# GOVERNING DOMESTIC WORKER MIGRATION IN SOUTHEAST ASIA: PUBLIC-PRIVATE PARTNERSHIPS, REGULATORY GREY ZONES AND THE HOUSEHOLD

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**Abstract**

Focussing on the example of domestic worker migration, this article seeks to explore the regulatory regimes that control the flow of migrants across Southeast Asia. Although at first glance, this appears to be a deeply statist regime, the aim of this article is to complicate this picture and to look at the role that private power and authority places in shaping migration governance. The article focusses on three interrelated issues: (i) how states have increasingly come to regulate migration via partnership arrangements with private sector actors; (ii) how these partnership arrangements are emblematic of broader processes of state transformation that take shape within the complex governance practices surrounding domestic worker migration in Southeast Asia; (iii) how a focus on the micro-processes of domestic worker governance (that is, how migrant worker bodies are constructed and disciplined) also highlights the significance of private actors in this aspect of governance.

**Keywords**

Domestic workers, migration, non-state actors, labour brokerage, Southeast Asia, gender

The employment of live-in domestic workers by well-off households is a widespread practice across Southeast Asia, a reflection, in part, of the lack of state support for social reproductive labour as well as the existence of marked economic disparities within the region that has fuelled the market for migrant domestic workers. The significant flows of mainly female workers to take up domestic work in the region are partially overseen by a range of bilateral labour agreements between major labour sending and labour receiving countries keen to manage and control both the outflows and, importantly, the return, of migrants. It is a type of temporary labour migration

that is designed to prevent migrants from settling in "host" countries, thereby creating a situation in which it is increasingly common for the families of migrants to live under "transnationally split" conditions (Piper 2006, 17). As a range of scholars have suggested, states are critical regulatory actors in the construction of return migration systems, engaging in regulatory innovations that aim to maintain control over cross-border movements of people whilst seeking to manage the impacts of economic transnationalism (Yeates 2009; Rodriguez 2010; Xiang 2010).

While accepting the central role of state actors in the governance of transnational migration in Southeast Asia, this article seeks to further develop the analysis of migration governance in Southeast Asia in three important respects. The first concerns the need to locate both labour sending and labour importing states within broader analyses of state transformation. Thus, we need to recognise how both host and sender states have sought to tighten their oversight of migrant domestic worker migratory flows, and have done so via partnership arrangements with private sector actors. Such public-private partnerships are emblematic of a central paradox within migration governance – that while states have sought to extend their control and reach over migratory movements, the work of migration management is ceded to an ever-expanding number of private actors such as recruitment brokers and labour placement agencies.

Secondly, this article seeks to emphasise how this process of state transformation takes shape within complex governance practices surrounding domestic worker migration in Southeast Asia. Attempts by the state to govern domestic worker flow not only involve engaging private actors to do the work of the state, but we also need to acknowledge how these governance practices are supported

at the regional scale. Thus, emphasis is placed on how the management of return-migration systems operate within the context of regionalised initiatives focussed on anti-trafficking, skilled migration and migrant rights that support and uphold the domestic worker migration regime.

Third, and finally, there is a need to examine the governance of domestic worker migration *beyond* the state. It is well-known that any effort to create tightly regulated state-controlled systems of return migration is never complete and consequently data on migration in the region is invariably inaccurate.[1] But not only are there significant undocumented migratory flows, it appears that there is considerable *greyness* in the regulation of migrant domestic work. Migration flows are, in fact, facilitated by a range of private, often highly informal, actors and networks. State-enforced bilateral migration agreements often stipulate the specific agents that are allowed to engage in the sourcing and placement of workers, but *de facto* processes of migration tend to involve and are, indeed, dependent upon, an ever-widening range of informal actors or what Lindquist (2015) terms "brokers." Indeed, these grey zones in international migration are not adequately captured in accounts of domestic worker migration that characterise it as a form of formalised and managed return migration. Thus, the broad thrust of this article concerns the need to unpack, and to complicate, the idea that domestic worker migration in Southeast Asia is a tightly state-controlled formal governance regime.

Other articles in this special issue focus in more obvious ways on regulatory schemes advanced by various non-governmental/ private actors, notably Nesadurai's (2018) study of private palm oil sustainability standards and Ba's (2018) article on safety/security governance in the Melaka Strait initiated by the Nippon Foundation.

But the case explored here is somewhat different. In part, this is because the topic of this article concerns migration, which is an issue that is invariably dominated by state actors keen to control, manage and regulate cross border flows (Case 2014). Even so, in reality, states are largely unable to fully regulate migratory flows and are largely playing a game of regulatory catch-up.

Nonetheless, state attempts to manage migration in low wage, low skill, sectors such as domestic work support and shore-up the role of those very private actors that have vested interests in ensuring that the regulatory reach of states does not interfere significantly with the efficient functioning of the migration regime. As Rother and Piper (2015, 2) suggest, formalised labour migration agreements governing flows of unskilled migrants such as domestic workers represent "an inherently problematic form of public-private partnership." State efforts are focussed on the need to control and police migrant bodies through bordering practices and forms of securitisation of migration as well as restrictive economic policies but they overwhelmingly fail to adequately police and monitor those private sector agencies tasked with the day to day work of migration (Devadason and Chan 2014, 32). Moreover, it needs to be recognised that when it comes to the regulation of highly feminised domestic worker flows the relationship between the public and the private needs to be viewed as *doubly* problematic. This is because we also need to recognise how the problems inherent to tasking private actors such as employers and labour brokers/recruiters with the day to day role of governing migration fundamentally intersect with another public-private divide centred on the gender division of labour. As will be argued below, gender regimes or "orders" in which household labour is seen as predominantly "women's work" and, therefore, a form of devalued labour are integral to the function of the domestic labour migration regime (see Connell 1987).

More progressive-oriented non-state actors such as migrant rights organisations have, of course, sought to challenge the current migration regime in significant ways. The article does give consideration to actors such as NGOs who seek to challenge and re-frame dominant political and economic governance practices – as noted in the literature on migrant rights activism (Roher and Piper 2014; Gurowitz 1999) and normative contestation more generally (Finnemore and Sikkink 1998). What this article does not do, however, is to buy into the claims made in more recent academic accounts of global governance that emphasise how multiple and varied sources of (usually, non-state) political authority and change serve to widen opportunities for progressive transformation of global governance practices (Avant, Finnemore and Sell 2010; Abbott and Snidal 2010). Such approaches rightly challenge overly statist theorisations of global governance, and recognise how deregulatory processes have enhanced the power and influence of non-state/private actors (Avant, Finnemore and Sell 2010). Nonetheless, they tend to rest upon an ambiguous division of separate spheres of "public" and "private" authority in global governance (Graz and Nolke 2012). The artificiality of this divide matters because political economic transformations taking shape *within* the state leading to the emergence of more "regulatory" forms of state rule are playing new and transformed roles within this more complex global order (or indeed regional order) (Jayasuriya 2005; Hameiri 2009). As I have argued elsewhere, these transformations are deeply gendered as well as reflecting class dynamics (Elias 2011).

