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Forced to Live in the Employer’s House: A Comparative Study of Migrant Domestic Workers in Hong Kong and Singapore

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Forced to Live in the Employer’s House:

A Comparative Study of Migrant Domestic Workers in Hong Kong and Singapore

A thesis submitted in partial satisfaction of the requirements for the degree Master of Urban and Regional Planning

by

Kanako Masuda

2019
ABSTRACT OF THE THESIS

Forced to Live in the Employer’s House:
A Comparative Study of Migrant Domestic Workers in Hong Kong and Singapore

by

Kanako Masuda
Master of Urban and Regional Planning
University of California, Los Angeles, 2019
Professor Paavo Monkkonen, Chair

In Hong Kong there are currently about 380 thousand migrant domestic workers (Hong Kong Special Administrative Region (HKSAR) Immigration Department, 2018) and in Singapore there are currently about 260 thousand (Singapore Ministry of Manpower, 2018). They often suffer abuse. Many experts believe that the live-in rule, which in both cities requires them to live in their employer’s home, is one of the factors that contribute to the abuse of these workers. Through interviews with key advocates of migrant domestic workers and comparing Hong Kong and Singapore, this thesis explores the different interests that various actors attach to advocacy for domestic worker rights, using the live-in rule as a focal point. In Hong Kong, where migrant workers can organize and bring their own voices to advocacy, migrant domestic workers are vigorously acting to challenge structural oppression and discrimination. There are also abundant
local civil society actors that support and act in solidarity with migrant domestic workers. However, in Singapore, where migrant workers cannot join public protests, migrant domestic workers are absent from campaigns that aim to benefit these workers. The findings indicate that in Hong Kong, the live-in rule is understood as a regulation that fosters discrimination and strengthens systematic oppression against migrant domestic workers. On the contrary, in Singapore, migrant domestic workers cannot join public protest, and therefore, the live-in rule is understood primarily as an issue of space and cost and does not get much attention from the key actors.
This thesis of Kanako Masuda is approved.

Christopher C Tilly

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2019
# Table of contents

1. **Introduction** .................................................................................................................. 1

2. **Background** .................................................................................................................. 6
   - Current Political Climate ................................................................................................. 6
   - History of Migrant Domestic Worker Program ............................................................. 7
   - Current Migrant Domestic Worker Program ................................................................ 13

3. **Literature Review** ......................................................................................................... 20
   - The Global Care Deficit ................................................................................................. 20
   - Civil Society and Migrant Domestic Worker Activism .................................................. 23

4. **Concept Model** ............................................................................................................ 28
   - Interest Convergence ..................................................................................................... 28

5. **Methods** ....................................................................................................................... 31

6. **Analysis** ....................................................................................................................... 33
   - Why demand migrant domestic workers to live-in? ..................................................... 33
   - What is the problem with the live-in rule? ................................................................. 40
   - Why do different actors want to change the live-in rule? ........................................... 43

7. **Conclusion** .................................................................................................................. 57

**Appendix** .......................................................................................................................... 60

**References** ...................................................................................................................... 62
List of Figures

Figure 1. Number of Foreign Domestic Helpers by Nationality (Hong Kong) ..... 10
Figure 2. Population by Residential Status (Singapore) ..... 13
Figure 3. Old-age Support Ratio (Hong Kong and Singapore, 1990-2017) ..... 13
Figure 4. Total Fertility Rate (1981-2017) ..... 61
Figure 5. Female Labour Participation Rate (age 25-64) ..... 61
List of Tables

Table 1. Eligibility Criteria and Requirements for Migrant Domestic Workers ..... 15

Table 2. Eligibility Criteria and Requirements for Employers of Migrant Domestic Workers ..... 16

Table 3. Basic information of the two cities ..... 62
1. Introduction

Both Hong Kong and Singapore rely heavily on migrant domestic workers. In part, this allows them to maintain their profile as a “first world” city. According to the immigration department of Hong Kong, one in seven households have a foreign domestic worker at their house (HKSAR Census and Statistics Department, 2018). In Singapore, the number is about one in five households (Singapore Department of Statistics, 2019 and Ministry of Manpower, 2019). Hence, migrant domestic workers are the backbone of the society that enable many of their productive age population to participate in the paid workforce.

However, stories of “maid abuse” have been told repeatedly in Hong Kong and Singapore. For example, in 1995, Flor Contemplacion—a Filipina domestic worker based in Singapore—was accused of killing her employer's son and her colleague domestic worker. Despite the contradictory evidence in the case, the Singaporean court sentenced her to death. This unfair treatment, coupled with the reluctance of Philippine government to save her, led to a national rally in the Philippines and among overseas Filipino communities, demanding the fair treatment of migrant workers. This, and many other cases of migrant worker abuse, have heightened the need for a strong transnational network to protect the migrant community.

In 2014, Erwiana Sulistyaningsih—an Indonesian maid in Hong Kong—was found in Hong Kong International airport, unable to walk after eight months of violence and the continuous denial of medical treatment. She had been severely abused by her employer, was threatened not to tell anybody what had happened and was abandoned at the airport. Her case makes us ask, to what extent have the protections for migrant domestic workers advanced after decades of struggle? What is still missing?
Migrant domestic workers, the subject of this study, are in a structurally precarious position. First, being a migrant often entails that the local government is not primarily responsible for the one’s welfare. The government prioritizes the needs of the employer, who is a citizen, and considers the needs of the employee, who is a foreign non-citizen, as secondary. Also, since the workplace of domestic work is inside a private home, it is hidden from public scrutiny. The condition of work, therefore, often relies on the employer's good will. Furthermore, there is often stigma attached to foreign domestic workers that marginalizes them as “other,” and perpetuates discriminatory treatment from society. This happens no matter what social class one is from, evident because some domestic workers, especially Filippina workers, are well educated and have had managerial or professional jobs in their country. Once they become a domestic worker, however, they are treated as a “servant.” This treatment is not only from employers but from many authorities—be it immigration officers, officials of her own embassy, employment agencies and staff at judicial procedure (Constable, 2014).

The focus of this thesis is the live-in rule that mandates migrant domestic workers reside in their employers’ homes. They are expected to be able to serve a single employer 24 hours a day, seven days a week. The live-in rule not only blurs the line between work and personal life, but also entails various other problems, such as inadequate accommodation, insufficient food, lack of privacy and no security. For example, according to a report from Mission for Migrant workers (2013) on the live-in rule in Hong Kong, 30 per cent of 3000 respondents had no private room and were made to stay with other family members, including adult males, or sleep in the living room, kitchen, corridor, bathroom or store room. More than 37 per cent of the respondents reported that they had to work more than 16 hours a day. Similarly, in Singapore,
NGOs cite the live-in rule as the main factor for long working hours, isolating workers from outside help and making them prone to physical and sexual abuse (HOME, 2015).

Since the live-in rule creates abusive working condition in many ways, there have been multiple efforts to change the mandatory live-in rule; especially active in Hong Kong. There have been a few sporadic attempts in Singapore, as documented by Lyons (2005), as well as in the sending countries.

In 2016, a Filipino domestic worker in Hong Kong started a legal challenge to question the constitutionality of the coercive live-in regulation. In 2018, the judge wrote in his judgement that the worker can terminate the employment if she finds it unacceptable and thus, it is lawful (Hong Kong Court of First Instance, 2018). The plaintiff team plan to appeal to the Court of Appeal (email with the lawyer of plaintiff, 3/25/2019).

Using the mandatory live-in rule as a focal point, I aim to understand how the workers, rights organizations, employment agencies and states interpret the live-in regulation, how and why these groups are alternately working to abolish or maintain the rule. Thus, this research will answer the following questions:

1) What is the purpose of live-in rule? Why do some people think the rule is necessary?

2) What problems does the live-in rule create? Why do so many people think forcing the employees to stay at their employers’ house is a problem?

3) Why have different actors acted to reverse the live-in rule? How does this action match with their own interests?

I borrow from the concept of “interest convergence” (Bell, 1980) to analyze why different actors have tried to change the live-in rule. For the purpose of this research, I expand
the meaning of interest convergence and define it as: the interest of marginalized groups in achieving equality will only be accommodated when it converges with the interests of dominant groups. I will analyze nine interviews I conducted during January to March of 2019 and documents related to the live-in rule, published by the government and NGOs, to see how different actors reframe their objective in a way that converges with or diverges from the interests of the dominant group.

I collected primary data through semi-structured interviews with nine key organization leaders and members in Hong Kong and Singapore during January to March 2019. I followed up on these interviews through text message and email, as well as with government agencies. I then compared the answers to similar questions across different actors to see how each actor framed the issue and how that was compatible with their own interests.

The chief findings from this analysis are that in Hong Kong, the live-in rule is understood as a discriminatory regulation that isolates the domestic workers from other domestic workers as well as the Hong Kong society at large. Conversely, in Singapore, the live-in rule is understood as an issue of space and cost. Therefore, the discussion in Hong Kong centered around the consequences of live-in rule and the validity of the causal relationship between maltreatment of domestic workers and the live-in rule. The discussion in Singapore is centered around the question of how an employer will accommodate foreign domestic workers or what the policy recommendation would be.

Each group strategically reframes their motivations so that they resonates with the dominant groups’ interests. These coalitions must be rigorously maintained as migrant workers’ voice can easily be ignored when it does not fit in the dominant groups’ agenda. Moreover, in
the limited democracy of both Hong Kong and Singapore, there is no direct link between advocacy work and policy change.

