost of recruitment and travel from Kerala.

Al Durra has been searching desperately for new sources.² India and Sri Lanka have been the largest sources of MDWs in Kuwait, followed by the Philippines. Indonesia banned recruitment to Kuwait in 2010. Sri Lanka's restrictions have narrowed the the pool of eligible women. The General Manager of Al Durra said:

2 In October 2018, it was reported that it would soon begin recruitment from Burkino Faso, Vietnam, Nepal and Ethiopia and that significantly lower recruitment costs and salaries (Arabtimes online.com).

Today, from how many countries are we sourcing domestic workers? Technically, only two. There are some African countries too, but they are subject to legal issues and bilateral agreements, so we only have two countries left – the Philippines and Sri Lanka. If other countries like India and Indonesia open recruitment again, you will see the costs will fall automatically (cited in Garcia, 2018 a).

Norka's readiness to respond to Al Durra does seem puzzling for another reason. Kerala is a smaller sending region of women domestics compared to Andhra Pradesh. Before India imposed the bank guarantee, the two Godavari districts alone accounted for about 75 % of emigration clearances granted to women in the ECR category. The number of emigration clearances granted to women from these districts declined from over 7000 in 2013 to less than 100 since 2015 (Kodoth, 2017). Despite, Al Durra's obvious interest, OMCAP has not initiated recruitment.

In February 2018, pressure on Al Durra intensified because the Philippines banned recruitment in protest against the murder of a Filipina domestic worker. The ban was lifted in May, 2018 but Norka's official pointed to the ban to underline Al Durra's keen interest in Kerala in terms of a preference among Kuwaiti employers for 'domestic workers from the Philippines and India, especially Christian and English speaking women'.³ These factors should have bolstered Norka's bargaining power. But Norka accepted a salary for MDWs that is lower than the minimum wage for Filipina workers in Kuwait, which is 120 KD. Even when a day off is specified in a contract, Indian MDWs in full time employment rarely receive the benefit of the provision (Kodoth, 2016) therefore as SEWA points out, Norka could have negotiated additional payment for work on off days.

4. What is at Stake for Kerala?

Norka emphasises safety, which is a right therefore, what prevented Norka from making a better pitch in terms of compensation? One possible explanation is that the deal was driven by Kerala's other stakes in Kuwait. Kerala's has had trouble with deployment of nurses to Kuwait since March 2015 when recruitment was restricted initially to two state agencies – Norka and ODEPC (MOIA, 2015). The Indian government reached an agreement with the Ministry of Health in Kuwait in October 2015 but Kuwait imposed a ban on recruitment of nurses from India in November 2017 after allegations of corruption involving pay offs by Indian recruitment agents to Kuwaiti officials found echo in its National Assembly. Since then, Norka has been struggling to reinstate recruitment of nurses to Kuwait.

Norka has assumed the lead role in negotiations with Kuwait. Explaining that the UAE, Saudi Arabia and Kuwait were the major demand areas, the Norka CEO said,

3 MDWs from Kerala have been disproportionately from coastal Catholic and Muslim families and in the early days of migration the former sought to learn the basics of English through their association with the convents that line the coast.

We want to see that recruitment is through government agencies... The problem with Kerala is that we need to show opportunities. We have just concluded an MoU with a private hospital, Royal Hyatt Hospital. We want to see that we can play an equal role in government and private sectors. If we are able to play a fair game, there can be substantial export of nurses from Kerala. If we are not active someone else will be. We are not here to stop others but we want to bring dignity to the process. Otherwise there is a lot of speculation about why nurses go.

Norka has about 15,000 nurses registered with it therefore, 'contracts for 200 or 300 nurses will not make a dent', he added. Official figures showed that only 125 nurses were recruited to Kuwait between March 2015 and November 2017 (Lok Sabha, 2017). When Kuwait banned recruitment there were 257 Indian nurses in Kuwait with grievances regarding non payment of regular salaries. The Indian embassy reported that the Ministry of health was creating vacancies to absorb these nurses (Indian Embassy, Kuwait, 2017). A Norka official said Kuwait was unwilling to move forward on an agreement until 80 odd remaining Indian nurses had been redeployed. Kuwait already has official agreements with Egypt and the Philippines for the supply of nurses.