The argument proceeds as follows: the article first provides some context to the issue of domestic worker migration in Southeast Asia, drawing attention to the social reproductive shifts centred on the private sphere of the household that underpin the growing market for migrant domestic work. Then the forms of state

transformation that make possible the emergence of the regulated markets for domestic work are discussed, focussing on the concept of "the labour brokerage state" (Rodriguez 2010, 1). This discussion is then related to broader regional regulatory shifts in which private actors again come to play influential roles in emerging systems of migration governance. The regional scale does appear, on face value, to offer some scope for possible challenges to the worst excesses of statist migration regimes for domestic work. However, regional(ised) initiatives focussed on the prevention of trafficking, and the promotion of migrant worker rights, have done little to substantively improve the working conditions and recruitment practices found in the industry and oftentimes simply accentuate the further roll-out of highly commodifying labour brokerage systems, whereby "protections" for workers rest upon sender state guarantees of a "quality product." At the same time initiatives under the ASEAN Economic Community (AEC) to create freedoms of movement for skilled labour serve to further marginalise and stigmatise migrant workers in low paid and unskilled forms of work. The final section of the article then turns to focus more specifically on the privatisation of authority within migration governance through an exploration of the grey zones of migration governance and the production of migrant domestic worker subjects as another site of governance. Overall then, this article seeks to explore not only what is problematic about this migration regime and the limits of attempts to develop more progressive governance structures, but also to provide insights into how transformations in governance practices serve, ultimately, to protect elite state and non-state interests that benefit disproportionately from the ongoing adverse incorporation of social reproductive labour into state development projects.

## SOCIAL REPRODUCTION AND GENDERED MIGRATIONS

In Southeast Asia, systems of temporary migration have been established by states to regulate the flow of workers into low skilled, low-waged forms of work.[2] Since the 1990s these migration arrangements have become increasingly feminised, a process triggered by rising demand for live-in domestic workers in the region's high to middle income states. Officially recorded flows of migrant workers are highly feminised and are largely comprised of workers from the poorer states and/or sub-regions of Southeast and South Asia. Available 2006 figures, for example, showed that the bulk of female migrants in Asia originated from the Philippines, Sri Lanka and Indonesia (IOM 2009, 25). By the late 1980s, higher numbers of female migrant workers than men, were being reported in official migration statistics. So although many more men were likely to be migrating than was captured in this data, what the data does reveal is the centrality of female labour to formalised, state regulated) return migration systems (Rahman and Fee 2009). Indeed, the fact that Philippines, Sri Lanka and Indonesia accounted for the bulk of officially recorded migrants in Asia in 2006 is a reflection of how these three states had in place labour agreements with higher income states that served to formalise flows of female workers, especially for domestic workers. Recent trends suggest that even more women are migrating within Asia from an ever-wider range of countries, reflecting an "opening up" of new markets for female workers as an increased numbers of states in the region such as Cambodia, Vietnam and Myanmar sign up to bilateral agreements for labour export to wealthier jurisdictions such as Singapore, Malaysia, Hong Kong and Taiwan (World Bank 2012, 187).[3]

Across the region, transnational systems of domestic labour migration are complemented by state practices that deny domestic workers the same legal status as regular workers. Even in Hong Kong, where the rights of migrant workers are somewhat more advanced than other parts of Asia, domestic workers receive a statutory minimum wage that tends to fall below that of other groups of workers. In Malaysia, domestic workers were deliberately excluded from minimum wage legislation, when minimum wage legislation came into force in 2013 (see Kuo 2014). The regulatory environment within which migrant domestic work takes place in host countries is thus fundamentally shaped by the non-recognition of domestic workers as workers. Such practices invariably reflect the way in which domestic work, even when it is paid for, is excluded and made invisible - a point consistently emphasised in feminist scholarship on the politics of social reproduction. (Bakker 2007; Luxton 2017).[4] An understanding of the regulatory processes that shape the market for migrant domestic work must, accordingly, recognise the importance of the state to the maintenance of systems of social reproduction in which labour centred on the household is consistently undervalued (Hoskyns and Rai 2007). Nonetheless, this literature also reveals how the production of localised gender orders (that is, the dominant form that gender relations and the production of gender identity takes in a given social context) centred on the nation-state have been transformed. Such transformations reflect both the rise of more global forms of capital accumulation and the very adverse terms through which marginalised groups such as poor female migrants enter into these global and/or regional labour circuits (Bakker and Gill 2003; Bakker and Silvey 2008).

But even with this legal status as "non-workers," migrant domestic workers are subjected to the exact same policies that seek to police and control temporary

migrant labour forces in host states. Most notably, the tying of employment visas to a specific employer means that temporary migrants are highly unlikely to pursue redress against their employer through the legal system (Tan 2016). These practices also place a clear emphasis on the need to view migrants as, above all else, temporary workers who have the potential to destabilise local social relations. For female workers, additional regulations and practices relating to pregnancy reflect the way in which female migrant bodies are seen as a particular kind of threat to highly exclusionary citizenship practices (Ngin 2010; Killias 2014). It is standard practice across East and Southeast Asia for domestic workers to be subjected to pregnancy testing as part of their visa application process, are not awarded a visa if found to be pregnant, and prohibited from bringing family members with them. In Thailand, Malaysia and Singapore domestic workers will have their contract terminated and have to return to their origin country if they become pregnant. Taiwan and Hong Kong have protections in place for migrant domestic workers who become pregnant but Constable (2013, 1008) notes that domestic workers find legal maternity protections in Hong Kong very difficult to access when workers are not married to local residents or citizens. Thus, domestic workers experience the paradox of what Chin (2003: 49) has termed "visible bodies, invisible work" – engaged in work that is highly policed and regulated, and yet not fully recognised as workers.

