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# GENDERED TECHNOLOGIES OF POWER

Experiencing and Unmaking Borderscape in South Asia

Shikha Silliman Bhattacharjee

## ABSTRACT

Across South Asia, women migrate for employment within their home countries, within the region, and to more distant destination countries. Despite regular and ongoing transit, they are subject to restrictions on their mobility. How do migrant women workers confront and resist these restrictions? This question calls for an analytical approach that considers both the nature of the restrictive forces they confront and the resistance strategies they bring to bear. Scholarship on governmentality traces how nation states, as sovereigns, deploy a dual system of thought and management to exert control over populations and the nations they inhabit. Gendered migration governance at the legal and policy level maps one of many forces that restrict women's mobility across the region. Within South Asia, social control over women is informed by not only legal, but also political, cultural, and ideological discourses that are anchored in patriarchal social systems. Women workers migrate through varied "borderscapes," landscapes traversed by competing discourses and practices that seek to define parameters of mobility (Rajaram and Grundy-Warr 2007). Based on fieldwork conducted between October 2015 and July 2016, this paper considers how local, national, and regional networks of migrant women in South Asia circumvent restrictive policies and resist patriarchal binaries. Examining their modes of resistance, this study lends critical insight into how gendered technologies of power are experienced and unmade.

## INTRODUCTION

In the last three decades, uneven development within South Asia has triggered high unemployment rates and mass displacement, including mass migration for employment among women and girls from across the region. Women migrate for employment within and among the South Asian countries of Bangladesh, India, Nepal, and Sri Lanka. Low income women from marginalized communities who travel from rural to urban areas and special economic zones (SEZs) in search of employment are disproportionately concentrated in the informal sector. They find employment as domestic workers, in brick kilns, in the entertainment sector, and in low-skill positions at the production base of global supply chains.

During regular and ongoing migration, transit, and at work, migrant women are subject to restrictions on their mobility. Patriarchal modes of organization are articulated in protectionist laws and policies that restrict the physical and social mobility of migrant women workers. For instance, Sri Lanka selectively regulates international migration by requiring women to submit a gender-specific Family Background Report (FBR). Women are required to have the FBR signed by their husbands or another male family member. These legal requirements may run entirely counter to actual decision making structures within the family. Violet Pereira from the Action Network for Migrant Workers (ACTFORM), a network of migrant rights organizations in Sri Lanka, described the experience of a forty-year-old woman who had to obtain the signature of her eighteen-year-old brother in order to migrate legally, even though she had been largely responsible for raising him and supporting him financially for more than a decade. Pereira described such experiences as "deeply humiliating and undermining" for women. Restrictions on women's mobility, like those described by Pereira, function to consolidate patriarchal control over the household by ensuring that a woman's mobility remains subject to the control of male family members. Furthermore, restrictions on formal migration channel migrant women workers through informal migration pathways and into informal labor markets. Outside the boundaries

of formal migration processes and employment relationships, migrant women workers remain exposed to a spectrum of violence with few avenues for formal redress.

Social control over women is informed by not only legal, but also political, cultural, and ideological discourses that are anchored in patriarchal social systems. For instance, in the Gumla, Simdega, and Khoonti districts in Jharkhand, India, young women and girls who migrate for employment as domestic workers do not speak openly about their migration experiences. Saachi Kumari, Secretary of Chotanagpur Sanskritik Sangh (CSS) in Ranchi, Jharkhand, explained that when they return home, migrant men and women are received differently within their communities: “When men come back, they relax and enjoy themselves. People from the community ask, ‘What did you do?’ ‘What did you buy?’ ‘What did you see?’ Women are never asked these questions.” Instead, upon returning to Jharkhand from the Delhi, National Capital Region, young women report being referred to as “Delhi-returned”—an allusion to their migration to this urban industrial hub. This moniker is not neutral. Rather, it carries a stigma that marks transgression of patriarchal social norms and impacts how they are considered and treated by their families and communities.

How do migrant women workers experience and resist restrictions on their mobility? Grounded in discussions with migrant women workers and activists over the course of ten months in 2015 and 2016,<sup>1</sup> this paper traces competing and colluding discourses and practices that together seek to define the parameters of women’s mobility in South Asia. This approach considers both the restrictive forces migrant women experience and the resistance strategies they deploy.

Scholarship on governmentality traces how the formal apparatus of the state comes to know and administer lives across a territory (Foucault 1997, 82; Rose, O’Malley, and Valverde 2006, 87). Within the neighboring countries of Bangladesh, India, Nepal, Pakistan, and Sri Lanka, migration policies are a crucial site for the formation and administration of individual and group identities for migrant women workers. Governmentality as an analytical frame provides insight into the role of various political authorities in construct-

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1. This research was supported by South Asia Women’s Fund (SAWF). Selected findings were published by SAWF in a 2016 report entitled *Gender and the Right to Mobility in South Asia: Changing the discourse around rights to movement, livelihood and decision making for women and sexual minorities*.

ing and acting upon women migrant workers as a population. The gendered legal architecture governing women’s migration is just one of many forces that restrict women’s mobility across the region. Accordingly, this paper seeks to read technologies of power that cross geographies, law, and society through an analysis of “borderscapes”—landscapes traversed by competing discourses and practices that seek to define parameters of mobility, inclusion, and exclusion (Rajaram and Grundy-Warr 2007).

Patriarchal norms governing women’s mobility are co-opted and re-inscribed in the legal architecture governing women’s mobility. Gender constructs are also, however, fractured and remade by migrant women, their collectives, and regional trans-border movements. Local, national, and regional networks of migrant women circumvent restrictive policies and resist patriarchal binaries. The discordant overlay of gendered legal restrictions, persistent mobility, and resistance traced in this study reveal how gender functions as a mobile and adaptable technology of power.

## **GENDERED GOVERNMENTALITY AND BORDERING**

Scholarship on women and the global economy has addressed not only the impact of migration on gender patterns and relations (Grasmuck and Pessar 1991), but also new forms of cross border solidarity, and the emergence of feminist subjectivities (Basch 1994; Soysal 1994; Eisenstein 1996; Ong 1996). Drawing these strands of scholarship together, this paper considers how gendered migration governance in South Asia colludes with patriarchal social norms to restrict women’s mobility, and how migrant women, their organizations, and collectives fracture and remake gendered processes of social control. This approach contributes to the feminist analytic project of reading features of the contemporary global economy to capture both instantiations of gendering and openings for women’s participation (Sassen 1996). Such an account reveals not only gendered systems of domination, but also potential sites for resistance with significant implications for both theory and praxis.