The remainder of the thesis is structured as follows. I first provide background about the migrant domestic worker system in Hong Kong and Singapore, its history and how it has changed. Then I review the literature on the effects of the live-in rule on different actors and their reactions to it. After the literature review, I outline my methods and analysis, and conclude by arguing that although the live-in rule clearly makes the migrant domestic workers vulnerable, the varying recognition of its importance has made advocacy work in the two cities differ greatly.
2. Background

This research focuses on migrant domestic workers in two destination countries, Hong Kong and Singapore. Both Hong Kong and Singapore hire a large number of migrant domestic workers and in Hong Kong, Indonesians and Filipinas together consist 98 percent of the migrant domestic workers (HKSAR Census and Statistics Department, 2018). Although there are no official figures for the nationality component of migrant domestic workers in Singapore, advocates say that Indonesians and Filipinas are the dominant nationalities (TWC2, 2011). One of the main differences between Hong Kong and Singapore is the way their governments manage migration. In Singapore, there are more stringent regulations governing migrant domestic workers and in addition, employers are made responsible for any violations of the immigration rule via security deposit. In Hong Kong, there are no security deposits and thus the force from the government is much smaller. Nevertheless, employers in Hong Kong also try to control the worker in order to avoid losing the money they have invested to employ a migrant domestic worker (Backchat, 2/15/2019).

Current Political Climate

Hong Kong

Although the Basic Law—Hong Kong’s mini constitution—states that the existing capitalist system will be maintained for at least 50 years after the handover from the United Kingdom to China, a ‘high degree of autonomy’ will be given and universal suffrage in choosing the city’s chief executive will be gradually implemented, those promises are in crisis. In 2015, several
owners and stakeholders of bookstores that sold books criticizing the Chinese Communist Party went missing for a few months. It seems that they were detained and threatened by the Chinese authority, yet most of them did not say what happened to them and one of them only said that he will close his bookstore (Ikegami, 2016). Many people believed there is freedom of expression in Hong Kong, however this incident shows this may not be the case anymore. In June 2019, a new extradition law threatened the rule of law in Hong Kong more broadly.

Singapore

The government of Singapore has been successful in its nation building by focusing all its resources on economic development and managing its people through strong leadership. Freedom and individual rights were seen as sources of instability and an obstacle to economic development. The education system was structured to collect the “best” people to the government, and the rest was expected to obey. Most Singaporeans followed the rule because they valued the stability and prosperity the government brought. However, this is starting to change. As the share of citizens born locally has risen from 56% in 1947 to 82% in 2000 (Iwasaki, 2013), they are feeling more attached to the place and entitled to claim rights as Singaporeans.

History of Migrant Domestic Worker Program

Hong Kong

Hong Kong has had many forms of domestic workers throughout its history. In 1842, Hong Kong became a British colony as a result of first Opium War. At that time, the residents, including their domestic workers were almost entirely male (Sankar, 1978). In the early 20th century, as
sanitary and housing conditions improved, women and children started to move in. The wives and mothers preferred female domestic workers, so that muijai (girls under ten years old, sold into servitude) and later sohei (“sworn spinster” amahs from Guangdong Delta) became popular among Hong Kong households (Constable, 1997).

During the political turmoil of early and mid-20th century on the mainland, the economy of Hong Kong grew, absorbing immigrants and refugees from mainland China. In the 1970s, many factories moved over the strait to the mainland and Hong Kong’s industry shifted from manufacturing to the service sector (Kurata and Zhang, 2015). The service sector employed more educated, middle-class women, so demand for domestic help rose. However, since local women preferred factory work to domestic work, amahs (Chinese live-in domestic workers) became scarce, and moreover, people thought the remaining amahs were “not as good as they use to be” (Constable, 1997). This was when the Hong Kong government launched its foreign domestic workers program, in 1973. It was primarily the western expatriates that hired Filipina domestic workers at first. However, it soon became popular among local Chinese employers, who could speak some English, to employ Filipina domestic workers for their household help (ibid).

In the 1980s, as the population of Filipina domestic workers grew, hostility towards domestic workers increased. Employers openly expressed concerns about their assertiveness and employment agencies sought for more docile alternatives (Constable, 2007). As a result, the number of Indonesian domestic workers grew rapidly, since the late 1990s (see figure 1). As of 2017, there are 370,000 migrant domestic workers and among them there are 200,000 Filipinas,
160,000 Indonesians, 4,000 Indians, 2,000 Thais and several other nationalities (HKSAR Census and Statistics Department, 2018). Figure 1 shows this changing set of nationalities.

![Figure 1. Number of Foreign Domestic Helpers by Nationality (Hong Kong)](image)

**Note:** The total population of Hong Kong is 7.4 million (as of 2017). It has been growing slowly at the average annual rate below one percent (1997-2017).

**Singapore**

When the British rented Singapore from Johor Sultanate in 1819, there were only 150 people living on the island. However, Singapore had a geographical advantage; it is located on the Southern side of Malacca Strait, where almost all vessels that trade between Asia and Europe pass. Singapore prospered as a trading port and in addition to British, Dutch and Portuguese, many Chinese merchants¹ and workers migrated to the city (Iwasaki, 2013).

---

¹ Some people with Chinese descent living in Southeast Asia call themselves *Peranakan*, which literally means a local born person (Ota, 2018).
Until the 1930s, the average Chinese households that migrated to Singapore brought *muijai*—young girls in unpaid domestic servitude—with them. European and wealthy local households hired “cookboys” and “houseboys” who paid male domestic servants (Wong, 1996). In the 1930s, muijai trade got more regulated and male migration got more regulated. Consequently, women migrants started to entry into paid domestic service. Many of them were amahs from Kwangtung province in China, stereotypically known as strong-minded, single young women who often had joined the anti-marriage resistance movement (i.e., resisting marriage as another form of domestic servitude) and migrated to pursue their own preferred way of life. Amahs were considered as live-in professional domestic workers, and they earned high salary comparable to that of English-speaking clerks (ibid).

In the 1950s and 1960s, amahs were dwindling in number and the remaining ones were highly respected by European and wealthy local households. But still, local middle-class households could easily employ domestic help from rural and urban poor, where population was rapidly growing, and unemployment rate was high.

The availability of local domestic labor changed as the nation began a major political and economic transformation. In 1963, Singapore regained sovereignty from British colonial regime by joining Malaysia. However, after two years, Singapore was expelled from Malaysia; they could not get along with the Malaysian government’s preferential treatment of Malay people (Iwasaki, 2013).

Starting from the late 1960s, the country also transformed its economy through export-oriented industrialization, absorbing young women from orphanages and social welfare homes,
into employment. By the end of 1970s, middle-class households could no longer find domestic worker from traditional sources of urban and rural poor (Wong, 1996).

In 1978, Singapore introduced Foreign Maids Scheme. The policy was set to encourage female labour participation rate and ameliorate the nation’s severe labour shortage (Wong, 1996). Although there were already foreign domestic workers who had entered Singapore with their expatriate employers or through individual personal contacts, this was when professional recruitment agencies started to operate under Employment Agency Act. In 1986, new guidelines were issued for foreign domestic workers; the guidelines introduced many of the core regulations that still exist today, such as, levy on the employer of a domestic worker, SGD 5000 security bond imposed on employers, six-monthly mandatory pregnancy tests for foreign domestic workers and prohibition of marriage to a Singaporean (ibid). However, it is notable that security bond is not required for Malaysian domestic workers (Ministry of Manpower, n.d.) as they are considered as “traditional” source.

As of 2018, the population of Singapore is over five million, while citizens are three million, permanent residents are half million, and the rest are classified as non-residents (i.e., foreigners with a work permit, professional pass, dependent pass, student pass, long stay permit, etc.) (Singapore Department of Statistics, 2019; see also figure 2). Rapid aging (see figure 3) and low reproduction rate (see Appendix figure 4) is one of the major concerns of the Singaporean government. The government is tackling this with basically three tactics: 1) encourage couples to have more babies, 2) opening up to immigration and 3) calling for overseas Singaporeans to return home (Rahman and Kiong, 2013).
note: Statistics for foreign domestic workers were only available for the most recent five years. Nationality breakdown was not available.

*note: Old-age Support Ratio is the number of residents aged 20-64 years per resident aged 65 years & over (per resident aged 65 years & over).
One of Singapore’s important markers of national identity is meritocracy (Koh, 2005). As a city nation without any natural resources, the political leaders envisioned that survival of Singapore lies solely in economic development. Therefore, the state stoically pursued economic growth, and everything was categorized along its economic utility. Immigration was no exception to this rule. All foreigners were categorized by the economic value s/he can bring, and highly valued people were given subsidies, such as access to public housing and was encouraged to apply for permanent residency. Migrants of “low” value, such as construction workers and domestic workers, are kept under strict control of the employers; the employers must pay security deposit to the government to employ low skilled migrant workers, which will be taken away if the worker runs away or commits criminal activity. They are kept transient and cannot apply for permanent residency.

Current Migrant Domestic Worker Program

General Regulations

Hong Kong and Singapore have similar formal migrant domestic worker programs, which is basically a guest worker program, where the worker’s stay is tied to the employment contract. Both countries require migrant domestic workers to live-in their employers’ homes, and neither have work hour regulations. However, there are notable differences. First, in Singapore, six-monthly pregnancy test is required, and they are prohibited from giving birth in Singapore. In Hong Kong, pregnancy test is not required and migrant domestic workers are entitled to maternity leave. Second, in Singapore employers must buy 5,000 SGD of security bond to have a work permit issued and pay monthly levy throughout the workers’ contract period. In Hong
Kong, employers do not have to buy security bond nor pay levy. Third, migrant domestic workers are covered under the same labour law as the locals in Hong Kong, and therefore entitled to various workers’ rights such as, weekly day-off, statutory holidays and maternity leave, which are not guaranteed in Singapore. Fourth, in Hong Kong migrant workers also have the freedom of association and right to collective bargaining, whereas, in Singapore even citizens have limited rights to collective bargaining and forming associations. Thus, Singapore has more stringent policies that govern migrant domestic workers, nevertheless, in both Hong Kong and Singapore, migrant domestic workers share common experiences of abusive working conditions.

Table 1 and 2 summarizes the eligibility criteria and requirements for the employees and employers of migrant domestic worker.