The expansion of the market for migrant domestic work in East and Southeast Asia has been well documented (see Constable 1997; Chin 1998, Yeoh and Huang 1999; Parreñas 2005; Lan 2006). The growing demand for "maids" is linked to the difficulties of middle class working women in combining work and caring responsibilities, a dilemma that often reflects the lack of state support for child and elderly care, as well as the long working day found in many full-time jobs and lack of

opportunities for part-time and/or more flexible work in the formal sector (Subramaniam and Selvaratnam 2010). The liberalisation of the market for migrant domestic work is frequently regarded as a quick and easy policy solution, especially in states seeking to increase or at least maintain middle class women's participation in the economy once they have children.

Furthermore, employment of domestic workers plays a very significant role in the reproduction of middle class status, something that in itself fuels demand for domestic workers (Chin 1998; Tyner 1999; Elias and Louth 2016). Comfortable, high status, middle class lives thus depend on the ready availability of a migrant workforce. The class and racialised nature of domestic work is further underscored by the fact that in high to middle income states such as Malaysia, Singapore, Taiwan and Hong Kong, few local people are willing to take on live-in paid domestic work and the sector is dominated by low-wage foreign workers who are almost exclusively female. This othering of domestic workers certainly plays an important role in the many incidents of worker abuse and exploitation that have come to characterise the sector ranging from violent and psychological abuse and sexual harassment through to more everyday forms of injustice such as non-payment and underpayment of wages, lack of rest days, or withholding of passports (Amnesty International 2013; Human Rights Watch 2004; 2005; 2011). But it is also the case that such practices need to be understood in relation to the longer, patriarchal, historical legacies of unfree household labour within wealthier Southeast Asian households in which domestic labour, remains never fully recognised as "work" (Young 2004, 287-8).

The provision of household and childcare services by poorer women to richer women is not, of course, in any way a recent development or a uniquely Asian

phenomenon. But what *is* a striking development is the transnationalisation of domestic worker employment that has accompanied the emergence of high to middle income Asian states whereby a growing middle class has been sustained by the availability of domestic workers from states located elsewhere in South and Southeast Asia. It is a situation that has thrown up novel power dynamics (for example, in terms of how gendered household inequalities intersect with race and nationality) as well as new sites of exploitation such as the recruitment training centre (Kofman and Raghuran 2015). Nonetheless, it should be remembered that employment of domestic workers is not solely confined to the region's higher income states. Levels of domestic worker employment are often very high in both labour receiving *and* labour sending countries in Southeast Asia. For example, International Labour Organisation (ILO) data shows that whereas in 2009 domestic workers made up 2.4 % of the female workforce in the migration recipient country of Malaysia, in the labour exporting country of Indonesia data from 2010 shows that domestic workers made up 2.2 % of the female labour force (ILO 2013). Indeed, taking up employment as a domestic worker in large archipelagic country such as Indonesia often involves forms of internal migration that share important similarities with overseas migratory journeys (Williams 2007). These internal migratory flows are not the specific focus of this article. But what will be discussed in later sections of this article is how the seemingly robust systems and institutions that have been established to regulate overseas flows of domestic workers dissolve into recruitment grey zones in which the distinction between internal and external migration is far less clear cut.

## DOMESTIC WORK AND LABOUR BROKERAGE

While domestic worker migration from states such as Indonesia and the Philippines does involve significant migratory flows outside of the region (for example to the Gulf states), the data suggests that female migration is becoming ever more concentrated within Asia (World Bank 2012, 187). The Southeast Asian region is frequently discussed as a "migration system." Kaur (2010, 386), for example uses the term "migration system" to describe the existence of extensive criss-crossing flows of migrant workers in the region (both high and low skill). However, it is useful to move beyond this more bottom-up understanding of migration and to focus also on the regulatory processes, rules and institutions that make domestic worker migration possible. States, non-state actors and regional organisations all play important roles in shaping and maintaining the Southeast Asian domestic worker migration *regime* - a term used here to describe how the regional migration system is maintained and reproduced by both the state and non-state actors involved.

Just as was shown in the previous section of this article in which the state was positioned within the transnational construction of social reproductive work, the centrality of the state to the Southeast Asian migration regime should not be understated. Case (2013, 52) for example, argues forcefully that Southeast Asian states have remained resilient in the face of transnational pressures such as migration. Indeed, as Case suggests, the Southeast Asian state "adheres rigorously still to strategies of exclusion" constructing policy regimes that seek to control and regulate migratory flows, especially for unskilled workers. But, as the proceeding discussion will demonstrate, the exclusionary citizenship practices of host states are maintained via complex regulatory dealings that effectively cede significant power to non-state actors to secure and to regulate immigration.

One of the key factors sustaining the trade in migrant domestic workers is, of course, the existence of significant differences in incomes and standards of living across Asia. The emergence of a regional migration regime, then, is not a story about regionlisation as convergence towards a common set of economic goals, but rests upon the institutionalisation of inequities between "sender" and "host" states. Thus, in thinking about the domestic worker migration regime in Asia, it is important not simply to consider the particular policies and actions that emerge in host countries but also to consider how the management of migrant populations is also undertaken within sender countries. As Rodriguez (2010) has shown, the adoption of a managed migration perspective was pioneered by the Philippine state in the wake of the anger surrounding the 1995 execution in Singapore of the Filipina domestic worker Flor Contemplacion. Within this context Rodriguez (2010, xxii) argues that managed migration taking the form of labour brokerage regimes "offer a kind of institutional 'fix' resolving capital's demand for labour and neo-liberalising labour-importing states' demand for temporary migrants who will not make claims for membership and will return to their countries of origin once their jobs are done." The "labour brokerage state" effectively accommodates itself to the demands of the host state, taking on some of the regulatory functions associated with the supply of migrant workers such as medical screening, overseeing transportation and guaranteeing a well-trained, "quality product" in return for more favourable terms and conditions of work for its citizens compared to other, lower income, and newly emerging labour sending states. Central to these institutional innovations in the Philippines is the Philippine Overseas Employment Administration (POEA) that has acted to market Philippine workers, engage in forms of labour diplomacy that open-up certain markets to Philippine workers and develop standardised contacts of employment for its

overseas workers which usually include stipulations on minimum rates of pay and rest days.