Since gendered processes of social control are anchored in legal and social systems, a lens that attends to different but intersecting practices of governance is particularly suited to tracing how gendered technologies of power are experienced and unmade. Accordingly, this paper takes an analytic perspective that considers scholarship on governmentality and borderscapes as not only compatible hermeneutic frameworks, but a promising intersection for scholarship on migration.

### *Governmentality*

Governmentality refers to the discourses, strategies, tactics, and devices deployed by authorities to construct and control populations, and the individuals that comprise populations (Foucault 1997; Rose 1996, 328). Foucauldian scholarship on governmentality views political power as dispersed across a variety of authorities that govern in different sites and with multiple and diverse objectives (Rose, O'Malley, and Valverde 2006, 85). Governmentality as a conceptual framework links processes of self-control with forms of political rule, referred to by Foucault as technologies of the self and technologies of domination (Foucault 1993). Rose, O'Malley, and Valverde contend that this theoretical orientation calls for empirical mapping of governmental rationalities and techniques (2006, 99).

Responding to critics of governmentality that consider this perspective closed to an analysis of contradictory forces and resistance, Rose, O'Malley, and Valverde (2006), argue that due to the assembled nature of government—enacted through various sites and in relationship to distinct objectives—the process of rationalizing or making various elements internally consistent is never complete (98). While they argue that neoliberal ways of thinking and acting can be found in most contemporary regimes and programs, they also warn against a static typification of modes of governmentality. Instead, they direct attention to how governing rationalities are informed by social and economic processes that are particular to place and time (98). As such, Foucauldian lenses for reading governmentality across particular historical and geographic assemblages provide space for reading contradictions within discourses, strategies, tactics, and devices of domination. These contradictions generate space for political action (Mohanty 2003).

Scholarship on governmentality and migration must, however, continue to develop analytic strategies for mapping how individual, social, and economic processes govern the construction of borders and their administration. While Foucault never gave sustained attention to immigration (Fassin 2001, 2011; Walters 2015), his impact on migration scholarship is reflected in work on the biopolitics of citizenship (Tyler 2010), otherness (Fassin 2001), borders (Vaughan-Williams 2010), and the disciplining and surveillance of mobility and labor migration (Geiger and Pecoud 2013; Salter 2013; Rudnychiyi 2001). Influenced by Foucauldian scholarship on migration, this paper considers the migration policy arena as a crucial site for the formation and administration of individual and group identities for migrant women workers. This line of inquiry considers not only how governmentality positions migrant women workers as gendered subjects, but also the implications of these governing practices upon their lives.

### *Gendered Borderscapes*

Governmentality refers to the discourses, strategies, tactics, and devices deployed by authorities to construct and control populations, and the individuals that comprise populations (Foucault 1997; Rose 1996, 328). Foucauldian scholarship on governmentality views political power as dispersed across a variety of authorities that govern in different sites and with multiple and diverse objectives (Rose, O'Malley, and Valverde 2006, 85). Governmentality as a conceptual framework links processes of self-control with forms of political rule, referred to by Foucault as technologies of the self and technologies of domination (Foucault 1993). Rose, O'Malley, and Valverde contend that this theoretical orientation calls for empirical mapping of governmental rationalities and techniques (2006, 99).

Scholarship on governmentality and migration would continue to benefit from robust engagement with the study of borderscapes. The term “borderscape,” introduced by Rajaram and Grundy-Warr (2007), describes a concept of borders as fluid and contested social constructs that are at once mobile, perspectival, and relational. This terminology reflects a conceptual shift in the understanding of borders which began in the 1990s, from a focus on borders as territorial lines administered by political institutions to borders as discursive processes and practices (Brambilla 2015, 15). As explained by Chiara Brambilla, the transition from studying borders to studying processes of bordering facilitates a view of borders as dynamic social processes and practices of spatial differentiation (2015, 15).

The potential of this approach lies in the opportunity to both consider the constitutive role that borders play in producing political subjectivity and the simultaneous re-imagination of the border as it is traversed by bodies, discourses, practices, and relationships (Brambilla 2015, 18–19). Borderscapes, forged by competing practices and discourses, emerge not only at sites of formal separation between nation-states, states within nations, and local jurisdictions, but as a reflection of membership and exclusion and rules and their exceptions (Rajaram and Grundy-Warr 2007).

Whereas much of governmentality scholarship has focused on how nations discover and manage populations and the spaces they inhabit, analysis at the intersection of governmentality and borderscapes facilitates the consideration of how gendered technologies of power operate across migration pathways that traverse South Asia. Reading migration pathways in South Asia as a borderscape sets a framework for analysis that facilitates a recognition of resonances between policies and practices in the region. This

frame facilitates attention to commonalities between and among migration pathways, governance, and practices across South Asia that find their roots in shared colonial histories and discourses. Resonances between Bangladeshi and Indian laws and policies can be explained in part by a common British colonial history and shared penal code. Sri Lanka's legal system is also derived from common law while retaining Dutch legal provisions in the civil legal system. While Nepali laws place fewer gender-based restrictions on migration, since Nepali migrants routinely migrate for employment to India through formal and informal channels, regional policies and policing practices have a significant impact upon Nepali women migrants.

## METHODOLOGY

This study takes a participatory approach that aims to function not only as a means of knowledge, but also a tool for action and engagement. Participatory methodology refers to an approach to social research that is characterized by interaction between and among researchers and the communities they engage (Ebersohn, Ferreira, and Beukes 2012). This study draws from focus group discussions with migrant women activists conducted between October 2015 and July 2016 in the following regions: Dhaka, Bangladesh; Kathmandu, Nepal; Delhi, Jharkhand, and West Bengal, India; and Colombo and Batticaloa, Sri Lanka. This approach invited communal participation in producing, transforming, and controlling knowledge (De Vos et al. 2005). Accordingly, it is particularly well suited to empirical investigation of how women workers, activists, collectives, and feminist networks expose and challenge contradictions within institutionalized social and family structures that restrict women's mobility.

The first phase of field research included participation in three regional meetings held in Delhi and West Bengal, India and Kathmandu, Nepal. These meetings brought together representatives from a range of organizations and collectives that support women's migration and address multiple forms of migration related violence. During the second phase of field research, researchers facilitated nine, comparatively smaller, focus group discussions<sup>2</sup> where 45 migrant women and their allies, representing 19 collectives, networks,<sup>3</sup> and

2. Focus group discussions lasted between 45 minutes and two hours. Discussions and meetings were conducted in English, Bengali, Hindi, Nepali, Sinhala, and Tamil with simultaneous translation into English.