Table 1. Eligibility Criteria and Requirements for Migrant Domestic Workers

<table>
<thead>
<tr>
<th></th>
<th>Hong Kong</th>
<th>Singapore</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>(no age requirement)</td>
<td>Between 23 to 50 years old</td>
</tr>
<tr>
<td>Gender</td>
<td>(no gender requirement)</td>
<td>Female</td>
</tr>
<tr>
<td>nationality</td>
<td>Nationals of Afghanistan, Cuba, Laos, North Korea, Nepal and Vietnam are <strong>not permitted</strong>.</td>
<td>Only nationals of Indonesia, Philippines, Myanmar, Sri Lanka and a few others are permitted.</td>
</tr>
<tr>
<td>Education</td>
<td>(no education requirement)</td>
<td>Workers must have at least eight years of formal education.</td>
</tr>
<tr>
<td>Live-in requirement</td>
<td>Employee must live-in at employer’s home.</td>
<td>Employee must live-in at employer’s home.</td>
</tr>
<tr>
<td>Pregnancy test</td>
<td>(no pregnancy test required.) If worker becomes pregnant, she is entitled to paid maternity leave.</td>
<td>Pregnancy test required every six months. If worker becomes pregnant, she must leave the country or have an abortion.</td>
</tr>
</tbody>
</table>
Table 2. Eligibility Criteria and Requirements for Employers of Migrant Domestic Workers

<table>
<thead>
<tr>
<th></th>
<th>Hong Kong</th>
<th>Singapore</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>(no age requirement)</td>
<td>21 years old or older</td>
</tr>
<tr>
<td>Income</td>
<td>Employer must have household income of HKD15000 (about 1900 USD) per month or higher per one domestic worker.</td>
<td>(no income requirement)</td>
</tr>
<tr>
<td>Government Security Bond/Levy</td>
<td>(no security bond or levy)</td>
<td>Employer must pay SGD 5000 (about 3600 USD) as security bond. (unless the worker is Malaysian) Employer must pay SGD 300 per month (first FDW, without concession) as levy.</td>
</tr>
<tr>
<td>Labour Law</td>
<td>Same law for everybody, including migrant domestic workers. (i.e., Employment Ordinance)</td>
<td>Different law for foreigners. (i.e., Employment of Foreign Manpower Act)</td>
</tr>
<tr>
<td>Other</td>
<td>Employer must enter into standard Employment Contract with the worker.</td>
<td>First time employer of foreign domestic worker should take Employers’ Orientation Programme (3 hours). Employer must obtain medical and personal accident insurance for the worker.</td>
</tr>
</tbody>
</table>

note: Both Tables 1 and 2 are as of May 1, 2019.

Accommodation and Food Provisions in Hong Kong

According to “Guidebook for the Employment of Domestic Helpers from Abroad” issued by the Immigration Department, HKSAR:

The Helper shall be provided with suitable accommodation and with reasonable privacy*.

*Examples of unsuitable accommodation are: the Helper having to sleep on made-do beds in the corridor with little privacy or sharing a room with an adult or teenager of the opposite sex.

(Immigration Department, HKSAR. 2017: p.1)

Food must be provided free of charge or if not, food allowance must be paid:

IX. Standard Employment Contract and Terms of Employment for Helpers
Food allowance (if no food is provided to the Helper)

39. Clause 5(b): The agreed amount of food allowance should not be less than the applicable food allowance announced by the HKSAR Government².

(Immigration Department, HKSAR. 2017: p.10)

As such, these guidance about accommodation and food are conceptual and lack tangible criteria. For example, there is no clear definition of “suitable” accommodation or “reasonable” privacy.

Accommodation and Food Provisions in Singapore

According to Singapore Ministry of Manpower’s website, under ‘rest days and well-being for foreign domestic workers,’ conditions of accommodation and food is instructed as follows:

Accommodation

You must ensure that your FDW’s accommodation meets the following requirements:

- **Adequate shelter**: the accommodation must adequately protect your FDW from environmental elements such as sun, rain or strong winds.
- **Basic amenities**: you must minimally provide your FDW with a mattress, pillow, blanket, bathroom amenities and toiletries. Examples of toiletries include soap, shampoo, toothbrush, toothpaste, etc.
- **Sufficient ventilation**: your FDW’s accommodation must be sufficiently ventilated. Mechanical ventilation (e.g. electrical fan) must be provided if natural ventilation is inadequate.

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² Food allowance is set at 1,075 HKD (about 140 USD) per month (as of June 2019).
³ FDW is an abbreviation of Foreign Domestic Worker. This footnote was added by author.
• **Safety**: your FDW must not sleep near any dangerous equipment or structure that could potentially cause harm or hurt to her.

• **Modesty**: your FDW must not sleep in the same room as a male adult or teenager. If you install video recording devices at home, you must inform your FDW of the devices and where they are placed. You must not install them in areas that will compromise her privacy or modesty, e.g. where she sleeps, change clothes, or the bathroom area.

• **Space and privacy**: you should provide your FDW with a separate room. If that is not possible, you must ensure that her accommodation has adequate space and privacy.

**Adequate food**

You must provide your FDW with 3 meals a day.

An example of a day’s food intake for a female engaged in moderate activity is as follows:

- **Breakfast**: 4 slices of bread with spread.
- **Lunch**: 1 bowl of rice + three-quarter cup of cooked vegetables + palm-sized amount of meat (fish/poultry/beef/lamb) + fruit
- **Dinner**: 1 bowl of rice + three-quarter cup of cooked vegetables + palm-sized amount of meat (fish/poultry/beef/lamb) + fruit

Be sensitive to your FDW’s needs when it comes to food. Do not force your FDW to eat food that she is not supposed to or is not comfortable with. For example, your FDW may not be able to eat certain food due to her religious beliefs, or she may not be accustomed to your family’s dietary requirements (e.g. vegetarian food or porridge). (Ministry of Manpower, n.d. Bold in original.)

Thus, both Hong Kong and Singapore have minimum standards for accommodation and food. However, the enforcement mechanism is virtually non-existent due to the government officials’ reluctance to inspect private households.
International Standards for Domestic Workers

In 2011, the international collective movement towards promoting domestic migrants’ rights accrued as the adoption of International Labor Organization’s Domestic Workers Convention (C189). C189 is the first international standard specifically targeted to domestic workers, which requires states to ensure the same protection for domestic workers as other workers. Twenty-five countries have ratified it before 2018. However, the Philippines is the only country in Asia that has ratified it (International Labor Organization, October 2018).

The ILO Domestic Workers Convention, 2011 (No. 189) and the accompanying recommendation No. 201 require states to assure equal rights to domestic workers as applied to other workers. The main labor rights listed are, reasonable hours of work, fair payment, weekly rest, and freedom of association and the right to collective bargaining. (International Labor Organization, 2014)

In the convention, there are several provisions related to live-in conditions and the most relevant ones are:

Article 6. Each Member shall take measures to ensure that domestic workers, like workers generally, enjoy fair terms of employment as well as decent working conditions and, if they reside in the household, decent living conditions that respect their privacy and

Article 9. Each Member shall take measures to ensure that domestic workers:

(a) are free to reach agreement with their employer or potential employer on whether to reside in the household

(International Labour Organization, 2011)
Therefore, according to international standard, live-in and live-out should be a mutual agreement between employer and employee (ILO C189 Article 9) and if the workers are to live-in, they should be given a decent living condition with privacy (ILO C189 Article 6).
3. Literature Review

Scholarly literature focusing on the live-in rule, especially from the migrant workers’ rights perspective is rare. Instead, the live-in rule is discussed indirectly as part of a larger system or as a condition for providing care to members of the host society. In this paper, I refer to three different streams of research that discusses the live-in rule or the live-in condition; the first is the perspective of host society’s needs for providing affordable and quality care, the second is the perspective of states and migration industries (i.e., the for-profit actors that facilitate or control migration) to regulate and manage the flow of migrant workers, and the third is the migrant domestic workers and their supporters’ perspective in promoting their rights.

The Global Care Deficit

The first discussions views live-in work from the employers’ side and explores how and why live-in domestic work is needed, as well as why non-live-in domestic help is insufficient. In Hong Kong, this is understood in the context of child-care (for example, Patricia Cortes and Jessica Pan 2013 and VCW Tam 2003), and in Singapore, it is discussed more in the context of elderly care (for example, Heng et al. 2019, Rozario et al. 2019 and Yeoh and Huang 2009). In both Hong Kong and Singapore, the need for extra care within a household is explained in relations to local women’s welfare and participation in the paid work force (ibid).

This literature lies within the global trend of a “care crisis” (Parrenas, 2002), in which the women from poor countries migrate to fill the “care deficit” (ibid) of the rich countries, creating a “global care chain” (Hoschild, 2000 and 2003). Although some countries choose a more
institutionalized way, such as daycare facilities, to fill the care crisis, other countries choose home-based care, such as hiring a domestic worker. Ito (2014) compared 22 countries worldwide and found that in places where familism (i.e., a society, which prioritizes familial obligations over individual rights) is strong, domestic workers are preferred over institutionalized care.

Migration Governance

The second discussion centers around the state’s immigration control. As Turner (2007) writes, each state has “contradiction between the economic need for labour mobility and the state’s political need to assert sovereignty.” Goh et al. (2017) further explain that for this reason, states are reluctant to give away their control over national borders to a “supranational authority” and, unlike flows of goods and capital, migration “lacks overarching multilateral regulatory framework.” Therefore, global migration regime is fragmented.

Like many other countries around the globe, both Hong Kong and Singapore has a “bifurcated” (Wong 1997; Yeoh 2006) migration regime, where skilled migrants are entitled to various rights, such as bringing one’s family, changing jobs and choosing where to live, while low-skilled migrants are often prohibited from any of those activities. Bélanger and Silvey (2019) relate this to the concept of “power geometries” (Massey, 1994), which focuses on the inequality of control over one’s mobility. Skilled migrants have more control over his/her mobility, be it the speed, the ability to reach desired destination, being with one’s family and avoiding the risk of deportation. Thus, those at the higher end of the migration hierarchy have more power over space. Furthermore, Bélanger and Silvey illustrate the rapid increase of low-
skilled workers on the move as “im/mobility turn;” the back slash meaning that the workers’ mobility is simultaneously making them immobile, trapping them in the stringent migration system, while they are on the move, during labour contract and after they return.