The large-scale movement of domestic workers within Asia is largely made up of formal flows of migrant workers under return migration systems that are governed via bilateral agreements, in particular, non-legally binding Memorandums of Understanding (MOU). Although inter-state bilateral agreements such as MOUs are frequently presented as mechanisms that serve to protect the rights and interests of domestic workers, this is often not the case and the agreements focus mainly on the technicalities and costs of the recruitment process, rather than wider commitments to labour and human rights (Wickramasekara 2015, 37-42). It is in fact worth noting that the Philippine government is unique in that it has managed to stipulate certain minimum terms and conditions for workers in its labour sending agreements – a reflection, in large part of its more hands-on role as labour broker. By way of contrast, discussions over the terms of the MOU between Malaysia and Indonesia during 2011 continually broke down over the issue of a minimum wage for domestic workers. It needs to be recognised, furthermore, that MOUs often merely function to confirm the temporary status of the migrant domestic worker, closing the possibility of migrants being able to access the same kinds of rights afforded to citizens. Significantly then, the labour brokerage practices of sender states are also a reflection of their relative weakness (Oishi 2005). Ball and Piper (2006, 223), for example, found that the Philippine state's approach to overseas migration constituted a set of practices that sought to "maximize earnings for minimal input" and generally failed to support its citizen's overseas because it continually privileges a "labour market orientation" over support for human rights protections.

MOUs are not, however, essential to establishing formalised flows of return migrants between two states. Indeed, MOUs are a relatively recent governance innovation that reflect the growing role of sender countries in migration management. For example, domestic worker migration from Cambodia to Malaysia prior to 2011 took place without a MOU in place. It appears that the Cambodian state took little responsibility for the export of domestic workers, ceding this function almost entirely to recruitment agents, albeit agents that often had close links to various state officials (Holliday 2011). However, after Cambodia banned domestic worker migration to Malaysia in 2011 following widely reported human rights abuses, the two states have been engaged in negotiations over a proposed MOU. They do appear, then, to operate as a mechanism through which sender states seek to gain some ownership of the migration process.

The increased use of MOUs alongside the gradual shift towards labour brokerage amongst labour sending states is symptomatic of broader forms of state transformation in Southeast Asia. Associated with the emergence of more regulatory forms of state governance. Formalised systems of return migration for domestic work are state-organised modes of neo-liberal compatible governance that can be related to the shift from more market interventionist “developmental” to “regulatory” state forms in Asia (Jayasuriya 2005, 384-386). The labour brokerage activities of the POEA in the Philippines or its Indonesian equivalent, National Agency for the Placement and Protection of Overseas Labour (BNP2TKI), can certainly be regarded as a component part of this shift towards more regulatory systems of state governance. For sender countries this approach serves as a mechanism through which they seek to maintain some protections for workers by ensuring the smooth functioning of migratory systems. In host states by contrast, regulatory forms of

governance are characterised by laws and practices that serve to shore up the power of private corporate actors. For example, in Singapore, state oversight of employment placement agencies (regulated under the terms of the Employment Agencies Act) operates on the basis of a hands-off, minimalistic, approach to regulatory oversight which means that it is rare for agencies to lose their license.[5] In Malaysia, foreign labour recruitment licenses are easily obtainable and the monitoring of agencies is virtually non-existent.

Return migration systems of this nature are designed to operate along strict and inflexible lines in which the state remains the key node of authority. But those actors that actually do the work of international migration are private sector labour brokers and agents. Brokers and agents may well find that their room for manoeuvre is constrained by the state's ability to pick and choose who gets the contracts for migrant worker recruitment, although as will be argued below, private agencies and brokers nonetheless demonstrate considerable power and influence within return migration systems. In the Indonesian context, the fall of the authoritarian Soeharto regime following the 1997 crisis saw democratically elected governments put in place legislation that increased the state's regulatory oversight of the deeply feminised return-migration system (for example, via the establishment of the BNP2TKI) yet also served to sanction the role of the private sector as the primary actor involved in organising the official flow of migrants (IOM 2010). Palmer's discussion of how the Indonesian consulate in Hong Kong engages in "public-private partnerships," that is direct agreements with private employment agencies is particularly interesting (Palmer 2013). These agreements do enable the consulate to respond quickly to specific labour injustices (such as the case of an agency that consistently under-paid workers). But Palmer notes that in many ways these public-private partnerships are

simply another manifestation of labour brokerage practices – a technique that the consulate employs in order to maintain the smooth functioning of the migration regime. That workers more often than not do not benefit from this regime (for example, the consulate appears unwilling to enter into negotiations on high agency fees) reflects the structural weakness of labour within this transnational governance fix.

## LABOUR BROKERAGE IN THE CONTEXT OF REGULATORY REGIONALISM

As several recent contributions have highlighted, there is an important regional dimension to contemporary forms of governance in Southeast Asia (Jayasuriya 2008, 2009; Hameiri 2009; Cammack 2016). The rise of more regulatory forms of state rule is not simply a response to transnational pressures but it is a state form that has also emerged in relation to regional governance innovations. On the one hand, this literature on "regulatory regionalism" has pointed to the role of regional institutions and/or supra-state governance initiatives organised at the regional scale in locking-in neo-liberal reform projects into processes of state transformation (Carroll 2012). On the other hand, this literature makes a specific contribution to the study of regionalism in Southeast Asia by observing how the pursuit of regional projects has been continually contested by domestic elites and civil society groupings opposed to regional market-building projects (see Jones 2016). This politics of contestation reflects both the endurance of capitalist authoritarianism or authoritarianism more generally, as well as the significant divergences in economic development between states in Southeast Asia.

In the area of labour migration, we can observe three distinct yet overlapping regional initiatives that underpin regulatory practices of labour brokerage in significant ways. These are: (i) anti-trafficking initiatives often funded by external actors and states such as the International Organisation for Migration (IOM), USAID and other US donor agencies but with a distinct regional focus on combatting trafficking in the Southeast Asian "hot-spot;" (ii) somewhat more nascent and patchy commitments on free movement of skilled labour that came about as part of the formation of the AEC from 2015 onwards; and (iii) efforts to include a concern with migrant rights within ASEAN debates and institutions. In certain respects, all three processes serve to position the labour brokerage model as the gold standard for migration management. All three, in various ways, focus on how best to *improve* systems of labour brokerage, and thus endorse the existence of a migration regime that rests upon the problematic public-private partnership between the state and recruitment brokers engaged in the work of migration management. However, it should be noted that the third of these processes also provides an important space for challenging the current regulatory regime. In particular, highly networked pro-migrant worker activists in the region have sought to contest some of the more egregious labour practices and human rights abuses found within Southeast Asia's domestic worker migration regime.