Why are Kerala's interests seen as closely aligned to that of migrant nurses but not to that of MDWs? After all, Kerala was the largest sending region of MDW until about a decade ago when the momentum shifted to Andhra Pradesh and still has a sizeable number of aspirants. So why did the state government / Norka not intervene when outflows to the Middle East were choked progressively by India's restrictions since 2003? These questions can be answered only with reference to the political economy of Kerala, the uneven clout wielded by different communities and stark differences in collective voice. The collective voice of nurses represented by their trade unions is bolstered by the clout of the Syrian Christian community to which a large majority of them belong. SEWA began to intervene in favour of safe migration for MDWs when it became apparent that discouraging women from seeking jobs in the Middle East merely pushed them to illegal channels. But MDWs have been unable to have their concerns heard.

Norka's response that Al Durra's benign presence was the reason for its decision begs a question. Why did Norka wait till Kuwait devised a solution, whereas in the case of nurses it has been desperately seeking a solution? The coincidence in the timing of commencement of recruitment of MDW from Kerala and Norka efforts to re-open recruitment of nurses is uncanny.

To a direct question, Norka's recruitment manager denied that there was a *quid pro quo* involved. Bizarre as it may sound, such tactics have been reported in manpower supply contracts with Saudi Arabia. Indian recruitment agents have been under pressure from Saudi contractors to supply women domestics in return for other manpower supply contracts (Kodoth, 2017). Recently a recruitment agency from Rajasthan that exported engineers to Saudi Arabia approached Norka with a request to recruit women domestic workers so that they could comply with the stipulations of Saudi contractors.

Even if we assume that there was no direct demand, Norka could not be unaware that supplying MDWs could generate elbow room for negotiations over the deployment of nurses.

5. Norka's Recruitment Drive

Advertisements in the popular press for MDWs in April 2018 elicited about 300 responses. Norka issued 150 offer letter but only 120 women collected the offer letters. By mid September, 2018, Al Durra issued visas to 89 women and 59 women had collected their visas. A Norka official said that women who declined offers cited objections from their children who feared for their safety. Norka was making fervent efforts to mobilize candidates through diverse institutions and networks. SEWA was approached to identify potential candidates. They were willing to share information about places where there was demand for overseas jobs but did not wish to get involved more directly in recruitment. The places SEWA identified tallied with what a Norka official described as 'hot spots' of illegal recruitment, where it had begun to disseminate information with the help of local government authorities. Norka had started spot registrations to mobilize candidates and I was even witness to appeals for assistance to informal networks including that of the church.

Outreach to channelize women to go through a safer route is necessary and desirable. But Norka's official expressed the mounting concern that the delay in locating candidates was losing them Al Durra's goodwill. He was baffled by what he saw as a determined resort to illegal channels.

There were a lot of inquiries [initially when Norka advertised] but [now] interest has ceased. My personal belief is that there are a lot of persons who want jobs but they are not coming to Norka... You need only a passport. If you have a passport, Norka will cover all your expenses. But people are not coming, they are going through illegal channels... There are 1000 women who arrive illegally in Kuwait every month according to the embassy there.

Did Norka assume that it only had to open its doors and aspirants would flock to it? Behavioural studies show that people's decisions may be bound to the status quo even when a more rational option is available. A history of government hostility has generated lack of trust in the government and spawned a complex nexus between aspiring women and unauthorized agents. In the sending regions of Kerala, the derogatory meanings associated with migration for domestic work prevent returnee migrants from speaking openly about their experiences. This provides a sense of impunity to unscrupulous agents who are rarely exposed or booked for their criminal activities. Local recruiters cultivate aspirants assiduously using familiar kinship and spatial ties and spin a web of secrecy by playing on aspirants' fears of being thwarted. In an environment clouded with suspicion, aspirants suffer from asymmetric information and are unable to distinguish between credible agents and unscrupulous ones. In such conditions, Norka may not be an obvious choice.

There are other reasons too. A section of women may have different expectations. Women who underwent a Norka-sponsored training for domestic workers in late 2017 refused Norka's offers of recruitment to Kuwait in April 2018 citing insufficient salary. Norka's official said 20 of 30 participants found jobs in ECNR countries like Singapore. A group of women told SEWA that they did not want to go through Norka because it would bind them to work full time for a single sponsor (as is mandated under the Kafala rules). Local recruiters may deceive them with offers of better terms of employment. But women are known to go on 'free' visas, which are irregular and purchased from sponsors on the black market. Irregular mobility gives workers the flexibility of taking up multiple part time jobs on an informal market. However, such extra-legal arrangements carry risks arising from the costs and the possibility of detection and arrest, which women must be able to manage. To succeed in these arrangements, women need strong networks and connections (Kodoth, 2016).