Around the globe, the rapid increase of transnational movements has been associated with the development of a system and industry that manages and facilitates the move (Urry, 2007). In the Asian low-skilled labour migration context, Xiang and Lindquist (2014) argue that the complex system and industry is consisting a “migration infrastructure,” which is a “systematically interlinked technologies, institutions, and actors that facilitate and condition mobility.” They further explain that the “migration infrastructure” has five logics of operation: 1) for-profit recruitment intermediaries, 2) state regulations, 3) communication and transportation technologies, 4) humanitarian NGOs and international organizations and 5) social networks, such as migrants’ personal networks. When the migrants are in the destination country, the migration infrastructure “confines migrants to employers, prevents settlement, and enforces return.”

Goh et al. (2017) examine the role of for-profit recruitment agencies in Singapore and argue that the for-profit agencies become political actors, filling the void of state inaction and interacting directly with the sending states’ governments. The Singapore government benefits from using the brokers as the mediator of migrants’ movement—threatening them with revocations of agency licenses. The state hides behind the ‘corporate veil,’ avoiding international criticism or diplomatic misstep with neighboring ASEAN countries. Consequently, the employment agencies associations have started to participate directly in global migration
governance, such as signing Memorandum of Understandings with sending states (Goh et al. 2017 (with Indonesia); Marti 2019 (with the Philippines)).

Similarly, Palmer (2013) studies the public-private partnership in the administration and control of migrant workers in Hong Kong. The Hong Kong government requires consular offices of the sending countries to endorse their citizens’ application to work as migrant domestic workers in Hong Kong. Through this policy, these consular offices develop public-private partnerships with local employment agencies and some of them enact regulatory function over Hong Kong-based employment agencies to protect their citizens. However, it is known that the employment agencies tend to side employers when conflict over employment occurs, therefore the force of these supra-territorial regulations of the sending countries is not strong.

Civil Society and Migrant Domestic Worker Activism

The third discussion is the view from migrant workers themselves and advocates who support them. The civil society in Hong Kong and Singapore has developed in very different ways. In Hong Kong, freedom of association and demonstration was promoted as part of British colonial strategies to democratize their colony at the end of their rule. In Singapore, civil society have historically been oppressed under development dictatorship and is still under strict control of the state.

Hong Kong

In Hong Kong, the civil society is active and migrant domestic workers are also their vocal component. As diverse actors voice their concerns and compete to be heard in the public
sphere, many scholars have focused on how different groups build coalition with each other. Constable (2009) analyzed “many states of protest” during the anti-World Trade Organization movement of 2005 and found how migrant domestic workers’ interests could resonate with the concerns of the Hong Kong local people. Especially, she points that as Hong Kong increasingly feel the pressure from mainland China on their self-rule, the privileged Hong Kong people and the migrant workers share common object of protecting right of assembly and freedom of expression.

Lopez-Wui and Delias (2015) examine a similar phenomenon by looking at how Filipino migrant NGOs frame their issue. They point out the ways in which NGOs use different opportunities to promote their objectives while reframing their issues to be presented as relevant to each audiences and contexts. Lim (2016) adds an interesting view point to these coalition by focusing on solidarity building process across local and foreign domestic workers unions. Her findings indicate the fragility of these coalitions and how they are created through negotiation and struggle across the different groups. Additionally, she points that the unions build coalitions with each other in relation to both the global trends and local context.

Global processes in the international arena, especially during the negotiations over International Labor Organization (ILO) Convention No. 189, “Decent Work for Domestic Workers,” in 2011, has attracted many scholarly attentions. Fish and Shumpert (2017)’s work have examined the ways domestic worker activists, NGOs and trade unions have worked together, and how the ILO negotiations had become a venue for building transnational ties with potential allies challenging similar issues in different countries.
Other than protesting in public, religious groups provide coping strategies to the migrant workers. While cautioning that these coping strategies do not challenge the structural injustice and even works to maintain the system, Nakonz and Shik (2009) nevertheless point to the positive mental effect these strategies have in alleviating the everyday aggression migrant domestic workers face. However, religious experiences have a big range of individual difference as reported in few researches (for example, Constable 2010).

Culture also adds important nuance to the expression of migrant domestic workers’ activism in Hong Kong. Although often overlooked in public discourse, migrant workers come from a variety of backgrounds. Lai (2010) sheds light on this fact by focusing on the cultural performances shown as part of public protest by migrant domestic workers in Hong Kong.

On the ground, there are many different organizations catered to specific interests of the members. The most vocal are the Filipino migrant organizations (for example, see Gibson, Law and McKay (2001)’s work on Asian Migrant Centre), and more recently, Indonesian migrants have become active (for example, see Rother (2017)’s work on Association of Indonesian Migrant Workers (ATKI)). Filipino migrants have a long history of organizing and creating collective movement by using transnational diasporic ties. Indonesian and other nationalities’ migrant domestic workers were influenced by fellow Filipina domestic worker cohorts in Hong Kong.

Hsia (2009) documents the making of transnational migrant movement through the development of Asian Migrants Coordinating Body (AMCB) in Hong Kong. AMCB is a coalition of grassroots migrant organizations across Asia. By grassroots, it means that member organizations
are primarily consisted of and ran by migrant workers themselves. These initiatives suggest Hong Kong’s unique position, among Asia, as a site where migrant worker activism prosper.

**Singapore**

Due to state regulations, Singapore’s civil society activities on migrant domestic worker advocacy is relatively new, and activism by migrant domestic workers themselves is still unseen. In Singapore, civil society organizations are supposed to operate within a space sanctioned by the state and the violation of those limits may result in arrests and closure of the organization. In 1987, 22 members of an NGO advocating for migrant workers’ rights were accused for “political agitation,” arrested and detained (Lyons, 2005). Since then, the Singapore civil society had omitted migrant workers from their scope of activities. However, since 1995, organizations offering support and advocacy reemerged, in response to the execution of Filipina domestic worker, Flor Contemplacion, which initiated a widespread movement among transnational Filipino communities (Piper, 2006). Lyons (2004 and 2005) also documents the early movements of migrant worker activism in Singapore; the inception of Transient Workers Count too (TWC2), which is one of the first organizations that deals explicitly with migrant workers’ issues.

Since these reemergence of civil society activities in migrant workers’ issues, scholars have periodically documented and analyzed the development of advocacy work (for example, Yeoh and Annadhurai (2008) on the advocacy work of TWC2, AWARE and HOME and Lyons (2009) on TWC2 and HOME). One important “success” of the NGOs’ activities is the change in rest-day regulations for migrant domestic workers. In 2012, after a decade of vigorous campaigning, Singapore made it a requirement for employers to give their migrant domestic
workers weekly day-off or pay in lieu. This was a surprise for Singapore’s society and several researchers have analyzed this policy change (Koh et al. 2017a, 2017b and 2016; Palmary and de Gruchy 2016). Koh et al. (2017a) examine the ways advocates reframed migrant domestic workers’ rights claims so that it resonates with the Singapore society and the state’s core values. However, they cast doubt over the degree of “success” as the NGOs’ strategies “mirror and reinforce” the stereotypical image of victimized and docile women or see them merely as units of labour.

The Singapore society is still cautious about the state’s intentions and NGOs’ activities. Yea (2018) inquired motivations of youth volunteers in human-trafficking and migrant rights organizations and found that those youth thought volunteering was “antithetical to career.” Many of them also concealed their experience from their families because their family would be anxious that the state may think they are “revolting against government.”
4. Concept Model

Interest Convergence

Interest convergence was introduced by Derick Bell in 1980 as a principle that explains why the struggles of blacks in the United States (U.S.) sometimes see “success” while at other times they do not. Since then, the interest convergence principle has been used widely in U.S. legal academics, such as in criminal law, employment discrimination law and American Indian law (Driver, 2011). The principle has also provided a strategic method for producing wide range of social change in the US, for example promoting educational reform, illuminating animal rights or seeking remedy for concentrated poverty (ibid).

Although going over this wide range of literature is out of the scope of this thesis, I consider it necessary to go over Bell (1980)'s arguments, review limitations of the principle and discuss the potential applicability outside US context.

Bell (1980) examines the court case Brown v. Board of Education⁴, and argues that the seminal decision of the court and the recent failure in implementing the court order can be explained by “interest convergence” principle, which means “[t]he interest of blacks in achieving racial equality will be accommodated only when it converges with the interests of whites.”

Before the Brown decision, the court supported “separate-but-equal” principle that kept blacks in disadvantaged status. Therefore, Bell questions what accounted for the sudden shift in 1954. He continues that although some whites may have been motivated by the immorality of racial

⁴ Brown v. Board of Education was a 1954 US Supreme Court case, which the court decided that racial segregation in public schools was unconstitutional.
inequality, that could not have been enough to shift court decision. Rather, it was because the white policymakers saw economic and political advances at home and abroad that would follow the decision. Some of those advances were promoting “immediate credibility for America’s struggle with Communist countries” abroad and at home, ease the anger of disillusioned American blacks who were facing continuing discrimination and violent attacks in the South. Thus, the interest of the whites converged with the interest of the blacks.

Driver (2011) points to some analytical limitations of interest convergence principle. One of such is that the terms “black interests” and “white interests” ignore inter-racial disagreements about what their “interests” are. Another is that the principle is irrefutable because one can always suggest that the judiciary issues egalitarian decision to promote white interests and deny truly egalitarian motivation. This irrefutability leads blacks to conspiratorial worldviews that hinders black advancement.

Albeit these limitations, the interest convergence principle provides us valuable insights into the way change occurs. Driver notes that it is crucial not to overlook its considerable contributions to legal discourse but cautions that reformers should not take interest convergence principle as the “entire arsenal.”