Taking the first issue, anti-trafficking initiatives, ostensibly focussed on preventing the most abusive and exploitative forms of labour migration, have multiplied following the passing in 2000 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the UN Trafficking Protocol). In 2001 the US State department's annual Trafficking In Persons (TIP) reports have ensured labour migration issues in the region are consistently viewed

through an anti-trafficking lens. The TIP reports name and shame states that have inadequate procedures to prevent trafficking or are complicit in abuses against "victims" of trafficking. In 2014, both Thailand and Malaysia were downgraded by the TIP report from "tier 2 watch list" a status whereby a country is placed "on notice" to "tier 3" (the worst possible ranking) (US State Department 2014). As Ford, Lyons and van Schendel (2012, 1) note, Southeast Asia has long been regarded as a trafficking "hot-spot" resulting in a plethora of anti-trafficking programmes and initiatives undertaken by government agencies and, more frequently, by non-state actors.

These initiatives are regional in two senses. First, in terms of regional commitments within ASEAN to prevent trafficking. These include the 2004 ASEAN Declaration Against Trafficking in Persons Particularly Women and Children, and the 2007 formation of a regional Expert Working Group which meets annually and was tasked with the development of an ASEAN Convention on Trafficking in Persons and the Regional Plan of Action due to be finalised in 2014 (but as yet has not been). Second, in terms of the regional concentration of funding for anti-trafficking initiatives into Southeast Asia, funding has come from global agencies, state donors and large NGOs/Charitable Foundations. The US government has been active not only in terms of providing funding for anti-trafficking initiatives – often with USAID working in partnership with other donor country aid agencies – but also in effectively tying aid to TIP report findings. For example, the Millennium Change Corporation (MCC) is a US government body separate from USAID that provides assistance to countries that meet a number of benchmarks relating to social, environmental and political standards and has included human trafficking as part of its selection criteria (Curtis and Enos 2015). The inclusion of human trafficking in MCC criteria is in

many ways unsurprising given, as Chhotray and Hulme (2007, 5) note, the MCC represents a turn towards the greater securitisation of aid whereby aid has come to be increasingly tied to foreign policy objectives.[6] Anti-trafficking initiatives by and large point to the potential "threats" of trafficking to the nation-state without recognising the highly contestable assumptions that underpin the very notion of "trafficked" labour.

Indeed, what both the donor-led and ASEAN-led initiatives have in common is that they generally fail to acknowledge the complicity of states in trafficking, seen most starkly in the Cambodian case and gloss over the extent to which regularised systems of return migration can be viewed as a form of legitimate "trafficking" (Holliday 2011). In other words, how state sanctioned return migration regimes serve to legitimate migration into extremely low paid deeply exploitative forms of work in which employment rights are completely absent. Moreover, anti-trafficking initiatives become problematic in the context of Asia's domestic worker migration regime because they have so easily been picked up and used by employers, recruiters and placement agencies in order to limit the freedoms of workers and to subject them to multiple forms of abuse might best be understood as legalised forms of trafficking. Indeed, it is worth noting that although measures to combat trafficking in persons do often serve important moral agendas such as abolition of forced labour, they can frequently become over-determining (Agustin 2007; Weitzer 2007; Quirk 2007). This is especially because of the way in which trafficking comes to be equated with sex worker migration, thereby enabling officially sanctioned recruitment brokers and agencies to pose as those best able to "protect" workers from exploitative sex traffickers.

On the second issue of regional commitments to labour mobility, such agreements very much came to the fore with the establishment of the AEC in early 2015. AEC agreements on labour mobility are, however, firmly focussed on skilled labour migration – a reflection of the way in which skilled migration came to be understood in relation to the issue of free movement of services related to high paid professional service sector work. This situation reaffirms the status of low wage migrants as, at best, an undesirable necessity. But also, the free flow of unskilled migration is widely viewed as having negative economic and social consequences. For example, the view that a supply of low wage migrant labour deters employers from investing in higher tech industrial processes, alongside nationalist-oriented fears regarding the threat of low wage migrants to social order and established ways of living. Such views overlook the extent to which low wage migration remains an integral component of economic growth and competitiveness in high labour importing states. Examples are their role in sustaining the construction boom and, in the case of this article, the role of migrant domestic work in maintaining the labour force participation of middle class women. The exclusion of low-waged workers from the AEC does not reflect the demands of industry, but rather more political questions about the rights of what are perceived as a deeply racialised underclass of migrant others to enter employment on the same terms as a small elite of professional workers. Furthermore, it appears that the increased emphasis on professional/skilled mobility has come to eclipse ASEAN level discussions of low wage labour migration (see below), whilst large sender states such as Indonesia have utilised arguments about economic growth and the potential economic gains of the AEC to justify decisions to move towards a ban on the sending of domestic workers overseas (Elias 2013; *The Jakarta Post*, March 27, 2015).[7]

There is little political will to extend these labour agreements to unskilled categories of workers. As Jones (2016, 663-665) notes, even the implementation of different agreements covering particular categories of *skilled* workers has been a contentious process. Recognising the problems that AEC-led professional labour mobility within ASEAN has faced, a 2014 UNESCAP policy brief writes of the existence of multiple bilateral labour agreements and MOUs governing flows of unskilled migrants in Southeast Asia as "the most substantive co-operation on labour market access among ASEAN members" and suggests that "[t]hese bilateral agreements can provide valuable learning and provide the basis for great [sic] multilateral co-operation within ASEAN" (Huelser and Heal 2014, 5). But missing from this analysis is any recognition of the role that bilateral labour agreements and MOUs play in sustaining deeply exploitative systems of low wage labour migration.

Finally, regional efforts concerning the rights of migrants have some history within the ASEAN institutional space. The 1999 Bangkok Declaration on Irregular Migration was the first such initiative in this area although it remains as little more than an aspirational statement of goals that appear to have been largely ignored by signatory states. The rights of regular migrants such as those working within systems of return-migration were addressed in the Declaration on the Protection and Promotion of the Rights of Migrant Workers agreed in 2007. In this Declaration, ASEAN member states committed to protecting (regular) migrant workers' human rights and recognised the need to provide decent, humane, productive, dignified and remunerative employment but the Declaration lacked any enforcement mechanisms that might secure these commitments for workers. The Declaration also led to the establishment of the ASEAN Forum on Migrant Labour in 2008 which provides an ongoing forum for governments and civil society. But negotiations have stalled and

the focus of ASEAN efforts on migration has shifted away from the need to develop legally binding instruments for migrant worker protection towards a focus on the free movement of skilled labour (*The Jakarta Post*, March 27, 2015). This continued lack of regional response on this issue is reflective more broadly of ASEAN's reluctance to take up controversial issues that may be seen as impinging on national sovereignty (Kneebone 2012).

