Immigrants, Markets, Brokers, and States: The Politics of Illiberal Migration Governance in the Arab Gulf

Hélène Thiollet

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Abstract

Despite seemingly open immigration policies and rights-based reforms, the six Gulf Cooperation Council (GCC) countries recently engaged in international and domestic policies to better control immigration. This article unpacks the realpolitik of mass immigration conducted by the Gulf states by showing how they use retaliatory and coercive migration diplomacies as well as migrant rights-washing on the international scene to shape immigration flows. At the domestic level, Gulf governments' reforms seek to police labour market segmentation and institutionalise a regime of "differential exclusion" that officialises intersectional discriminations across nationalities and class. Drawing upon sources in English and Arabic, as well as interviews with public officials, businessmen, and migrants in the region over a decade (2006-2017), this article describes how states and nonstate actors, including businessmen, migrant networks, and brokers, operate policies and practices of control.

I first find that a recent sovereign turn has transformed migration politics in the Gulf. I show that contingent state policies and reforms in the past decades more accurately account for migration governance processes than oil prices and market dynamics, the nature of political regimes, or the rentier structures of Gulf polities. This study thus fills a gap in migration research on the Global South that usually focuses on emigration countries and diaspora policies and underestimates the role of immigration policies.

Secondly, I find that migration policies have become more discriminatory across migrant categories in the GCC, as other studies have shown for OECD countries. Such findings lead us to discuss the global relevance of illiberal practices and policies and introduce the hypothesis of a global convergence in illiberal migration governance.

Author: Helene Thiollet (Sciences Po CERI, CNRS, Paris, France), helene.thiollet@sciencespo.fr

Contents

Introduction

Since the late 2000s, immigration to six oil and gas-producing countries of the Gulf Cooperation Council (GCC) — Bahrain, Kuwait, Saudi Arabia, the United Arab Emirates, Qatar, and Oman — has rapidly increased. This second migration "boom" echoes the one that happened in the early 1970 with the rise of oil prices. Compared to the immigration boom of the 1970s, which mostly brought in Arab immigrants from neighbouring Arab countries, this second, large immigration push has brought to the Gulf immigrants from more diverse origins, mainly from Asia. It has also happened in the context of major policy reforms that introduced labour rights for both nationals and migrants as opposed to the weak legal and policy framework of the 1970s. In sum, immigration to the Gulf seemingly became more global and migration governance more regulated. As such, the Gulf seems to support the global "convergence" hypothesis (Rosenblum and Cornelius 2012; Cornelius, Martin, and Hollifield 1994; Hollifield 1992), which predicts that international migration governance tends to be more and more rights based and that migration trends tend to be increasingly driven by market dynamics, leading to more diverse and global immigration trends. Both processes of regulatory and economic convergence support the idea of a political and economic liberalisation of international migration governance.

Yet in the Gulf, these processes of liberalisation have led to little effective protection for immigrants (rights-based liberalism) and have not given more autonomy to markets and economic actors (market-based liberalism). On the contrary, I argue that migration governance has taken a *sovereign turn* in the Gulf. States have sought to enhance their direct and indirect control over immigration using contingent policies and structural reforms. Such processes are aimed at limiting the agency of markets, brokers, and immigrant networks both through immigration policies — the selection and admission of migrants, border control, visa requirements, deportation, expulsion, and return — and immigrant policies – conditions of residence, stay and integration, and socioeconomic rights (Hammar 1985, 7-9).

This paper unpacks the politics of migration governance in the six GCC countries since the early 2000s, looking at both the international and domestic "levels" of the immigration policy game (Putnam 1988) to explain how this sovereign turn happened in the specific context of the six oil rentier states. While recent comparative studies have tried to demonstrate *why* migration policies are "open" or "liberal" in dictatorships (Mirilovic 2010) or rentier states (Shin 2017) using policy indexes and migration numbers, they fall short of accounting for variations in migrant numbers and origins across time and explaining *how* governments operate in contexts where ruling and economic elites' interests intersect or collide. By looking at the international politics of Gulf immigration and their domestic roots, this article brings seemingly exotic case studies into central debates on the role of

states in migration politics. To do so, it adopts a qualitative empirical stance, relying on sources in English and Arabic and ten years of ethnographic fieldwork in the region.[1]

At the international level, I show how immigrant selection and selective deportations are channelled through both security-oriented policies and new public-private partnerships in migration diplomacies. I particularly examine diplomatic struggles between sending and receiving states around immigrants' rights and wages. These struggles have only brought symbolic changes in migrants' legal leverage and protection, but they have enhanced both sending and receiving states' control over migration flows. I describe such outcomes as "migrant rights-washing."