In this thesis, I will borrow from this idea of interest convergence to uncover how and why different actors support and promote migrant domestic workers’ rights. Although it is rare to use the term “interest convergence” outside US settings, the idea itself gives us persuasive explanation in universal settings. Castagno and Lee (2007) refer to Taylor (1999) and point that “the interest convergence principle has its roots in Marxist theory that the that the bourgeoisie
will tolerate advances for the proletariat only if those advances benefit the bourgeoisie even more.” This indicates that interest convergence has its roots outside the U.S., which suggests broader applicability.

In both Hong Kong and Singapore, there were several examples where interest convergence principle could apply. For example, in Hong Kong, the government recently strengthened restrictions on the recruitment fees (U.S. Department of State, 2018). Chen, one of the leaders of HKCTU, said that the government would implement regulations that benefits the migrant domestic workers so long as it does not harm the employers (phone interview, 2/3/2019). Additionally, 2018 Trafficking in Persons Report recognized this change as one of the government’s initiative to challenge human trafficking, which is important for the Hong Kong government to maintain international reputation (U.S. Department of State, 2018).

In Singapore, the implementation of weekly rest day regulations in 2012 has been analyzed by several scholars that the advocacy campaigns framed rest days as something beneficial to the employers (Koh et al. 2017a). Furthermore, this regulation change was also recognized by the U.S. Trafficking in Person Report 2012 as one of the government’s effort to prevent human trafficking (U.S. Department of State, 2012). Although more detailed analysis is necessary, these examples suggest the applicability of interest convergence principle in Hong Kong and Singapore.
5. Methods

During January to March 2019, I interviewed six leaders of migrant domestic workers’ advocacy and assistance groups in Hong Kong and three in Singapore. I conducted the interviews by phone in English and each interview lasted between thirty to fifty minutes. Subsequently, I exchanged text messages and emails to follow-up with some respondents. I initially selected the interviewees based on guidance from a few academics who have been working on migrant domestic workers and/or social issues in Hong Kong or Singapore, then added some more interviewees through the introduction from the interviewees. The profile of six interviewees in Hong Kong were: one Filipina domestic worker activist, two Indonesian domestic worker activists, one local union leader, one local NGO member and one executive of an employment agency. The profile of three interviewees in Singapore were: two local NGO members and one researcher. In the interviews, I asked open-ended questions about their strategies and opinions, specifically about the live-in rule, the various difficulties migrant workers face, what their organizations prioritize in their advocacy work and what activities have been successful.

The interviews were audio-recorded and transcribed. I also took notes while interviewing. I analyzed the transcriptions by comparing answers to a similar question across different actors and examining it in relation to their own interests.

I supplemented my interviews with published reports that focused on the live-in rule and official judgment document about the court case, which challenged the lawfulness of live-in rule. There were two reports I could find, which are “Live-in policy increases female FDW’s vulnerability to various types of abuse” (Mission for Migrant Workers, 2013) and “Pictures from the Inside Investigating Living Accommodation of Women Migrant Domestic Workers Towards
“Advocacy and Action” (Mission for Migrant Workers, 2017). The court case is Lubiano Nancy Almorin v. the Director of Immigration (HCAL 210/2016) (HKSAR Court of First Instance. 2018), which concluded its first trial in February 14, 2018. These three documents are all from Hong Kong; I was not able to find any in Singapore.

Other than advocacy and assistance groups, I exchanged emails with the Immigration Department of HKSAR government and Ministry of Manpower of Singapore government. The inquiries were about their purpose of having mandatory live-in policies and the reason for changing some immigration regulations at a certain timing. These additional resources were used to examine the background of the interviews and situate them in a broader context.
6. Analysis

In this analysis, I will borrow from the idea of “interest convergence” (Bell, 1980) to uncover how and why different actors support migrant domestic workers. In Hong Kong, protesting on the street is a common strategy for social activists and it is often understood as an aspect that shows the “freeness” of Hong Kong. However, in Hong Kong, where electoral democracy is incomplete, demonstrations and gatherings are means of political participation to complement incomplete democracy (Kurata and Zhang, 2015). Interestingly, migrant workers are allowed to participate in this supplementary space. On the contrary, in Singapore, mode of advocacy is limited even to the locals, and migrant workers have no place to participate (Piper, 2006).

This analysis section is written in the following order: first, I discuss why there is a demand for live-in domestic workers, second, why, despite this demand, live-in work creates tensions between employers and employees and finally what strategies the actors take in relation to the live-in rule. Each of the interviewees answered these questions. Answers to the first two questions generally matched among respondents but answers to the last question varied.

Why demand migrant domestic workers to live-in?

Hong Kong

Hong Kong government explains the reasons for requiring domestic workers to live-in in three major points. First, they emphasize the need of 24-hour care for certain people (Hong Kong Court of First Instance, 2018). Since institutionalized care is unpopular both in Hong Kong and
Singapore, live-in domestic worker is a way to mitigate the care burden on family members while still taking the form of familial care. Second, Hong Kong government explain that there are very few locals who are ready to work as a live-in domestic worker but there are enough who want to do live-out domestic work. Therefore, only live-in domestic worker should be brought in from abroad (LegCo Panel on Manpower, 2001). Finally, although migrant workers are invited to take on live-in domestic work, they should not be a burden to the society. Therefore, they should be housed in the employers’ house (Hong Kong Court of First Instance, 2018).

1) Need for 24-hour care

The government explains that first, live-in condition makes it easier to fulfil certain needs, such as taking care of small children, disabled persons and the elderly people. Employers’ groups often claim this need (Backchat, 2/15/2019), and the government supports them (Hong Kong Court of First Instance, 2018). In a court case about the constitutionality of live-in requirement, Hong Kong immigration department answered that “many employers have special personal care needs for which live-in domestic helpers are better placed to cater due to their availability and flexibility in providing a variety of services at different hours of the day,” and gives examples by saying that “many families need live-in domestic helpers to look after young children, or elderly or disabled people who need close attention. The assistance required may be for a short duration at any one time (for example, assisting an elderly person’s movement at home at nighttime), but the need for such assistance may arise at short notice and at irregular intervals” (Hong Kong Court of First Instance, 2018: p.10).
Thus, the emphasis of live-in domestic work is on the care work, rather than household chores (ibid). But of course, this does not mean that the migrant domestic workers are free from household chores. They are expected to both. In this sense, we can understand that the migrant domestic workers scheme is part of the government’s care policy.

Here, I would like to counter this reasoning by differentiating the need for live-in worker and 24-hour care. There are other ways to provide 24-hour care without relying on live-in workers. Advocates of migrant domestic workers repeatedly claim that this recognition of migrant domestic worker as a care worker available 24 hours is problematic, because this implies long working hours by default. For example, in *Pictures from Inside*, a migrant domestic worker employed in Hong Kong has reported that, “when the child would vomit in the middle of the night, her employer would wake her up to tell her to clean the child and change the bedsheets” (Mission for Migrant Workers, 2017). Moreover, on-call must be recognized as working hours as well. According to ILO C189 Article 10.3:

Periods during which domestic workers are not free to dispose of their time as they please and remain at the disposal of the household in order to respond to possible calls shall be regarded as hours of work to the extent determined by national laws, regulations or collective agreements, or any other means consistent with national practice.

Hence, on-call hours should be regarded as work hours. However, the latter half, “to the extent...consistent with national practice,” makes the whole Article hard to enforce, since migrant domestic workers typically do not have work hour regulations and are paid a fixed price per month, so more working hours do not lead to more pay. Moreover, neither China (for Hong Kong) nor Singapore has ratified this convention and therefore enforcing this convention is virtually impossible.
2) Local domestic workers and migrant domestic workers

Hong Kong government explain that a live-in domestic worker and a non-live-in domestic worker fill different needs. And that there is enough supply of non-live-in domestic workers locally, so there is no need to import non-live-in foreign domestic workers. On the contrary, there are very few locals who are ready to work as a live-in domestic worker (LegCo Panel on Manpower, 2001). Therefore, as a migrant worker, live-in is the only choice.

In 2003, When the Hong Kong government decided to add live-in rule under Standard Contract, securing job for local workers was the official reason for enforcing the rule (ibid). After China had adopted opening-up policy in 1978, manufacturing factories in Hong Kong moved across the strait to mainland China and many female factory workers lost their jobs (Lim, 2016). Directing these former factory workers into domestic work was one of the Hong Kong government’s efforts to secure alternative work for these people.

However, in a report, Mission for Migrant Workers claims that a “study of Caritas in 2002 showed that all the respondents who were living out of their employer’s homes” were not doing additional part time jobs and that “a few respondents who had part time work,” on their rest days were living-in with their employers (Mission for Migrant Workers, 2013: 13). Therefore, Hong Kong government needs to verify if forcing migrant workers to live-in would secure jobs for local workers.

Danika⁵, a Filipina domestic worker activist, recalled that when the Hong Kong government announced the application of the rule, people reacted with a “mix of emotions and

⁵ All of the names in this paper are pseudonyms.
opinions”. However, she noted that “because of government misinformation and fear mongering, many locals became unfavorable of optional live-out arrangements” (phone interview with Danika, 1/31/2019).

Interviews with other stakeholders support this view. Kari, an employee of a local NGO that supports migrant domestic workers understood that the enactment of the live-in rule was “due to governmental concerns that domestic workers were moonlighting as sex workers during a time when workers were allowed to live-out,” and Chen, a local pro-democracy union leader told me that it was because pro-Beijing union insisted that migrant domestic workers take away driving jobs from local drivers (phone interview with Kary, 2/27/2019 and with Mr. Chen, 2/3/2019).

3) Effect of the live-in rule on the society

The final point Hong Kong government makes is that the live-in condition is not only beneficial for the employers, but it is also beneficial for workers and the society. It is beneficial for employers primarily because they can have assistance available 24 hours, but also because they can more easily monitor their workers.