Nonetheless, the issue of the rights of low skill migrants, including domestic workers, in ASEAN has generated widespread civil society engagement from a vast multiplicity of highly networked and increasingly regionalised actors. Rother and Piper (2015, 37) argue that even though migrant worker advocacy takes place in quite limited spaces, these groups do have significant potential for change and can play a role in reinvigorating ASEAN efforts in this area. These groups that include the important networks of activists such as the Philippine based Migrant Forum in Asia network have sought to take matters into their own hands for example by forming a Task Force on Migrant Workers that has, in the absence of ASEAN level initiatives, taken up ASEAN wide initiatives on unskilled worker migration. The proposals of the Task Force include efforts to better integrate ILO Core Labour Standards into migration governance. The report writers, moreover, utilised the economic regionalist language of "harmonisation" in order to argue for a significant upgrading of employment standards across the board in ASEAN member states (Task Force on ASEAN Migrant Workers 2010, 13). At the same time, civil society groups have sought to work within existing migration governance systems, arguing for a professionalisation of standards in the recruitment system and for better/increased state controls over recruitment systems, a focus that, nonetheless, raises the status of the state as "labour broker." Thus, civil society organisations face something of a

dilemma. On the one hand, they have made important moves to defend and define the human rights of migrant workers and have sought to engage ASEAN as an important site for labour advocacy (Piper and Ball 2006; Piper 2015).[8] But, on the other hand, the search for practical solutions to migration governance that uphold the labour brokerage model perpetuates a dehumanising model of migration in which the migrant worker is seen largely as "product."

## BROKERAGE BEYOND AND *WITHOUT* THE STATE?

One problem with ideas of the state as "labour broker" is that it does not adequately capture the ways in which labour migration regimes experience significant and on-going cracks, tensions and breakdowns. The Indonesian labour migration regime is characterised by multiple inefficiencies stemming from the incomplete nature of state control over the migration regime. For instance, BNP2TKI competes with multiple other government agencies and ministries at the federal and local level which enables private brokers to maintain a significant level of power and influence - albeit not as much as during the Suharto era in which state involvement in the migration regime was minimal.

Significant ruptures in these regimes have also been sparked by states such as Indonesia and Cambodia imposing bans on female workers taking up employment as domestic workers in Malaysia (Elias and Louth 2016). But the extent to which brokerage occurs without the state was seen even more starkly in 2013 when a powerful group of Philippine recruitment agencies took the step of stopping the sending of domestic workers to Singapore because of the common practice of having domestic workers "work off" the costs of their placement fee or levy (a practice that

had been prohibited by the POEA) (Larano, 2013). Furthermore, the level and extent of corrupt practices within these migration regimes also means that they often do not operate in a tightly regulated manner. The widespread corruption and forms of malpractice within Cambodian recruitment agencies prior to 2011 is certainly indicative of the lack of state oversight of recruitment agencies and include practices such as the virtual enslavement due to debt bondage of newly recruited domestic workers in so-called training centres. In Indonesia, BNP2TKI has also been widely criticised for its failure to properly regulate officially recognised recruitment firms (a responsibility that falls under the terms of Law No. 39/2004) who have been accused of falsifying documents and failing to inform workers of their rights (Tobing 2014, 7).

Within host states the room for manoeuvre that agencies have to operate outside of legal frameworks is often quite considerable. In part this is because legal regimes regulating employment agencies are frequently focussed more on the relationship between employer and agency than between worker and agency. In this context, employment agencies are complicit in practices that further marginalise the precarious status of migrants. For example, in Hong Kong Constable (2013, 1011) notes that her interviewees reported that agencies often force workers to sign agreements not to get pregnant and will terminate contracts on pregnancy even through Hong Kong law mandates that workers cannot be fired if pregnant. The events surrounding the Indonesian ban on sending domestic workers to Malaysia between 2009 and 2011 is especially revealing because whilst the ban led to an official “maid shortage,” workers were brought into Malaysia on short terms visas which were then converted into work permits on arrival. This process was encouraged by both the Malaysian state and Malaysian domestic worker placement agencies but also led to a significant increase in the hiring costs of Indonesian domestic workers.

As earlier discussions indicated, in sender countries such as the Philippines and Indonesia labour brokerage practices involve significant dependence on the private sector to do the work of migration management. These more informal processes which may include very localised recruitment networks are characterised by Lindquist, Xiang and Yeoh (2012, 10) as part of the wider "infrastructure of migration" that supports the increasingly sophisticated and regulated flows of formal migrants within return migration schemes. It is a situation that is made possible because the increased fragmentation of potential sources of labour sits at odds with efforts to centralise migration governance with the establishment of institutions such as BNP2TKI or POEA (Lindquist 2010, 118). Thus in Indonesia, a formalisation of temporary labour migration took place alongside the deregulation of the labour recruitment market and a growth in private labour recruitment agencies.[9] The establishment of BNP2TKI appears to have sustained a massive and rapid increase in the number of private sector agencies engaged in migration work and who are, thus, collecting rents from potential migrants in terms of visa processing costs and other fees.

Thus, formal systems of co-ordinated migrant labour brokerage and placement co-exist alongside more informal recruitment processes. Young (2004, 292) characterises this as "a chain of intermediaries who seek to manage and profit from the flows of labour" and suggests that these operate as "self-sustaining" "migration networks" that support a wider "migration industry" that includes both state and non-state actors. But the regulation of recruitment agencies within sender states invariably breaks down as recruitment chains draw upon the expertise of local informal labour brokers to source workers (Lindquist 2015, 167). Although paid by the agencies they represent, they are typically not formally connected to the agencies they work with

and rarely are accountable to them or to the migrants that they help to deploy (Agunias 2010; *The Straits Times,* August 19, 2014). The influence of individual recruitment brokers (often characterised as middle "men" who profit unfairly from the current recruitment regimes) is frequently linked to rising recruitment costs in states such as Malaysia (*New Straits Times* October 31, 2014).[10] It should be recognised, however, that these rising costs are more likely linked to the difficulties in sourcing workers from countries such as Indonesia due, in part, to rising levels of prosperity as well as negative publicity surrounding domestic worker abuse cases in host states.