3. Interlocutors included members of seven national and state-level networks. National networks included the National Sex Workers Network (India); Bangladeshi Ovihasi Mohila Shramik Association and the National Sex Workers Network (Bangladesh); Right to Mobility Network, National Alliance of Women's Human Rights Defenders, and Nepal Disabled Women's Association (Nepal); and Act Form (Sri Lanka). State-Level networks included the Jharkhand Anti-Trafficking Network (India).

organizations, engaged in addressing women's mobility and employment rights in South Asia.

During both phases, researchers<sup>4</sup> facilitated semi-structured discussions. At the start of each discussion, participants were briefed on the purpose of the research; namely, to engage in a collective process of understanding how migrant workers and their allies confront and resist restrictions on mobility and other gendered challenges. Researchers proposed three initial categories of analysis: safe mobility, decent work, and de-stigmatizing women's work. These initial categories were chosen through analysis of interventions by South Asia Women's Fund (SAWF) partners, as documented in program reports. Participants were invited to reflect on these thematic areas, and to introduce alternate categories and concepts. Building on the findings from phase one discussions, in phase two, participants were invited to reflect upon an expanded and revised range of concepts: right to mobility, decent work, de-stigmatizing women's work, and right to information. This structure was used to facilitate cross-learning and identify potential sites of collaboration at the local, national, and regional level.<sup>5</sup> In analyzing these conversations, I sought to identify pivotal modes of governance by the state, beyond the state, and where these disparate technologies intersect, collide, and conspire.

This approach does not aim to address the comprehensive range of interventions undertaken by migrant women and activists in South Asia to circumvent restrictive policies and resist patriarchal binaries. Rather, it considers the strategies of SAWF's partners, a regionally linked constellation of social movement actors committed to addressing the spectrum of migration related violence through an explicitly feminist and regional approach.

## GENDERED BORDERSCAPES IN SOUTH ASIA

In South Asia, population movements include mixed flows of forced migration that challenge neat distinctions between political and economic causes (Manchanda 2004). In addition to aspirations for better economic futures, significant push factors for women workers who migrate for employment within and across South Asian countries may include conflict-related or

4. Shikha Silliman Bhattacharjee, JD; Anisha Chugh, MA; and Jael Silliman, Ed.D conducted field work for this study.

5. Data analysis from both phases of findings took place both concurrently and subsequent to field work. Researchers wrote debrief memos for each discussion based upon contemporaneous field notes. I hand coded each debrief memo for key patterns and analytic categories. These included the collision between restrictions on mobility and the reality of migration patterns and stigma associated with migration. These findings were further contextualized through extensive desk research on laws and policies governing women's migration in South Asia.

development driven displacement, landlessness, agricultural stagnation and decline, natural resource erosion, natural disasters, and individual and household-level economic distress. Due to explosive development of urban economic hubs beginning in the mid-1980s and an imbalance in economic growth, workers migrate in search of livelihood to urban hubs and megacities including Kathmandu, Nepal; Dhaka, Bangladesh; Delhi, Mumbai, and Kolkata, India; and Colombo, Sri Lanka. Reading migration pathways in South Asia as a borderscape, this section traces the national and transnational processes that propel women's migration based upon accounts from migrant women workers and activists. Where possible, these accounts have been situated in relationship to secondary literature.

Conflict-related displacement has fueled migration across the region. For instance, within Nepal's conflict and post-conflict environment, large numbers of women displaced by the Nepalese Civil War (1996–2006) entered the entertainment sector, which included working in restaurants, bars, massage parlors, and as sex workers. Forced migration in Sri Lanka has also been associated with two decades of civil war and its aftermath, prompting Tamils to migrate across the world (Manchanda 2004). While forced migration flows in Sri Lanka have slowed significantly in the last fifteen years, migration for employment from conflict-affected Eastern and Northern areas of Sri Lanka remains significant, particularly for widows and single mothers. In India, ongoing violence in states such as Chhattisgarh and Jharkhand displaces communities and precipitates migration to neighboring states and urban industrial hubs.

Civil wars and more localized separatist conflicts not only fuel migration but also instigate violent confrontation. In these contexts, women face a "gendered continuum of violence," including sexual violence, as a result of the ways in which gender is embedded in relationships of power (Moser 2001; Cockburn 2001; Shepherd 2007). Conflict-related violence, in its gendered forms, may have long lasting consequences for women. For instance, conflict-related violence has resulted in increased populations of disabled women. Meena Poudel from the Nepal Disabled Women's Association explained that lack of infrastructure and transportation severely limit the mobility of women with disabilities. Women with disabilities also face significant barriers to seeking alternate livelihoods, including discrimination in accessing housing in destination areas and a heightened risk of sexual violence in public spaces.

Environmental push factors, including natural disasters and development-related displacement, also fuel migration and have differential impacts on members of marginal communities. For instance, following the series of

earthquakes that shook Nepal in 2015, migration—including among women—increased significantly. These migration push factors have different impacts upon women and their communities that are related to particular intersecting vulnerabilities. For instance, tribal communities from remote areas in Nepal were severely impacted by the earthquake, but often outside the ambit of relief efforts. Women with disabilities reported facing heightened difficulties in migrating from affected areas and seeking employment to rebuild their lives.

Caste, social, and community identity have significant bearing on migration patterns, pathways, and the risks migrant women are willing to take. Migrant workers traveling in search of employment include some of the poorest, most marginalized castes and social groups in South Asia. These women confront multiple and intersecting axes of discrimination and violence (Crenshaw 1989). These include, but are not limited to, discrimination on the basis of gender, caste, religious and tribal identity, marital status, sexual identity, class, and disability.

Bijaya Rai Shreshta, Programme Coordinator for Pourakhi and the Nepal Right to Mobility Network, emphasized how wealth influences migration patterns from Nepal:

The richest migrants go to Western countries, the poor go to the Gulf and the poorest of the poor go to India. Migrants to India represent the highest number of migrants from Nepal. They submit the highest remittances even though their work is seasonal. There is no support for them. The government focus is on migrants who go to the Gulf and Malaysia.

Migrant workers from Nepal traverse distinct migration pathways, influenced by socioeconomic opportunity and access. The variegation of migration pathways along socioeconomic lines is reinforced by selective distribution of government support to those considered to be from comparatively elite social and economic echelons.

Migration pathways are also variegated within countries. Respondents from CSS in Jharkhand reported that migration patterns vary significantly by community and socioeconomic status. In Jharkhand, migration is perhaps most significant among the Oraon tribe—a politically influential and comparatively well off community that migrates through kinship networks. Women

from more vulnerable tribal and caste communities in Jharkhand, by contrast, are more likely to migrate for employment as domestic workers through networks of formal and informal recruitment intermediaries (Silliman Bhattacharjee, forthcoming).