Norka needs a better understanding of the concerns of aspiring women and of the differentiated nature of supply. Had officials consulted organisations that work with MDWs, they may have negotiated a more appropriate time frame for recruitment that was necessary to shape processes, establish linkages and most importantly to initiate a credible outreach and build trust. That they swung from obstinate refusal to recruit to hasty acceptance of Al Durra's offer raises discomfiting questions.

6. An Uncertain Shift from Protectionism to Empowerment?

Norka's stated reasons for commencing recruitment of MDW appear at best as partial explanations of its motivations. The decision came at a time when Kerala was struggling to reinstate the recruitment of nurses and Norka had a strong interest in placating Kuwait. A decision motivated by extraneous considerations would expose the duplicity of the government and its agencies and demonstrate the brutal caste / class character of the state. Unless, Norka's decision is placed on a firm foundation, it could have detrimental implications for MDWs.

Norka officials referenced the idea of women's empowerment repeatedly to justify the decision but were equivocal about its content. They maintained that the official position was to discourage migration. An official pressed home the point: 'We are not compelling women. It is not a recruitment drive. But women who are willing to go, we are providing a safe way. That is for empowerment [sic]'. This may appeal at best to a form of extended protectionism.

The concept of women's empowerment encompassed a transformative agenda that grew out of the collective struggles of poor women in the unorganised sector in India for recognition as workers and for corresponding rights and access to resources. It referred to the process of challenging ideologies, institutions and structures that sustained and reproduced unequal power relations (Batiwala, 2007). Since the 1990s, however, the term was mainstreamed in an instrumentalist sense that obscured the structural dimension of power and shifted the burden of household survival on to individual women.

Migration as domestic workers usually places women in the position of breadwinner but unlike in development schemes, it is controversial because it releases women from the everyday routine of care work in their own homes and removes them from the regulatory gaze of local patriarchies (Kodoth, 2014).

Elaborating on their motives, Norka officials pitched the intervention in terms of the benefits of a shift to legal migration. The recruitment manager said, 'We thought it better that Norka start this service, to stop the illegal channels, once we open an ethical channel. Safety is a challenge, that is why we went through Al Durra. They will work as an intermediating agency'. Molland (2015) cautions us that legal migration status is one of several components of an idea of 'safe migration' that have gained prominence in recent years. Programs that subscribe to this idea assume that empowering migrants will curtail illegal migration and make implicit inferences about vulnerability, risk and safety of migrants which need to be investigated (Molland, 2015).

Norka's perspective implicates precisely such inferences. It's risk mitigation strategy depends on providing a legal channel, monitoring by Al Durra during the first six months and thereafter on the workers' ability to reach out if necessary through the call center. The CEO also said Norka was seeking out 'professionals' to prepare a curriculum for training MDWs. Notably, Molland (2015) underlines the limits of safe migration programs such as this, which, 'place the onus of change on the migrants themselves, thereby asking very little in terms of transforming how labour markets and migration regimes operate. Whereas labour migrants receive training in how to reduce risk through migration, less is done to address why labour markets are structured in ways that produce such risk in the first place'.

Labour markets in the Middle East are structured by the Kafala system, which vests overarching powers in sponsors / employers, and labour laws that exclude domestic workers from their purview. In this context, adverse policies of sending countries like India intensify structural violence. To address structural inequality, the Indian government would need to work proactively at a bilateral and multilateral levels to bring pressure on destination countries in the Middle East to reform the sponsorship system and labour market conditions.

The more immediate concern is: will Norka display the political will to persist with the decision if adverse public opinion is mobilised against it or be as interested in recruitment if say, the nurses' imbroglio is sorted out? Abuse of MDWs is systemic and therefore is unlikely to disappear with the advent of Al Durra. The Indian embassy in Kuwait received the largest number of complaints from MDWs (983 in 2015, 1194 in 2016 and 950 in 2017) compared to other countries (Rajya Sabha, 2018) and only a fraction of women who face abuse routinely, manage to complain to the embassy (Kodoth, 2016).