Hong Kong Immigration Department further explains that it is beneficial for the society because if the migrant domestic workers live out, they will burden the social infrastructure of the city. This speaks to local’s feelings, as they have hard time securing housing. The Hong Kong government is aware of this and emphasizes social implications to justify the live-in rule. For example, In the court case of Lubiano v. the Director of Immigration, the Immigration Department explains that, the government has “designed and developed the FDH
A long-time researcher or migrant domestic workers’ life in Hong Kong told me that some migrant workers as well as families of migrant workers think it is safer to live in their employers’ house (personal phone interview, 1/9/2019). A politician in Hong Kong explained that it is not easy to find a place and even if they could, the living condition would be “really bad” (personal phone interview, 1/19/2019).

Domestic worker activists whom I interviewed, Elsa, Danika and Swity, all emphasized that the migrant domestic workers have enabled Hong Kong government to save money by providing inexpensive care to their residents. For example, Elsa, an Indonesian domestic worker activist says:

The benefit that the Hong Kong government earns from hiring domestic workers is that the Hong Kong family, the middle class especially, are able to hire house assistant or helper to take care of them each with very low pay. So, if the Hong Kong family, the middle-income family, do not have anyone in the house to help, they would have to hire on their own with their own money. A lot of expenses, for example for a babysitter, elderly care, house cleaning, cooking and so on. That is expensive. So, having a domestic helper in the house and making it mandatory for us to live in will somehow, create the myth of middle-income family. For these services, the Hong Kong government do not need to do anything, such as provide elderly care subsidy or any services for their own people.

(phone interview, 3/17/2019)

Thus, in their view, migrant domestic workers enable Hong Kong society to maintain “the myth of middle-income family” and exempt the government from providing welfare to Hong Kong residents.
To summarize, Hong Kong government justifies the live-in rule in saying that: 1) there is a need for affordable 24-hour care, 2) there are not enough locals who are willing to do live-in work with low price and 3) migrant workers can fill this gap by providing inexpensive live-in care but while doing so, they should not put pressure on the Hong Kong society. However, migrant workers’ activists and advocates are skeptical of these official explanations, and believe there are other motivations as well.

**Singapore**

The Singapore government’s purpose for the mandatory live-in rule was not clear. In an email inquiry to the Ministry of Manpower I asked their purposes of the live-in requirement and an officer responded that, “[e]mployers who do not require full-time domestic help, or prefer helpers that do not have to stay in with them, can opt for part-time help through companies that specialize in housecleaning or care services” (email inquiry with Singapore Ministry of Manpower, 4/23/2019). Thus, they did not directly answer the question, yet this response suggests that they think there are enough part-time live-out help locally and that there are specific needs that can only be filled with full-time live-in help.

A staff of an NGO, Humanitarian Organization for Migration Economics (HOME), suggested that live-in is part of the work permit system that makes employers monitor the migrant workers they employ. So, the purpose of the rule is to ensure employers take responsibility over migrant workers’ activities (interview with Sophia, 1/25/2019).

The immigration regulations in Hong Kong and Singapore both have rules that incentivize employers to surveil the workers. In Hong Kong, employers must buy medical insurance for their
workers and in Singapore, they need both medical insurance and a security bond. These requirements force the employers to closely monitor their workers’ actions from fear that they might lose their money.

Additionally, sense of fear is stronger in Singapore because of the gender imbalance of migrant population; there are 720,000 non-domestic migrant workers (mostly male workers in manual labor) and 250,000 migrant domestic workers (all female) in Singapore (as of 2018) (Singapore Ministry of Manpower, 2019). Employers fear their domestic workers would be an easy prey of male migrant workers (Constable, 2018).

**What is the problem with the live-in rule?**

All the respondents answered to this question in a similar way; live-in condition makes workers *prone to abuse.*

**Hong Kong**

In Hong Kong, Mission for Migrant Workers (2013) explains the consequences of live-in work in six facets: live-in condition forces workers to accept 1) not suitable accommodations and facilities, 2) inadequate food provisions, 3) no definite work time schedule and duties beyond the signed contract, 4) work during rest days and holidays and 5) no safety and privacy.

Although many of my respondents agreed that live-in greatly exacerbates the working condition, none said that live-in is the only cause, or point to any specific condition that is caused only by the live-in. It is the combination of rules and customs that cause the abusive working condition. Kary, a staff at an NGO in Hong Kong articulates this point as follows:
[i]t is difficult to pinpoint one specific cause of exploitation of foreign domestic workers in Hong Kong. This is mainly because what we see in our work shows that various causes are actually co-constitutive.

Many legislative and social factors come together and create circumstances that facilitate such abuse and exploitation.

(answers from Kary, 2/27/2019)

Since conditions that arise from the live-in rule are so deeply embedded in the whole set of regulations that govern the migrant domestic workers, it is difficult to detach the live-in rule from other workplace conditions and examine it. This was the main reason why a Filipino domestic worker lost the judicial review, *Lubiano v. the Director of Immigration*, arguing whether live-in requirement is unlawful. In the court case, the judge wrote that he is not satisfied with the explanation that the risk of abuse rises significantly when living in the employer’s home, as follows:

A domestic helper working in his/her employer’s residence would necessarily be exposed to a risk of ill treatment by the employer while working there, regardless of whether he/she also lives in the employer’s residence. ... While the fact that the FDH is living in the employer’s residence would mean that there may be more opportunities for the employer to apply ill treatment on the FDH if the employer is minded to do so, I am by no means satisfied that the risk of ill treatment is unacceptably or significantly increased by the fact that the FDH is living in the employer’s residence. (Hong Kong Court of First Instance, 2018: p.41)

The judge questions the causal relationship of forced live-in situation and abuse, yet it is hard to prove because it is embedded in the multilayered system.

Chen, a union leader in Hong Kong, also points to the violations of International Labour Standard, ILO C189 Article 9 (a), which requires the government to ensure “domestic workers
are free to reach agreement with their employer or potential employer on whether to reside in the household” (Phone interview with Chen, 2/3/2019). However, neither China, who has the authority to ratify international conventions for Hong Kong, nor Singapore has ratified ILO C189. Therefore, requiring Hong Kong or Singapore government to comply with ILO C189 is ineffective.

Advocates try to merge their objective with the employers’ interests in order to gain more support. For example, Chen said that, “we told the employers that this is all your choice. … (because,) now even the employer does not have the choice.” However, this has not been very successful so far, because, according to him, “they don’t like the union and cooperating with us because there is other issue that they oppose us.” Therefore, for the Hong Kong locals, supporting migrant workers or not is more a matter of supporting the pro-democracy union or not than the policy itself. Moreover, there is not very much discussion, let alone consensus about who will pay the additional cost if the migrant domestic workers were to live out. Most of the employers are not willing to take on the cost and are staying away from the whole issue.

Singapore

In Singapore, a staff of HOME responded that although live-in is not an ideal situation for migrant workers, if Singapore was going to make live out an option, it must be a “meaningful option” because even if workers were not stipulated by law to live with their employers, if security bond was still attached to them, the employers would force the workers to stay (phone interview, 1/25/2019). As such, there is disagreement among different actors about how much
live-in is adding to the creation of abusive working condition and among NGOs in Singapore, it is not considered as significant.

**Why do different actors want to change the live-in rule?**

Next, I would like to illustrate, for each organizations and actors, the strategies, perception towards changing the live-in rule and their motivations for supporting the migrant domestic workers. I borrow from the idea of ‘interest convergence’ (Bell, 1980) to analyze to what extent these different actors can support migrant domestic workers, and at which point they refuse to. I extend interest convergence and use it to mean, the interest of a marginalized group in achieving equality will be accommodated only when it converges with the interest of the dominant group.

In order to investigate the question of why each actor wants to change the live-in rule, I asked each interviewee a series of questions such as: if they think changing the live-in rule is practical; what they think the major obstacles to changing the live-in rule are; and what strategies they are taking.

**Hong Kong**

Mandatory live-in rule was added to standard contract in April 2003. Until then, although live-in was the norm for migrant domestic workers, it was up to individual choice to live-in or live-out. There are still about thirty employers being allowed to employ live-out migrant domestic workers because they had been letting their worker live-out before April 2003 and have been
continuing to do so (Hong Kong Court of First Instance, 2018: p.15). The policy change has criminalized both employees and employers who choose to live-out.

Since then, migrant domestic worker activists and advocates have constantly demanded to reverse the live-in rule. Their major strategies include, rallying on street, educating migrant workers about their rights, issuing reports and demanding to the international society, such as ILO. In 2014, when Erwiana Sulistyaningsih was found brutally abused by her employer and sent back home to Indonesia the social mode to revoke the live-in rule rose. However, the movement has not yield policy change.

Danika, Filipina Domestic Worker Activist

Danika has been working in Hong Kong as a domestic worker for more than twenty years and she has been active in organizing migrant workers to improve their working conditions. She currently serves as one of the leaders of both United Filipino Hong Kong (UNIFIL-HK) and Asian Migrants Coordinating Body (AMCB).

According to Danika, current priority matters for her organizations are: 1) regulations for working hours, 2) decent and proper accommodation and 3) enforcing the law to regulate excessive agency fees. As I have discussed above, long working hours and inadequate accommodations are two of the common problems that arise from the live-in condition (phone interview, 1/31/2019).

In order to realize these claims, Danika explains that the key to success is the number of supporters. With over twenty years of experience as a domestic worker activist in Hong Kong, she replies with confidence that:
That (the factor of success) is the mass, you know, the presence of, numbers of people who are protesting. The support of local groups and international community, and then help from other organization and individuals here in Hong Kong.

Therefore, she and her organization deliberately work to increase the number of supporters. She explains her strategies as follows:

we are not just waiting, we are proactive in, essentially doing it for most of the time. We try to maximize every activity, ... every time there is an opportunity, we maximize them to raise the issue and make press release statement so that we can make (media) stories and help this to become a discussion in Hong Kong.