Upon arriving at their respective destinations, migrant women from vulnerable communities largely work in low-wage, unorganized, and unprotected settings within the informal or unorganized sector. In these contexts, migrant women workers are often engaged in working relationships without proof of employment—either through company rolls or formal employment contracts. Undervaluation of women’s work in the paid economy exacerbates the already precarious nature of women’s employment (Chopra, D. 2015).

While perhaps facing similar opportunities and constraints, migrant women make distinct choices based upon their personal understanding of risk, aspirations, and commitment to social norms. Saachi from CSS provided a striking example of how, faced with the same circumstances, migrant women may choose very different paths:

We were notified that 30 young women had departed by train from Ranchi. Those under legal age were equipped with false certificates to show that they were over 18. They were split upon the train so they were less visible—so it didn’t look like a case of trafficking. Our intervention was successful. We spoke to the girls. Those who did not want to go for work, we helped them to get off the train. Some did want to go. We provided them with the information they needed to be less vulnerable when they arrived at their destination.

The girls on the train traveled a common migration pathway. They were governed by similar legal standards when establishing legal authority and subject to common policing practices informed by anti-trafficking practices. Although they experienced common flows and practices, they responded in distinct ways, which reflected personal decisions and compulsions. Migrant women and girls traversing borderscapes in South Asia are left with difficult choices. Their decisions provide further evidence that the process of governing is never a finished process.

## LEGAL ARCHITECTURE OF MIGRATION IN SOUTH ASIAN BORDERSCAPES

This section highlights gendered laws and policies across the region that either explicitly or in their enforcement restrict women’s mobility. These include minimum age requirements, family background reports, laws criminalizing sex work, and preventive custody measures.<sup>6</sup>

These laws and policies are rooted in entrenched notions of community that confine women to narrow roles within the domestic sphere, control women’s sexuality, and stigmatize women who breach these norms. Enacted in distinct national contexts and through various sites, policies governing women’s migration across the region address women’s mobility primarily within the framework of conservative sexual morality, victimization, and trafficking (Kapur 2015).

The gendered legal restrictions on women’s mobility described in this section contradict both the reality of women’s persistent mobility. At the nexus of persistent migration catalysts and restrictive migration policies, women must decide whether to conform to gendered restrictions, circumvent legal standards and enter informal migration processes and employment relationships, or take individual and collective action that challenges discriminatory laws and policies. This range of responses from women migrant workers demonstrates how, despite regional patterns in migration governance, governmentality is informed by social and economic processes particular to space and time. Readings of contradiction and resistance demonstrate, moreover, that these processes of rationalization are always fraught and subject to revision.

### *Age Limits*

Since the 1990s, Bangladesh and India have set limitations on women’s migration by imposing age limits for migration directed at low-skilled workers. In both countries, minimum age standards are based on the assumption that low-skilled women workers are particularly vulnerable to abuse. This paternalistic reasoning is used to justify discriminatory practices that elide fundamental questions of citizenship (Percot and Nair 2011).

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6. This analysis does not claim to represent the comprehensive framework governing internal and external migration in South Asia, but rather aims to shed light upon the institutional anchoring of paternalistic social norms.

The Indian Government (GOI) restricts emigration of low-skilled women younger than 30 for overseas employment by requiring clearance prior to permitting migration to any emigration check required (ECR) country.<sup>7</sup> These ECR requirements establish distinct standards for low-skilled emigrants in general and low-skilled women emigrants in particular. Whereas the GOI justifies this policy as a measure to ensure women's security, it is thinly veiled structural discrimination in India's migration policy (Percot and Nair 2011).

Since the 1980s, Bangladesh has also selectively regulated migration for employment among low wage women workers. In 1981, a presidential order barred select categories of women workers from migrating overseas for employment. While professional and skilled women were permitted to migrate as principal workers, semi-skilled and unskilled women were not allowed to migrate overseas without a male guardian. In November 1997, the Bangladeshi Ministries of Foreign Affairs, Finance, and Labour and the Cabinet re-imposed a complete migration ban on women categorized as semi-skilled or unskilled, including nurses, typists, secretarial assistants, garment and other factory workers, and domestic workers. Following advocacy by migrant women's organizations, these restrictions were lifted for all categories of women workers, except domestic workers. In 2003, the Ministry of Expatriates Welfare and Overseas Employment amended the 1997 policy to allow unskilled and semi-skilled women workers to migrate for employment, but only after reaching 35 years of age (MFA 2011).

Advocacy to address age-based restrictions on migration in Bangladesh is ongoing. Sumaiya from the Bangladeshi Ovibhasi Mohila Shramik Association (BOMSA), an organization founded and operated by returned women migrant workers in Dhaka, Bangladesh, explained:

For the last three years we have been learning from partners and working with the government to make sure age discrimination is not used to stop women from migrating. In 2014, a year and a half ago, the Government Order prevented women who were under 35 from migrating. We have advocated to reduce the age restriction to 25. We are still working to have the age limit reduced to 18—the norm for when a person is considered an adult.

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7. Ministry of Overseas Indian Affairs, Documents Required for Unskilled/Women Workers (Individuals), <http://moia.gov.in/services.aspx?IBID1=102&Ibid=m6&Ibidp=100&mainIbid=73>

By Sumaiya's account, BOMSA advocacy has been progressive, seeking to incrementally lower the threshold of restriction for migrant women workers. While reducing the age restriction to 25 relieves the category of women between the age of 25 and 35 from these restrictions, it leaves the gendered legal architecture of migration governance intact.

### *Family Background Reports*

In 2013, Sri Lanka's Ministries of Foreign Employment Promotion and Welfare (MFEPW) introduced the Family Background Report requirement. This provision selectively regulates migration by requiring women to submit a gender-specific Family Background Report (FBR). FBRs are submitted to a Development Officer tasked with recommending prospective migrants for migration clearance. Those with children under five years old are subject to rejection on this basis. This procedure re-inscribes a social script that confines women to narrowly defined caregiving roles. Violet Pereira from Act Form in Sri Lanka explained:

Migration restrictions for women with children under five years old do not allow women to make choices about what is right for their families. Mothers with children under five years old have explained to us that despite restrictions, they have decided to migrate because their earnings will allow them to secure a better education for their children. The assumption that a mother must be there to look after a child does not consider the responsibility of the father for taking care of their children.