Meanwhile, the market could play a marginal role in reducing abuse. Therefore, imparting knowledge and skills is pertinent but training programmes of short spans are a challenge. For training

to have any effect at all, learning must be relatable. Whereas, ‘professionals’ may be intimidating to aspiring migrants, return migrants, with first hand experiences of working in Middle Eastern homes, could contribute in participatory ways to evolving grounded methodologies for learning practical skills and language on the job. Such involvement could also raise the social standing of return workers and reduce stigma in the sending regions.

Organisations of MDWs may be in an advantageous position to design such programmes. Notably, SEWA underlines a political approach to empowerment and advocates a labour rights perspective to training as being necessary to support workers in their quest to work with dignity and to challenge entrenched derogatory meanings of their work. Would Norka be willing to accommodate such an approach to training? Norka must resist the urge to reduce training to a formality even as it must respond to the bigger challenge of recognising the concerns of MDWs and bringing them on board the policy making process.

References:

- Arabtimesonline.com, 2018. 'Al Durra co. to recruit domestic labors from Four New Countries: Bid to Resolve Shortages, Recruitment Cost', September 25.
- Batliwala, S. 2007. 'Taking the Power out of Empowerment: An Experiential Account,' *Development in Practice*, Vol. 17, No. 4/5, pp. 557-565.
- Fernandez, Paul Francis X. 2018. 'Kuwait Government OKs 'Al-Durra' for recruiting Domestic from India: Officials to sign deals with Six state-govt okayed Agencies in India', *Arab Times*, July 4.
- Garcia, Ben. 2018 a. 'Durrah GM Defends High Costs: Hiring Helpers not like Buying Commodities', *Kuwait Times*, January 6.
- Garcia, Ben and I. Ransome. 2017. 'Embassies, Agencies Wary of New Maid Recruiting Company: Al Durra Promises to Lower Cost of Hiring Domestic Helpers', *Kuwait Times*, September 4.
- Indian Embassy, Kuwait. 2017. Indian Nurses' Issues, Press Release dated November 1.
- Kodoth, P. 2017. Interest Conflicts, Indian State Policy and Unauthorized Recruitment to the Middle East: The Case of Women Domestic Workers from South India, Paper presented at a seminar on The Migration Industry: Facilitators and Brokerage in Asia, at the Asia Research Institute, National University of Singapore, June 1-2.
- Kodoth, P. 2016. 'Structural Violence against Emigrant Domestic Workers and Survival in the Middle East: The Effects of Indian Emigration Policy', *Interdisciplinary Journal of Economics*, 28 (2), 83-106.
- Kodoth, P. 2014. Who Goes? Failures of Marital Provisioning, Agency and Migration of Less Skilled Women Workers from Kerala. CDS Working Paper No. 456, Trivandrum: Centre for Development Studies.
- Lok Sabha, 2017. Question No.1526, Nurses Working Abroad, Unstarred Question by Shri Venkatesh Babu T G., answered on December 27.
- Ministry of External Affairs, 2016. Z-11025/126/2015-Emig.(pt.File), Government of India, MEA Order dated August 2.
- Ministry of Overseas Indian Affairs. 2015. F No. 0I-11012/10/2013-EP, Government of India, Ministry of Overseas Indian Affairs, Emigration Policy Division dated 12 March.
- Molland, S. 2015. Safe Migration as an Emerging Anti-trafficking Agenda? open Democracy: Free Thinking for the World, Opendemocracy.com, May 21
- Rajya Sabha, 2018. Question No. 293, Persecution of Indian Female Workers in the Gulf Countries, Starred Question by Shri K.K. Ragesh, answered on March 22.

The New Indian Express, 2018. Safety Ensured of NoRKA Recruited Domestic Helps, September 8.

The Times, 2018. 'Recruitment Agency Signs Deal to hire Indian Domestic Helpers', *Timeskuwait.com*, July 7.

Walton Roberts, M. 2012. 'Contextualizing the Global Nursing Care Chain: International Migration and the Status of Nursing in Kerala, India', *Global Networks*, 12 (2), 175-194.

Interviews/conversations with Norka officials on September 14 and 17, 2018 and conversations with members of SEWA.

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