(phone interview, 1/31/2019)

They also challenge the live-in rule to make it a choice between the employer and the employee. Danika says that, “it’s not easy but we are optimistic.”

_Elsa, Indonesian Domestic Worker Activist_

Elsa is an Indonesian domestic worker who is also one of the leaders of International Migrants Alliance (IMA). According to their website, IMA is the “first-ever global alliance of organizations of grassroots migrants, refugees and displaced peoples,” and was established in 2008 with the help from Mission for Migrant Workers, the long-established organization of migrant worker activism (Wui and Delias, 2015). It has “more than 120 member organizations from more than 30 countries.” (IMA website, n.d.)

Elsa says that they formed the alliance because there was a lack of communication between the local and the international arena and explains that:
at the local level a lot of us are not very aware of what's happening at the global level. At the global level, they don't engage very much with the real migrant, immigrant (or) refugee communities. So, this (is) when we see that there are big loopholes in the issues and advocacy. But they struggle to advocate for themselves because as she says, “we have to really find a way to bring out our voices.”

Therefore, one of her major motivations of being active is to bring their own voice to the center of local and international decision-making process, related to immigration, migration and refugee issues. She acknowledges the limitations of grassroot networks, especially regarding human resources, language proficiency and finance, however, she sounded most frustrated with the limited space they have in regional and international advocacy. She says that:

It is always very limited to the grassroot because..., whenever it comes to advocacy, usually is dominated by NGO, you know, like academia. And it's difficult for us just to go there and register ourselves, because you have to pay your own, (like) traffic. You have to cover everything on your own. (phone interview, 3/17/2019)

When asked about her motivation to join the movement, Elsa answered that she was also a victim of abuse and therefore her motivations are personal. She says:

I also had the same problem before, when I came here in 2000. I also had exploitation—underpaid, no day off, the agency was cheating me, and my employer was not good. So, I ran away and then I learned about my rights. I stayed in the shelter. I learned that we have our basic rights and I realized that the agency was cheating, and the government don't care, you know. So that’s how I use my knowledge to inform migrants and also to make sure that they do not get the same exploitation like me. So that's very personal for me. (phone interview, 3/17/2019)
In Hong Kong, some shelters that support migrant worker have been providing their residents education about their rights and empowering them with skills to organize their own coalition. Many of the former residents of the shelter, like Elsa, have become active in claiming rights (Wui and Delias, 2015). When migrant workers trained at the shelter move to other countries, they often form their coalition in the new destination. Elsa says that in this way, migrant worker activists in Hong Kong maybe able to influence migrant workers’ organizing efforts in other countries. However, she notes that although they might inspire those in other countries to organize, their ability is limited because migrant domestic workers in Hong Kong are also “restricted in our condition” and “not easy to travel abroad.” Nevertheless, she says, “we work with them in solidarity and I’m sure that domestic workers in other countries are also active.”

When asked about the live-in requirement, she says “that's very tough, okay, that is very tough.” At present moment, she does not have a good strategy to push the issue further, as she says:

We do not know yet what kind of strategy might (work for changing) live in, because I think we have done everything--from submission to the UN, the ILO, and to the court--, and I think the Hong Kong government is very keen on making everyone to live in. So, we have not found yet any other tactic to make sure that live out or live in is flexible.

(phone interview, 3/17/2019)

Swity, Indonesian Domestic Worker Activist

Swity is an Indonesian domestic worker activist and one of the leaders of both Indonesian Migrant Workers Union (IMWU) and Indonesian Migrant Worker Network (JBM). IMWU is a
Swity first joined trade union and domestic workers’ organization after running away from her first employer. She recalls that:

I’m also one of the victims; the government didn’t give us right of information to work as migrant workers. So, this time I wanted to help workers like me. This is the reason that motivated me.

(phone interview, 3/10/2019)

Therefore, Swity also had personal experience of being abused by the employer and running away, which motivated her to join. For her, the live-in rule is understood as a form of discrimination towards migrant domestic workers. She told the author that:

The government has not recognized the contribution of the migrant domestic workers to the economy in Hong Kong and the society (in Hong Kong). And that’s why the Hong Kong government (has) always isolated migrant domestic workers.

(phone interview, 3/10/2019)

Therefore, she aspires to change the rule, to make Hong Kong society acknowledge migrant domestic workers as persons with equal rights.

When asked about coalition with the local people, Swity recognized the importance of transforming the migrant workers’ claims into local words:

Usually we have dialogue with them (Hong Kong local people) and rally with them about the condition of the Hong Kong workers and how we can support others. And also, like how they can understand our situation because we need them also to tell the others our condition, with their language. Because in Hong Kong majority speak Cantonese and we are not able to explain very well our condition to the local people.
Thus, she emphasizes the importance of local supporters and consciously tries to form allies with the local people.

**Hong Kong Confederation of Trade Unions**

Hong Kong Confederation of Trade Unions (HKCTU) was founded in 1990, now representing more than 90 affiliates and 190,000 members in Hong Kong, including domestic service sector (HKCTU website). It was first established in 1989 corresponding to Tiananmen crisis, to support the democracy movement in mainland China. They had representatives in Legislative Council until 2011, however lost their seat since election in 2012. They are one of the two largest trade unions in Hong Kong; the other being Hong Kong Federation of Trade Unions, a pro-Beijing union.

It is unusual for a trade union to support migrant workers, as migrant workers are traditionally seen as competitors to local workers (Eder, 2002). HKCTU says that it supports migrant domestic workers because their campaign to improve the Hong Kong working conditions would be ineffective if they left the migrant workers out (Wui and Delias, 2015).

HKCTU uses international power to advance their claims. One of the leaders of HKCTU, Chen, uses the United States’ Trafficking in Persons (TIP) Report to make their claim heard:

> It is good that the United States puts Hong Kong on the watch list. That would help a bit by embarrassing the government. And then help a bit in pushing our case.

(phone interview, 2/3/2019)

The United States’ Trafficking in Persons (TIP) Report 2018 ranks Hong Kong “Tier 2 Watch List” and recommends the Hong Kong government to penalize employment agencies that
charge excessive fees to migrant domestic workers and to remove the two-week rule. This report seems to have had great impact on the Hong Kong government, that they now have a working group in the government agency to deal with human trafficking (phone interview, 2/3/2019). This government agency has been a venue for HKCTU to appeal their claims. As a result, law enforcement on agencies that overcharge fees to migrant domestic workers has become stricter. As it is reported in the TIP report, “[i]n February 2018, the (Hong Kong) government passed legislation that increased the penalties for operating an employment agency without a license or overcharging workers to include up to three years imprisonment and increase potential fines from no more than 50,000 Hong Kong dollars (HKD) ($6,400) to 350,000 HKD ($44,790)” (Department of State, 2018).

However, the two-week rule, which TIP report recommends Hong Kong government to remove, has not been lifted yet. According to Chen, “that (monitoring the agencies) is the only thing they’re willing to do because that’s also good for the employer. And of course, we also lobby for that because that is also good for employee. But anything that the employer must provide, it will be very difficult for us to push through.” Chen clearly recognizes the effect and limitations of interest convergence.

HKCTU uses international coalition whenever possible. Chen says that HKCTU interacts with the sending countries, primarily through consulates in Hong Kong. He says that the union or their affiliates “always go to protest at the consulate” and in addition to that, they also go to have dialogues. In the past, Chen says that he has “gone to Indonesia to meet with parliamentarian in Indonesia to put hold of the case of Indonesians in Hong Kong.” These
strategies indicate the union’s much stronger political and financial power compared to migrant
domestic workers’ organizations.

When asked about the live-in rule, Chen referred to the time when there was no live-in rule and responded that the rule does not make sense because there was no problem before the introduction of the rule:

When the people were allowed to live out, there was no problem. I mean, it didn’t cause any problem in the society. And also, the employer and employee both have the arrangement. Why should we require people to live-in?

(phone interview, 2/3/2019)

However, he was pessimistic about the prospect of reversing the live-in requirement. The political climate in Hong Kong towards pro-democracy groups is becoming antagonistic; the influence of Beijing government is ever more significant, and pro-democracy groups are gradually losing representation in the Hong Kong Legislative Council. Chen responded that, “I think the obstacle is that politically this issue is not favorable to us; the pro-Beijing union, the pro-Beijing political party and the pro-establishment political party are all against our demand.”

HKCTU tries to converge interest with the employers by telling that, “this is all your choice. …Now even the employer does not have the choice. So, we are trying to get also the employer on our side. But they are no easy, because there is other issue that they are concerned about, which they don’t like the union(‘s opinion).” (phone interview, 2/3/2019). Therefore, the current political mood is not favorable to the migrant domestic workers.
Singapore

The atmosphere for civil society in Singapore is very different from Hong Kong. NGOs are highly regulated and are limited to non-political activities. Migrant workers are not allowed to organize their own organizations and their space for political participation is non-existent. When the Filipina domestic worker, Flor Contemplacion was executed in 1995, Filipino diaspora communities around the globe protested and demanded for justice. Since then, Filipinos have acted from outside the nation (Piper, 2005) and migrant workers of other nationalities are following suit.

The local civil society has become more active since the early 2000s (Koh et al. 2016). There are currently two major migrant serving NGOs, Transient Workers Count too (TWC2) and Humanitarian Organization for Migration Economics (HOME), in Singapore. They also do advocacy work by conducting research. They work closely with the government; they hold regular meetings with government officials and their demand is communicated in that space; and they consult with the ministry before releasing the reports (interview with members of HOME, 1/25/2019 and TWC2, 2/1/2019). Hence, the distance between the state and the NGOs is much closer compared to that of Hong Kong and conversely, the relationship between migrant workers and NGOs is indirect.

Recent literature show that advocates have framed their objectives in a way so that they converge with the majority group’s interests. Koh et al. (2017a) analyze the success of day-off campaign in Singapore and illustrate how the campaign gained wide support. The activists reframed day-off in words that sympathize with the employers (e.g., domestic workers are also employees, just like the employers are in their workplaces so they need a day-off just like you),
and resonate with their meritocracy values (e.g., if you give domestic workers a day-off they can improve their skills by attending cooking schools).