As explained by Pereira, gendered assumptions about care giving posit that a mother should hold primary caregiving responsibilities. This primary caregiving responsibility, however, is decoupled from the authority to make decisions about family needs.

Further reasserting patriarchal social norms by undermining the decision-making authority of migrant women, women are required to have the FBR signed by their husbands or another male family member. These legal requirements, migrant women report, may run entirely counter to actual decision-making structures within the family. Pereira explained:



Women may have to go through great efforts to meet these requirements, especially in women led households. I'll give you an example: in order to migrate legally, a forty-year-old woman had to obtain the signature of her 18-year-old brother. She had been largely responsible for raising him and supporting him financially for the last ten years. These experiences can be deeply humiliating and undermining for women.

This requirement functions to consolidate patriarchal control over the household by ensuring that a woman's mobility remains subject to the control of male family members.

### *Medical Clearance*

Study respondents reported that state migration clearance practices have emerged as an avenue for regulating bodily integrity, violating reproductive rights, undermining reproductive health, and selectively circumscribing the rights of women with disabilities. Medical clearance practices reported in both Sri Lanka and Nepal exert control over migrant women in distinct but related ways: they expose migrant women to invasive medical practices as a condition of migration; and they establish and impose physical requirements for migration.

Pereira explained that migrant women in Sri Lanka have been administered Depo-Provera shots as a medical clearance requirement without informed consent. Perhaps most alarming is the fact that once it is injected Depo-Provera cannot be removed or reversed, no matter how extreme the adverse side effect.<sup>8</sup> The impact of these health consequences, furthermore, is exacerbated for migrant women who travel overseas without adequate health and family support systems, and at times, without even knowing they have received the injection.

The Nepal Disabled Women's Association reported that required medical clearance for emigration from Nepal functions to circumscribe the rights of disabled women. Meena Poudel, from the Nepal Disabled Women's Association, explained:

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8. Depo-Provera, a hormonal contraceptive, is banned in many countries due to significant adverse side effects, including menstrual disorders, skin disorders, tiredness, headaches, nausea, depression, hair loss, loss of libido, weight gain, and delayed return to fertility. Depo-Provera has also been associated with long term health consequences, including breast cancer, osteoporosis, abdominal pain, infertility, and birth defects.

In Nepal, women with disabilities are denied the right to migrate internationally for employment because they are not given the required medical clearance. This is a violation of their right to work and mobility and undermines bodily integrity.

In Poudel's account, women with disabilities who seek to migrate are prevented from doing so on the basis of a medical determination that they are unfit. The experiences with medical clearance requirements presented by Pereira and Poudel are linked in their assault on migrant women's ability to make decisions about their bodies, whether decisions about medical treatment or their physical capacity to migrate.

### *Preventive Custody*

In Bangladesh, India, and Nepal, women who are perceived to be victims of violence or trafficking are routinely held in preventive state custody. For instance, in India, the federal Immoral Traffic (Prevention) Act (ITPA) of 1956 equates prostitution with commercial sexual exploitation. Women "rescued" from the sex trade are placed in institutions and prevented from leaving until they are released by court order. This provision has long been challenged on the grounds that it violates fundamental constitutional rights to life and liberty (Ramachandran 2015).

In many instances, study respondents report that police, state authorities, and anti-trafficking initiatives, rather than the women involved, hold primary authority in determining whether a woman should be taken into custody. As a result, women who migrate for employment may be subject to protective custody on the basis that police, state authorities, and anti-trafficking actors believe them to be unsafe. Detaining perceived victims of violence restricts their mobility on the grounds that holding them in custody will keep them safe. Study respondents reported, however, that women may in fact be least safe in state custody.

These reports by study respondents find corroboration in national crime statistics and civil society reports. At the extreme end of the spectrum of violence people face in state custody, according to India's National Crime Records Bureau, 591 people died in police custody in India between 2010 and 2015 alone. According to Human Rights Watch, while police blame most of the deaths on suicide, illness, or natural causes, in many cases, family members allege that the deaths were the result of torture (Bajoria 2016).

In 2003, in *Bangladesh Society for the Enforcement of Human Rights v. Government of Bangladesh*, the Supreme Court of Bangladesh responded to legal mobilization by women sex workers and recognized the violence that attends police raids. The Court upheld the rights of women who were assaulted and forcibly sent to government homes during a brothel raid, reasoning that while the state was obliged to take measures to end prostitution, such measures could not violate the right to life and liberty of women engaged in prostitution (Ramaseshan 2012).

### *Criminalization of Sex Work*

Numerous international bodies have clearly articulated the need to decriminalize sex work to eliminate discrimination against vulnerable populations.<sup>9</sup> Despite these human rights frameworks, the dominant legislative approach in Bangladesh, India and Sri Lanka persists in criminalizing sex work, and thereby functionally criminalizing some instances of consensual adult sex.

In Bangladesh, sex work is criminalized under the Suppression of Immoral Traffic Act of 1933, a gender-specific act that explicitly addresses prostitution. While the act does not punish women, solicitation is considered an offense and landlords are prohibited from renting accommodations to women who engage in prostitution. Legally severing the maternal-child bond between women engaged in sex work and their children, the Immoral Traffic Act does not permit a woman involved in sex work and living in a brothel to keep her child with her after four years of age. The Bangladesh Children Act of 1974—enacted more than forty years after the Immoral Traffic Act—is similarly gendered. The Act prohibits girls under sixteen years old from engaging in prostitution, but does not address instances in which boys may be forced into prostitution. In Sri Lanka, the Brothel Ordinance of 1889 and Vagrancy Ordinance of 1889 are used to criminalize prostitution and vagrancy. Although sex work is not an offense, solicitation constitutes an offense under the Vagrancy Ordinance. India's Immoral Traffic Prevention Act, 1956 criminalizes sex work in a range of ways. These include criminalizing the following actions: keeping a brothel; and living off the earnings of prostitution, a provision which also applies to a child who reaches legal adulthood and lives with a parent sex worker; procuring, inducing, or taking a person for prostitution; and soliciting. Many of these provisions are used to punish women engaged in sex work, whether voluntarily or involuntarily.

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9. Since 2008, the following international human rights mechanisms have articulated a need to decriminalize sex work: United Nations Human Rights Council, World Health Organization, United Nations Programme on HIV/AIDS, and United Nations Population Fund.

Kiran, a member of the National Network of Sex Workers in India, explained how laws criminalizing sex work exacerbate the vulnerability of sex workers:

Trafficking, police raids, discriminatory health systems, petty criminals, and law enforcement all create unsafe, exploitative environments for sex work. The law stands against us and not for us. Most of the sections [of the law] used against sex workers are related to anti-trafficking and not to sex work.