The rapid growth in recruitment agencies has also seen a rapid and sustained rise in the numbers of individual brokers engaged in recruitment work, often former migrants themselves, who may well carry some of the cost risks associated with labour recruitment, for example, by lending money to migrants to be paid back on their return (Lindquist 2015). Many, including labour rights activists and most international organisations, see the Philippine model of labour brokerage as a gold standard that ought to be emulated (Tobing 2014). But it is necessary to recognise a key problem in this system – that the centralisation of sender country institutional controls over the recruitment process remains dependent on informal recruitment networks. Because labour brokers are only paid once migrants are delivered to agencies "the bodies of migrants are quickly transformed into valuable commodities to be controlled and protected" (Lindquist 2010, 118).

The relationship between intermediary brokers and state approved agencies is invariably fraught with conflict. The structural power of certain groups of officially recognised recruitment agents is constantly under threat from these intermediaries. Chee (2014, 7-9) for example, notes the way in which official agents distinguish

themselves from supposedly less scrupulous actors – the illegal recruiters. Whilst often dependent on certain intermediaries to gain access to new markets for domestic worker recruitment, they nonetheless seek to gain clear control over the recruitment process especially when it comes to the more lucrative activities that involve the running of domestic worker training facilities and the receipt of large fees for training and placement. Official recruitment agencies have sought to enhance their status through a process of "professionalisation" of recruitment and placement via commitments to worker "training." But this strategy of professionalisation nonetheless operates as a form of commodification that serves to produce the "ideal maid" subject (see also Killias 2010). As will be outlined below, these activities intersect also with anti-trafficking narratives, and also demonstrate the very real ways through which governance of migration via public-private partnerships plays out in very problematic ways in terms of the governance of migrant worker subjectivities and indeed, bodies.

## CREATING THE IDEAL MAID: THE LOCALISED GOVERNANCE OF MIGRANT BODIES

This final section extends the discussion of private regulatory governance through a focus on the everyday governance of social relations that are integral to this migration regime. The governance of domestic worker bodies takes place in numerous sites – within the training centres of agencies, within the homes of employers and elsewhere. The inclusion of this discussion matters because it is important to pay attention to the micro-scales of governance alongside an appreciation of state, regional and global shifts at work within the domestic worker migration regime. Moreover, it is through a

focus on these everyday forms of governance that we can observe the significant power and influence of the labour brokerage agencies and their role in producing and maintaining those gendered and racialised social relations that sustain the subordinate status on the migrant domestic worker within transnational migratory regimes.

In line with the emphasis in this article on private authority within migration regimes, we see that recruitment agencies play key part in creating the "ideal maid" and, in the process, construct women as submissive, docile non-citizen workers (Lyons 2005; Liang 2011; Elias and Louth 2016). For example, focussing on web-based recruitment practices, Tyner (1999, 206) provides an insight into the role of recruitment agencies in the gendering of migrant domestic work suggesting that "labour recruitment institutions assume a pivotal role in the (re)constitution of gendered identities and expectations." Others have pointed to the role that placement agents play in advising employers about the appropriate nature of the employer-employee relationship and which nationality of worker "best suits" their needs (Loveband 2004, 340; Killias 2014, 894).

Gender thus intersects with racial and national identities with agencies marketing workers in terms of assumed characteristics said to be "innate" to particular nationalities and the lower rates of pay granted to workers of particular nationalities. As one Singaporean parenting website noted:

> Filipino, Indonesian and Myanmar maids seem to be the most popular choices among Singaporeans and it seems that certain stereotypes have developed over the years. While these stereotypes may not be accurate at all, they do somewhat help employers to come to a decision on which country to hire your maid from." (*The Asian Parent*, n.d.).

Domestic workers from the newer labour exporting states like Myanmar are viewed as not simply cheaper than other nationalities but are deemed to be "sweet natured" and "less demanding." Thus, the opening of new sites for migrant domestic worker recruitment in countries such as Cambodia and Myanmar is facilitated via the strategic utilisation of discourses regarding the less "troublesome" nature of workers from these states (Elias and Louth 2016, 839).

Regularised systems of return migration exist because of agreements between states, but a state-centric perspective is inadequate in understanding how and why ideal migrant subjects are produced. The "good" migrant subject or "ideal maid" is constructed at various points along the recruitment and employment journey, be it by migrants themselves and their families, recruiters, employers, those lending women money to make their journey, or state officials (Rodriguez and Schwenken 2013, 376). Moreover, both localised and global understanding of the good migrant are evident in deeply commodified understanding of the foreign domestic worker, for example, as a responsible and reliable remittance sender, that serves to deflect attention away from the unethical and oftentimes corrupt practices that agencies engage in.

A central component of the efforts to regularise and manage return migration for domestic workers has been the reproduction of an anti-trafficking rescue narratives as part of the training provided in training centres which serves to shore up the role of state-sanctioned recruiter as "legitimate" agent, with these recruiters drawing continual comparison to the dangers posed by unlicensed recruiters who may seek to traffic women into sex work (Killias 2010). However, in newly emerging sender countries such as Myanmar and Cambodia, this understanding of the legitimate

versus the illegitimate recruitment broker is fundamentally problematic given the extremely legally and ethically dubious practices that have characterised the operations of state-sanctioned recruitment agents (Hing, Pide and Dalis 2011).[11]

Work by Killias (2010) serves to query the idea that officially sanctioned employment agents are those best able to protect workers from trafficking. For example, in research conducted in Malaysia, she shows that when domestic workers run away from an employer, workers effectively break free of state-sanctioned migration schemes and tend to acquire better paying, higher status work, albeit their risk of deportation increases considerably (see also Lan 2010, 253-254). Loveband's (2004) work in Taiwan reflects on the high levels of Indonesian former domestic workers employed illegally in shops and food stalls noting the existence of informal networks of employment brokers who assist women to seek out new work opportunities. What these studies draw attention to is the way in which the distinctions between formal and informal migratory systems are frequently overemphasised. After all, both operate within the context of global inequalities that render the unskilled migrant particularly powerless regardless of her documented/undocumented status. But rather than suggest that such studies point to the need for *less* regulation of migratory flows, I would argue that for progressive change the needs of migrant workers need to be enshrined within the regulatory processes that govern migration – an approach that starts with the needs and rights of women workers rather than the needs of states for overseas remittances or cheap labour.