Although the two organizations were founded to deal with migrant domestic workers’ abuse, their focus seem to be shifting more towards male migrant workers’ issues (interview with members of HOME, 1/25/2019 and TWC2, 2/1/2019). The live-in rule of migrant domestic workers is not being publicly contested and it is not among priority agendas of the two NGOs.

**Transient Workers Count too**

Transient Workers Count too (TWC2) was publicly launched in 2003 to secure better treatment for domestic workers. This was a reaction to an incident, where nineteen-year-old Indonesian domestic worker, Muawanatul Chasanah, died after months of abuse from her employer in 2001. A neighbor of the abuser stated that, even if he had known about the abuse, he would not have reported it to the police because it is not his business. This kind of apathy of the Singapore society provoked concerns and led to the formation of TWC2 (TWC2, n.d.). The founding chair, Braema Mathi, was a Nominated Member of Parliament and a member of Association of Women for Action and Research (AWARE), a prominent NGO for women’s rights in Singapore (Lyons, 2006).

One of the major campaigns they initiated was “Day-Off Campaign,” with the goal of securing a day-off for all migrant domestic workers. After advocating for almost a decade, the law came into force in 2012. The success was a watershed moment for migrant workers and their supporters in Singapore, since the country’s migration regulations had not changed in
favor of unskilled migrant workers for decades. The factor of success is analyzed in several researches (for example, Koh et al. 2017a; Palmary and Gruchy, 2016 and Koh et al. 2016).

When asked about changing the live-in rule, one of the founders of TWC2, Jim, answered in an interview that, “the government would not oppose it in the long term.” However, the obstacle was more practical issues, such as do they have enough space to accommodate them and who would pay for the additional costs. This is a stark contrast from what my respondents in Hong Kong said, as many of them answered that the major obstacle to change the live-in rule was political while concerns about space and cost was secondary. According to Jim:

What they (the government officials) will say is, it's impractical, it will cost money or budgets, “where are the workers going to live?” and “would the workers have to pay for accommodation?” for example. I think that, what we need to do is think about providing housing where workers can stay. They can’t be in the big dormitories, like a lot of male workers stay in because the number of domestic workers would be much smaller. Several women sharing a room would probably be practical. Providing blockers so that they can have some privacy. I could see it happening. And it may be that if Singapore has greater difficulties in recruiting workers to work in Singapore in the future, then we'll see more pressure to change position. It's a hard one because, definitely, space costs money in Singapore.

(phone interview, 2/1/2019)

Another notable difference with Hong Kong is their interaction with government officials and their disconnection with migrant domestic workers. As NGOs in Singapore are highly regulated by law, building a positive relationship with the government is crucial; not just to make their advocacy work effective, but for the organization to survive. Jim says that they “meet from time to time with the Ministry of Manpower” as well as contact them through social
workers when they are handling a case. The relationship is positive, as he says, “the level of communication for individual is very good, I would say. You can't really complain about that.” They also share their research with the Ministry of Manpower before releasing it, so that “if they get asked by the media a question about the research, they can quickly respond.”

Yet, the change is slow. For the day-off campaign, it took ten years to change the law. And according to Jim, what pushed the government in the end was “criticism from various directions,” including from overseas as well as gaining “public support” locally. Jim says that, “sometimes when you are doing it, it makes you feel that it won't make any progress. And I think when people take an issue for life, they really have to be in it and work for years and years” (phone interview, 2/1/2019).

Humanitarian Organization of Migration Economics

Humanitarian Organization for Migration Economics (HOME) was founded in 2004 and provides assistance to migrant workers, advocate on behalf and empower them through educational and vocational training programs (HOME, n.d.). The founder, Bridget Tan is a former chair of Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People (ACMI), which is religious NGO dealing with migrant workers’ issues (Lyons, 2006).

In a report “Home sweet home? Work, life and well-being of foreign domestic workers in Singapore” issued in 2015, HOME recommend the government to “provide live-out options for domestic workers” because “live-in domestic workers on average work far more hours than almost any category of workers,” they are expected to be “available around the clock,” the live-in condition “isolates the worker” and makes them “vulnerable to illegal confinement, physical
and sexual abuse” (HOME, 2015). However, after this report, their emphasis has shifted from well-being of migrant domestic workers to issues of human trafficking. Their most recent report, “Behind Closed Doors: Forced Labour in the Domestic Work Sector in Singapore,” has 14 recommendations to the government, but do not include optional live-out in their list (HOME and Liberty Shared, 2019).

During a phone interview, Sophia, a research representative of HOME indicated that it would be costly for the workers to live-out, although live-in is “clearly not an ideal situation for the employee.” Moreover, it would not be “a meaningful option” if other conditions were left the same. In other words, if the government regulations that make employers “supervise and control the workers,” such as security bond, were unchanged, optional live-out would be meaningless. Additionally, she posed concerns over where to accommodate the 250 thousand migrant domestic workers (interview memo, 1/24/2019). Thus, HOME currently do not actively promote optional live-out as it does not match with their anti-human trafficking agenda.
7. Conclusion

In this thesis, I interviewed nine key actors among migrant domestic worker activists and supporters in Hong Kong and Singapore. Using the live-in rule as a focal point, I examined why some actors acted to abolish the live-in rule. In the course of researching this question, I also explored the purpose of this rule and the effect it has.

In Hong Kong, the purpose of the live-in rule was clearly shown by the government in three points: 1) providing round-the-clock care for Hong Kong residents and 2) providing jobs for local women while 3) avoiding any pressure on the city’s infrastructure (HKSAR Court of First Instance. 2018). As a result, the city’s responsibility to provide care for their residents is pushed into the sphere of private homes, while simultaneously making the labour of migrant domestic workers invisible.

Migrant domestic worker activists demand recognition for their contribution to the Hong Kong society and call for the end of discriminatory regulations (phone interview with Danika 1/31/2019; with Swity, 3/10/2019; with Elsa 3/17/2019). They claim that live-in and live-out must be decided upon by the mutual agreement of the employer and the employee. If realized, this policy would benefit migrant domestic workers who can choose. However, given the uneven relationship between the employer and the migrant domestic worker, free choice may be difficult, and for those migrant domestic workers who have unequal relationships with the employer, the option may not be meaningful. To prevent abuse of those migrant workers, the activists call for rest-hour and tangible accommodation regulations.

In Singapore, the government does not clearly state the purpose of the live-in rule, forcing civil society to “second-guess” (Lyons, 2006) the government’s intentions. A member of
the NGO, HOME, suggested that the live-in rule is there to make sure employers watch over migrants workers (phone interview, 1/25/2019). In any case, the consequence of the live-in work replicates the situation of Hong Kong: long working hours, isolation, a lack of security and an increased risk of abuse (HOME, 2015).

In Singapore, unlike Hong Kong, neither TWC2 nor HOME, the two most vocal NGOs supporting migrant workers, is calling for a reversal of the live-in rule. These NGOs are hesitant to propose it because of the additional cost the policy would incur. Their closeness to the government has significant implications, as advocates in Hong Kong do not propose alternative policies when protesting certain policies, while advocates in Singapore are concerned about what the government officials would have to do.

In Hong Kong, migrant domestic workers’ activists’ interests and HKCTU’s interests have converged. HKCTU’s identity as pro-democracy union has made them help the migrant domestic workers form a union and act jointly with them. However, HKCTU has lost its political power ever since the return of Hong Kong to China and currently, they have no representation in the Legislative Council. As influence from the Beijing government increase, pro-democratic political parties are losing their place in Hong Kong. Therefore, HKCTU and the policymakers’ interests are unlikely to converge, any time soon.

In Singapore, migrant domestic workers cannot participate in public protest, therefore their interests are mostly unheard. Under Singapore’s stringent regulations on the civil society, the NGOs work as mediators between the workers, the employers and the government, rather than migrant workers’ advocate. The NGO’s interests let alone migrant domestic workers’ interests are hidden and hard to detect. However, in both Hong Kong and Singapore, the
government is keen to improve their international image, particularly the ranking on Trafficking in Persons Report. Therefore, human trafficking has become the main venue for promoting migrant domestic workers’ rights.

The live-in rule makes workers dependent on employers for their survival. The community they live is often an important entry point to the society. If the worker is not counted as a member of that community, the worker is vulnerable. The live-in rule systematically creates a vulnerable population among their community. Thus, the live-in rule is central to the discriminatory system that leads to abuse.
Appendix

- Figure 4. Total Fertility Rate (1981-2017)

![Total Fertility Rate (1981-2017)](image)


- Figure 5. Female Labour Participation Rate (age 25-64)

![Female Labour Participation Rate (age 25-64)](image)

- **Table 3. Basic information of the two cities**

<table>
<thead>
<tr>
<th></th>
<th><strong>Hong Kong</strong></th>
<th><strong>Singapore</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area</strong></td>
<td>429 square foot</td>
<td>279 square foot</td>
</tr>
<tr>
<td><strong>Population</strong></td>
<td>7.4 million</td>
<td>5.6 million</td>
</tr>
<tr>
<td><strong>Density</strong></td>
<td>17,552/ square foot</td>
<td>20,212/ square foot</td>
</tr>
<tr>
<td><strong>Major Language</strong></td>
<td>Standard Chinese, English, Cantonese</td>
<td>English, Malay, Chinese, Tamil</td>
</tr>
<tr>
<td><strong>Ethnicity</strong></td>
<td>Han Chinese 92%, Filipino 2.5%, Indoneseans 2.1%, White 0.8%, Other 2.6%</td>
<td>Han Chinese 74%, Malay 13%, Indian 9%, Other 3%</td>
</tr>
<tr>
<td><strong>Government</strong></td>
<td>Devolved executive-led system with a socialist republic</td>
<td>Unitary dominant-party parliamentary constitutional republic</td>
</tr>
</tbody>
</table>
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