In Kiran's account, not only are trafficking and petty criminals features of an unsafe work environment, but police raids, discrimination in health services, and law enforcement also contribute to unsafe and exploitative environments for sex work.

Kiran describes the law as standing against her and her colleagues. The law that Kiran evokes includes provisions prohibiting sex work as well as anti-trafficking laws that do not address sex work directly. These legal regimes collectively criminalize sex work and, in turn, increase clandestine engagement in sex work. Sex workers who are entirely off the public radar are more vulnerable to abuse from clients and report having to bribe law enforcement or offer sexual favors to operate. Furthermore, respondents report that police raids are frequently violent and that sex workers are particularly vulnerable to custodial violence.

### *Trafficking Regulation Practices*

Across South Asia, regulation of trafficking disproportionately emphasizes trafficking for sexual exploitation, while obscuring and deregulating trafficking for labor exploitation, including forced and bonded labor.<sup>10</sup> As explained by Mona Mishra, the assumption that women and girls are primarily

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10. There is considerable debate among feminists regarding how to stop trafficking. Within feminist debates, these issues surface persistently around issues related to sexuality, sex work, and trafficking. Some aim to regulate dangers to women in trafficking—even if overriding a woman's ability to choose sex work or other stigmatized employment. Their interventions are circumscribed by a three-pronged strategy: rescue, removal, and reintegration. Others within the feminist movement acknowledge that protection and rehabilitation should be available but cannot be enforced without the consent of the woman in question. They argue that protectionist and judgmental policy responses, which are guided by a disproportionate focus on trafficking for sexual exploitation, manifest as interventions that undermine women's agency, mobility, and right to work—including the right to choose sex work (Petchesky 1984). This study is informed by the latter perspective on trafficking regulation.

trafficked for sex work ignores two significant realities: first, that women and girls are also trafficked into several other high absorption labor sectors, including domestic and construction work and small scale industry; and second, that not all women in sex work are trafficked or are in the trade against their wishes (Mishra 2016).

Deeply entrenched cultural and ideological discourses controlling women's mobility are reinforced by regional standards and Bangladeshi and Indian national laws that selectively criminalize trafficking for sexual exploitation—including penalizing women who engage in voluntary sex work. For instance, the South Asian Association for Regional Cooperation (SAARC) circumscribes the definition of trafficking to include only the narrow framework of trafficking for prostitution and does not address other manifestations of trafficking.

By contrast, Nepal and Sri Lanka take a more comprehensive approach to address trafficking that also criminalizes other forms of trafficking beyond sex trafficking. The Nepal Trafficking in Persons and Transportation (Control) Act of 2007 is a gender-neutral act that criminalizes all forms of trafficking. The Act also includes measures to protect informers and whistleblowers and exempt trafficking victims who submit written statements from cross-examination. Victims are entitled to appoint their own lawyers in addition to a public prosecutor and to receive translation support during proceedings. As in Nepal, under 2006 amendments to the Sri Lankan penal code, trafficking encompasses a spectrum of coercive labor, such as conscription of a child soldier, removal of organs, or any other criminal act in addition to trafficking for sexual exploitation.

Restrictions on women's mobility are reinforced by a transnational anti-trafficking discourse that is institutionally anchored by large donors and foreign policy actors. Recent discussions about shifts in the anti-trafficking field have tracked the emergence of "philanthrocapitalists," a new generation of philanthropists that aim to apply business acumen to addressing global social problems. Deep resources and elite networks position these actors to engage directly in anti-trafficking policy making, reconfiguring the roles and policies of other international actors in the field. However, in their rebranding of forced labor and trafficking as "modern-day slavery," they deploy a unidimensional victim-survivor narrative that locates structural violence in individual deviance (Chuang 2015). As warned by Chuang, this approach risks marginalizing or even displacing less influential voices of resistance that are often led by women migrant workers, sex workers, and their allies.

The policies discussed in this section, while ostensibly established with the intention of protecting women from abuse, in fact discriminate against women on the basis of gender and class by constructing significant hurdles to migration and employment. Anuradha Rajaretnam, Legal Coordinator at Surya Women's Center in Batticaloa, Sri Lanka, explains:

Those who migrate for work are the poorest in Sri Lankan society. They have no access to any kind of resources, but yet are required to secure documentation from six government officials. Some give up in frustration and get forged documents instead. Without genuine documentation, they effectively migrate illegally. They cannot produce any legitimate documentation and therefore cannot seek relief for exploitation through the courts.

As described by Anuradha, women may choose to move under the radar of formal migration processes. Women who migrate for employment through informal migration channels are particularly vulnerable to human trafficking for the purpose of debt bondage, forced labor, sexual exploitation, and forced marriage (Ramameshan, 2012).

Women also, however, take action to inform government programs and their implementation. For instance, in Sri Lanka, Act Form uses a two-pronged approach to address government restrictions and inadequate government support. First, they maintain a complaint desk that works to facilitate communication between migrant workers and relevant government agencies, including the Immigration Bureau Welfare Offices and Ministries of Economic Affairs, Foreign Affairs, and Higher Education. Second, they participate in a Migration Bureau committee including 15 Sri Lankan government ministries, trade unions, and non-governmental organizations that determine policies on migration. These approaches are mutually reinforcing. The insights gleaned from direct engagement with migrant communities, in turn, inform policy-level advocacy. In direct negotiation with the migration governance administration apparatus, migration women workers and their allies seek to inform policy discourses, rulemaking, and program administration.

## EXPERIENCING AND UNMAKING GENDERED TECHNOLOGIES OF POWER

Within South Asia, control over women is informed by not only the legal architecture described in the previous section, but also political, cultural, and ideological discourses and practices (Mohanty 2003). Dispersed across a variety of authorities, colliding and colluding, governmentality manifests as both a technology of domination and a technology of the self through which subjectivity is actualized, experienced, and performed (Foucault 1988, 1993). This final section discusses two pivotal modes of governmentality and their unmaking: stigmatization and violence. These modes of governmentality are significant because of their frequency and uniquely gendered implications. Anchored by the legal architecture of the state, they also exist beyond the bounds of the state. They are neither independent nor discrete. Instead, they intersect, collide, and conspire with the legal architecture governing women's mobility.

These pivotal sites of negotiation, I argue, are some of the locations where gendered technologies of power are experienced and unmade. The strategies deployed by migrant women workers and their allies to address processes of stigmatization and violence seek to inform public discourse and engage directly with migration administration. Migrant women and their allies not only experience technologies of power, but also challenge and reorient these processes at the level of the family, community, and the apparatus of the state.