## CONCLUSION

One should not downplay the enduring role and influence of the state in the management of migratory flows. While Case (2014) highlights the centrality of the state to all forms of migration control in the region, others have emphasised the states' significance within the regulated or managed flows of migration that dominate in sectors such as domestic work, and are also widespread in other low wage sectors such as construction, factory and plantation sector work (see Crinis 2013, Xiang 2010). To a certain extent, my argument does follow that of Rodriguez (2010) in suggesting that the labour brokerage model is about states being able to continue to send low cost workers abroad but without significantly challenging the exploitative terms on which this takes place. It is a model that rests fundamentally on viewing workers merely as economic commodities to be mobilised in the name of earning foreign currency and alleviating poverty.

Nonetheless, there is a need to recognise how state activities in regulating, managing and also preventing migratory flows as well as the state's critical role within systems of social reproduction more generally should be understood as a constitutive part of new and emerging forms of transnational migration governance. That is, a form of governance that not only draws new actors into governance arrangements, but also plays a role in the ongoing transformation of state governance itself in Southeast Asia; a process that is taking shape in significant ways at the regional scale in terms of increasingly regionalised responses to the management of migration. Thus, we see how even in highly statist regimes such as this, efforts to control and prevent trafficking grant considerable power to private actors. This power is evidenced in how these actors can oversee the way in which migrant labourer's bodies and movements are regulated within sites such as the migration training centre or the private households of employers. The managed migration approach then also

functions to uphold the power of private actors in regulating the supply of migrant domestic workers and privileges a highly commodifying and dehumanising understanding of worker as commodity in both sender and host state. State practices have largely failed to completely control and regulate the migratory journeys of domestic workers; indeed, this remains an area of public-private partnership in which the activities of private recruitment agencies merge into a range of highly informalised recruitment activities down the chain.

A focus on the Southeast Asian domestic worker migration regime does serve to challenge more pluralist and constructivist takes on new and emergent forms of transnational private governance in which the possibilities for progressive political change is emphasised. Of course, other literatures have raised important criticisms of the growing role of private power and authority in the international system, challenging the extent to which progressive political change can emerge out of a situation that embeds capitalist social relations within the structures of global governance (Cutler, Hauffler and Porter 1999). In this Special Issue, Nesadurai's (2018) article reveals such a conundrum. While private palm oil governance seems able at one level to deliver progressive outcomes, it also entrenches and legitimises unequal capitalist social relations. Recruitment/placement agencies and brokers should be understood as important nodes of private power within Southeast Asian migration regimes.

But, at the same time, there do exist spaces in which attempts to challenge existing unequal power relations and injustices take shape. Pro-migrant worker activism in particular has become increasingly regional in character and activists on the ground are able to engage the kind of tactics recounted in Finnemore and

Sikkink's (1998) work on transnational advocacy whereby norm entrepreneurs within one node of a network (such as a migrant rights group located in one particular state) can point to the successful implementation of policies in other sites whilst simultaneously working on the development of regional norms concerning migrant rights (see Roher and Piper 2014). Thus, pro-migrant worker civil society actors have sought to challenge the problematic public private partnerships that characterise this regime. But at the same time, the victories of civil society campaigns are often seriously constrained. The "boomerang effect" means that the labour brokerage policies of the Philippine government have come to represent something of a gold standard, obscuring the extent to which such polices rest upon the subordination of labour to capital and the production of neo-liberal compatible migrant worker subjects. Moreover, ASEAN-level campaigns to develop migrant rights instruments let alone overarching policies have not been successful even though there has been some progress within more global governance forums such as the ILO for example, in relation to the coming into force of the 2011 domestic worker convention and the campaigns for its wider ratification.

What this article finds, then, is that state development projects that depend upon the availability of migrant domestic workers are sustained via problematic forms of public-private partnership between the state and employment agencies/recruiters. This article explained the mechanisms that sustain this migration regime, highlighting how this form of public private partnership is sustained and how new scales of regional governance within Southeast Asia that have sought, in various ways, to "solve" the problems faced by migrant domestic workers, actually contribute to the maintenance of a deeply unjust system.

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**NOTES**

[1] Data on undocumented migration in particular is highly inaccurate but even official estimates suggest that these flows are substantial. For example, the World Bank reports that there are 2.1 million registered migrants in Malaysia and over a million unregistered (World Bank 2015, 2). In Thailand, an IOM report put the figure for undocumented migrants at 1.4 million, compared to one million documented migrant workers (Huguet, Chamratrithiong and Natali 2012).

[2] In this article the focus is on several states in the region that are the major sender and recipient countries for formalised flows of domestic workers – specifically, Indonesia, the Philippines and, to a lesser extent, Cambodia (sender countries); and, Malaysia, Singapore, Hong Kong (destination countries). Hong Kong is included even though it is a non-ASEAN member because it, like Taiwan, is a major destination county for Southeast Asian domestic workers in Asia and there are multiple similarities between labour practices in Hong Kong with other destination countries.

[3] Migrant women are, of course, found working in a variety of economic sectors in Southeast Asia such as factory work (see, for example, Crinis 2013; Pearson and Kusakabe 2012). But not only do domestic workers dominate the official flows of migrants, they also face somewhat different employment regimes and conditions of work.

[4] The term social reproduction is used in this article to refer to those forms of work usually centered on the household – child and elderly care, biological reproduction,

household provisioning, housework – that are central to the production of life itself and generally go unaccounted for in conventional economic analysis.

[5] This situation in Singapore is, of course, not unique to domestic worker recruitment. Ong (2014, 444) for example notes "the pro-business state's reluctance to tackle illegalities" pertaining to the operations of those engaged in the country's recruitment and migration industries.

[6] On the relationship between the TIP reports and wider US foreign policy objectives, note also recent developments that saw Malaysia upgraded to TIP tier 2 at a time when the US is seeking to further develop trade ties with Malaysia via the Trans-Pacific Partnership agreement.

[7] The Indonesian government's plan to ban the overseas migration of domestic workers by 2017 was abandoned before it came into effect following heavy criticism from civil society campaigners.

[8] But see Gerard (2013) for a less optimistic account of the role of migrant labour advocacy within ASEAN and ASEAN-focused activist spaces.

[9] Lindquist (2015) notes that there are currently several thousand labour recruitment offices in Indonesia, with 150 on the island of Lombok (one of his research sites) alone.

[10] Those involved in migration networks of this nature are of course not exclusively male. The term "middlemen" is widely used in discussions of various forms of rent seeking in the Southeast Asian international recruitment industry but this is not to infer that all of these individuals are male.

[11] See also Silvey (2008) on the endemic corruption faced by Indonesian domestic worker migrants leaving the country via the spatially segregated "Terminal 3" of Jakarta airport.