### *Stigma*

Stigmatization refers to sociocultural processes that operate to reproduce power relationships and exclude stigmatized individuals from the social world (Farrugia 2009; Parker and Aggleton 2003). Stigmatization of women's work refers to social and other processes that systematically devalue particular types of women's work, including domestic, brick kiln, construction, entertainment, and sex work. Stigma rooted in family and community patriarchal norms exerts social control women who migrate for employment. This system of social control creates a parallel policing structure to the architecture of the state; family, community, and state forces collude to victimize women engaged in particular types of work or render stigmatized occupations invisible. In this way, stigma can function to erase the lived experiences of migrant women workers from public and legal discourses while capitalizing on their labor and economic contributions. This erasure has significant impacts upon women's

mobility, their migration pathways, and the forms of violence they encounter. Stigma can be associated with mobility, employment, group identity, as well as other categories. For instance, women employed in the domestic work sector routinely hide their migration experiences at home and in their communities. Anuradha, Legal Advocacy Coordinator for Surya Women's Center in Batticaloa, Sri Lanka, explained:

Women who migrate from this area migrate for domestic work but they do not want to admit that they are domestic workers. They face stigma from their families, and their contributions are discounted at home. Because their work is not recognized or protected, they face harsh working conditions, including non-standard rates, extended working hours, and vulnerability to harassment in employers' homes where they are isolated.

Stigma associated with sex work can be so profound that Hena from the Bangladesh Sex Worker's Network reported that the Network was denied the legal right to register as a formal network.

Stigma against sex workers is so great that we are not even allowed to register ourselves under the name of a Sex Workers Network. We were requested to change our name. We managed to register under this name when we threatened to go to the Human Rights Commission.

For women and girls with disabilities, stigma may combine with superstition in creating barriers to mobility, housing, and employment. Meena Paudel from the Nepal Disabled Women's Association explained:

Many people view women with disabilities as a bad omen based upon societal prejudice, stigmatization, and superstition. Sometimes women with disabilities are not even allowed to move around. Their families keep them within four walls. Sometimes they are even chained. Migrants with disabilities cannot get rented homes when they come to urban areas because landlords assume that they are unclean and carry diseases. Families are sometimes denied housing if they have a disabled child. When disabled women travel to cities and cannot find housing, this opens up chances for abuse and trafficking.

In these accounts, stigma is not only gendered but also deployed in relationship to a range of other categories, including employment profiles, disability, and social group. Women at the intersection of these categories may face compounded stigma, rendering them particularly vulnerable to discrimination and abuse.

The impact of social stigma upon women's ability to protect their rights can be profound. Many migrant women workers are employed without the protection of labor regulations that protect formal sector workers, relegating their workplaces and the working conditions they face outside the boundaries of legal and collective intervention. Respondents reported that the stigma associated with migration causes many returnee migrants to hide their experience of migration and forego efforts to pursue accountability in cases of workplace- and transit-related abuse. The double weight of stigma and informality may discourage and prohibit women from seeking legal redress for workplace violations and violence at all stages of the migration process.

Respondents explained how they learned to recognize and address the impact of stigma on migrant women workers. Anchita Ghatak from Parichiti, based in Kolkata, West Bengal, India, highlighted how stigma associated with domestic work undermines sexual harassment reporting:

Domestic workers don't like talking about sexual harassment although they admit it exists. They are stigmatized for traveling to work because a classic form of patriarchal control relates to controlling women's mobility. Thus, women employed in domestic work feel that if they talk about sexual harassment, their work will be further stigmatized.

To address sexual harassment given this culture of silence, Parichiti fosters safe spaces for domestic workers to discuss these and other experiences of violence. Anchita described: "Women do role plays at our picnic. This is a safe place to discuss the sexual harassment they face. They open up and speak about these issues when they have the space to do so."

Networks of stigmatized women workers have been instrumental in intervening in cases of discrimination. Hena recounted:

Sex workers are not accepted in public hospitals. There was a case where the baby of a sex worker was put out on the veranda in the cold and was shivering. Her mother was thrown out of the hospital. In cases like this one, the network was called and we demanded an apology for this treatment. We were able to get the mother and child into another government hospital. We work with hospitals regularly to make sure that sex workers using these facilities are treated well.

In addition to intervening in cases of abuse, respondents described working with stigmatized women to sensitize their communities and destigmatize women's work. Saachi, from Chotanagpur Sanskritik Sangh in Jharkhand, India, described addressing community stigma as a core program priority:

We don't want returnees to be isolated so we work with the community to accept them. This is a core strategy of ours. To sensitize the community about the contributions of migrant workers and to take away negative attitudes especially towards women returnees.

The Dhaka-based Partners in Population and Development (PPD) worked with stigmatized sex workers in Bangladesh to host a public hearing, raising the profile of rights violations faced by stigmatized sex workers. Jo Thomas from PPD described how this event catalyzed sex worker issues into public discourse:

The public hearing brought sex workers to testify at a huge event designed to look like the UN General Assembly, with the National Human Rights Commission chair validating their perspectives. They spoke in front of agencies, NGO representatives, journalists, and filmmakers in the Dhaka University campus convocation hall. Their issues were brought into mainstream conversation. As a result of the work culminating in this intervention, a sex worker now sits on a 28-member policy committee and addresses the needs of sex workers directly in a policy forum.

While interwoven with patriarchy and the state, stigma associated with migration is unraveled and reworked by migrant women organizers and their allies. Their strategies address processes of stigmatization at the levels of subjective experience, family and community, and the legal and welfare apparatus of the state. In these ways, migrant women and their allies not only experience technologies of power, but also engage in the process of challenging and reorienting these processes at each of these levels.

### *Violence*

Within borderscapes in South Asia, migrant women experience violence as both a real threat and a broad justification for limiting their mobility. In order to protect women from violence, while ensuring their rights to mobility and work, respondents described the importance of attending to particular risks associated with specific locations, professions, and migration patterns. For instance, in order to distinguish between trafficking, voluntary engagement in sex work, and the range of scenarios that lie in between, women activists in South Asia reference a continuum. This continuum, developed by women activists in Thailand, includes six gradations between totally forced labor and totally voluntary labor.<sup>11</sup>

### *Transit Violence*

For women who migrate for employment, transit is ongoing. It includes initial migration, travel between transient employment sites, daily commutes, and return to native villages. Transit-related violence impacts not only the ability to seek and maintain employment, but also access to medical facilities, courts, and other public resources. For migrant women, mobility is intimately tied to autonomy, security, and access to a range of valuable services and resources.

Transit related violence has distinct manifestations and impacts upon diversely situated women. Patterns of violence may be spatial, demographic,

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11. These gradations on the spectrum of totally forced to totally voluntary labor include victims who are forced and/or kidnapped and trafficked; victims who are given false information and are trafficked into businesses that are different than promised; victims who are aware of the type of work and working conditions, but are not aware and/or are not able to foresee the difficult situations they may encounter; workers (who may have been trafficked victims before) who are aware of the type of work and work conditions, but are not given alternative work sites and cannot choose where they work; workers (who may have been trafficked victims before) who are aware of the type of work and work conditions, have the freedom to stay or go with regard to the work concerned, and are able to select their work site.

environmental, or linguistic. For instance, Meena Paudel from the Nepal Disabled Women's Association explained how transit-related violence informs the right to mobility for women with disabilities in Nepal:

Disabled women who take public transportation face sexual harassment, especially during office time commutes. Blind women are touched in sensitive parts of their bodies. Disabled women are forcibly taken off their routes and abused. For us, the right to mobility includes the ability to move safely and efficiently from one place to another, including walking without tripping, being able to cross streets, and use public transportation.

Parichiti, based in Kolkata, West Bengal, India, gained a deeper understanding of violence faced by domestic workers during their daily commutes by conducting safety audits in train stations. Anchita Ghatak from Parichiti described this approach:

We did a safety audit where we covered four local stations, released a report and conducted meetings with railway authorities about key concerns. Key concerns related to need for better infrastructure, such as having accessible toilets. We also did a signature campaign demanding a shed at the station where women can sit when they wait.

In order to keep in touch with the needs of women domestic workers, Parichiti conducts ongoing outreach at commuter train transit junctures. Anchita explained:

We work at commuter train stations in metro Kolkata—places where women transit through as they move to and from suburbs to Kolkata for domestic work. We go at times when women are waiting for trains. They know they can find us there. They may come with complaints, information, or seeking information. Our work is to listen and keep in touch with their lives and the challenges they face.

The types of transit violence described by women with disabilities and domestic workers are distinct from those described by indigenous women living in remote areas, domestic workers confined to the homes of their

employers, and minority women restricted to areas ghettoized on the basis of religious identity. While the range of restrictions mentioned by respondents are meaningfully distinct, they are also deeply similar in that in each of these scenarios violence is gendered and intersects with relationships of power that limit women's social interactions and autonomy on the basis of their subjective construction within parameters of ethnic, religious, and class difference.

### *Workplace Violence*

Women who find employment in the informal sector are more vulnerable to abuse, including precarious working conditions, low pay, and exposure to violence and forced labor (United Nations Human Rights Council 2014). These women have comparatively fewer options for employment and may therefore be willing to take more significant risks to meet their personal and family needs. They may also have fewer networks and less information to guide them in their recruitment and placement processes.

Workplace safety surfaced as a key site of intervention among respondents. Strategies for addressing workplace violence include initiatives to activate legal protections. For instance, according to Elizabeth Khumallambam from Nari Shakti Manch (NSM), a women's empowerment platform for garment and domestic workers in the Gurgaon production hub in Haryana, India, while most factories have established sexual harassment committees on paper, these committees have not materialized in practice. NSM addresses these implementation gaps by supporting informal sector migrant women garment workers, through their collectives, to activate workplace protections under India's Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act of 2013. Strategies include the following: first, informing women through their collectives about their rights and entitlements; second, explaining the role of police and judicial processes in promoting workplace and public safety; and third, supporting women's collectives in building strategic partnerships with employers, police, judiciary, and labor officials to enhance safety at work, home, and in the community.

Where women engage in unprotected work, outside the bounds of legal protection, respondents reported using collective action strategies to address workplace violence. For instance, representatives from Veshya Anyak Mukti Parishad (VAMP), a member of the National Network of Sex Workers in India, discussed initiatives by sex worker collectives to promote safe working environments for sex workers through Conflict Resolution Samitis

(forums). As explained by Raju, organized collectives of sex workers, Conflict Resolution Samitis, are able to effectively bargain with brothel owners. He gave the following example:

Kopila was sold to a trafficker by her husband in Nepal. She ended up in a brothel owned by a Nepali brothel owner [in India]. One of the sex workers in the brothel realized that she had been trafficked. She was brought to a Conflict Resolution Samiti and we asked her what she wanted. She said that she wanted to return to her natal family home in Nepal. The Conflict Resolution Samiti intervened on her behalf with the brothel owner. The brothel owners do not want any trouble with the Samiti. They sent her home.

In this case, the Conflict Resolution Samiti intervened on behalf of Kopila to stage an intervention with the brothel owner in an identified case of trafficking. The resolution in this case was determined by Kopila and guided the Samiti advocacy.

Migrant women workers and their collectives and organizations engage a wide variety of formal and informal institutions and authorities, including railway station authorities, police, the judiciary, labor officials, and employers. The range of authorities they engage reveals a complex experiential mapping of governmentality. The processes they use to engage these distinct administrations and governing rationalities reflect nuanced understandings of positionality and possibility for action.

## **CONCLUSION**

How do migrant women workers confront and resist restrictions on their mobility? This study provides an answer rooted in the lived experiences of migrant women workers that details both the restrictive forces they confront and the resistance strategies they deploy. Paternalistic social norms are anchored in legal and policy frameworks that confine women to narrow roles within the domestic sphere, control women's sexuality, and stigmatize women who breach these norms. Stigma and the positioning of migrant women as in need of protection from violence conspire with the apparatus of the state to further undermine women's mobility and autonomy. Inscribed at the intersection of patriarchy and the state, restrictions on mobility are hegemonic, but they are not absolute. Instead, they are unraveled and

reworked by migrant women organizers and their allies. In these ways, migrant women not only experience technologies of power, but also engage in the process of challenging and reorienting these processes at the level of the family, community, and the apparatus of the state.

The analytic perspective articulated in this paper considers borderscapes and governmentality as not only compatible hermeneutic frameworks, but a key site of intersection for scholarship on migration. This framework for analysis recognizes resonances between policies and practices in the region that are rooted in shared colonial histories, patriarchal norms, and experiences of women workers whose migration pathways move between these countries. This approach also recognizes women as integral players in shaping migration practices; lends insight into the role that migration processes play in producing subjectivity; and reimagines national boundaries as they are traversed by bodies, discourses, practices, and relationships. The practice of reading governmentality across borderscapes stands to inform research on global production networks, labor supply chains, urbanization, and local, national, and regional processes of displacement.



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