At the domestic level, I show how governments increasingly tried to police labour markets and the mesostructures of migration governance (Faist 1997), such as recruiters and brokers. I find that mass labour import and new labour laws go hand in hand with illiberal regulations and practices that limit migrants' autonomy and reinforce intersectional discriminations across nationalities and class. I argue that labour reforms therefore tend to institutionalise migrants' differential exclusion rather than improve integration and protection.

This paper engages with two central debates in the literature on migration politics.

Firstly, it contributes to the discussion around sovereignty in migration governance, an issue generally studied in democratic and liberal contexts (Guiraudon and Lahav 2000; Hollifield and Wong 2013; Joppke 2007). It thus fills a gap in research on migration politics in the Global South that usually focuses on *emigration* countries and diaspora policies and underestimates the role of *immigration* policies (Weiner 1985, 450), sometimes even denying the very existence of such policies (Brochmann and Hammar 1999, 12). Governance processes[2] under study here are taking place in contexts where boundaries between public and private actors are often analytically blurred and where states are deemed particularly porous to the interests of ruling families who are also business actors. The country's resources and economy are often said to be managed by "private governments" (Ayubi 1995, 229) and markets are sometimes considered as "appendix to the state" (Hertog 2013, 175). My argument, however, seeks to question classical, patrimonial frameworks[3] or ad hoc clientelist

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[1] This research relies on demographic data, media, and administrative and policy documents in English and Arabic, as well as ethnographic fieldwork. Semi-structured interviews were conducted in Saudi Arabia in 2006, 2013, 2015, and 2017 with government officials, employers, and recruiters, as well as immigrants from various origins (N=57) in Riyadh and Jeddah in 2006, 2015, and 2017.

[2] This article focuses on governance *processes* understood as "how [global] outcomes are produced and how actors are differentially enabled and constrained" (Barnett and Duvall 2005, 3-4).

[3] In rentier states, ruling elites are considered to uphold a joint authority over economic and political spheres and use redistributive policies and kinship solidarity combined with ideological and religious control, with occasional repression . Rent-dependent regimes classically hybridise authoritarian, state-based monarchical rule with patronage networks channelled through ethnic kinship (tribes and extended family, or '*â'ila*) and trading

bargaining between governments and businesses (Freeman 1995) or contention between governments and courts (Joppke 2001). It explains how immigrants are allowed in and what kind of rights they are (not) provided with. The sovereign turn observed in the Gulf, however, resonates in many other contexts, including Western ones (Joppke 2007). This trend not only challenges the global "disaggregation of authority" (Rosenau 1995) or the notion of (self)limited sovereignty in liberal democracies (Joppke 2007) but also the idea of a structurally "limited statehood" in non-Western contexts (Risse 2013). As such, this piece goes beyond simple dichotomies between state-centred or nonstate approaches (Barnett and Duvall 2004; Gamlen and Marsh 2012) or Western and non-Western migration policies (Diamant 1959; Natter 2018).

Secondly, a general ambition of this piece is to describe the often-forgotten *illiberal* structures[4] of global migration governance and bring large immigration countries of the Gulf into the discussion of migration politics.[5] A largely Western-centric literature usually frames migration governance as driven by rights-enhancing and market-based mechanisms.[6] In this context, "illiberal processes" of migration governance (immigration limitation, deportation, migrants' selection on a non-labour-related basis, rights deprivation, etc.) are usually conceptualised as policy failures and implementation gaps (Czaika and de Haas 2013) or exotic exceptions. In fact, existing immigration policy indexes usually exclude Gulf monarchies (Bjerre et al. 2015), as well as most Southern immigration countries, in spite of their empirical relevance.[7] This paper argues that illiberal migration governance in the GCC cannot be conceptualised as an "implementation gap" diverging from global liberal trends. I show that migration governance is actually driven by security concerns and designed to enhance states' control over market processes, the transnational migration industry (defined by Gammeltoft-Hansen and Sørensen 2013), and migrants' networks. As such, the Gulf offers a novel take on illiberal migration governance as a political project and a set of practices that are not limited to undemocratic

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families (Beblawi and Luciani 1987). Political arrangements and power configurations between tribal elites, ruling dynasties, and important merchant families vary across countries and over time. See for Saudi Arabia (Chaudhry 1997; Hertog 2010), for Kuwait (Herb2014).

[4] "Governance structures" refer to both institutions and practices (Behrend and Whitehead 2016).

[5] The Gulf is mostly absent from reference books on international migration politics and global migration governance or migration theories (Brettell and Hollifield 2008). At best, the Gulf countries are singled out as outliers (Castles et al. 2013) or exceptional (Fargues and de Bel-Air 2015) and mostly feature in area-specific research (Khalaf et al. 2015; Luciani and Salamé 1988).

[6] The phrase "migration governance" is hardly ever used to describe how migration is managed in undemocratic and illiberal contexts, focusing on processes happening *across* and *within* liberal democracies (see for instance Kunz et al. 2011). Authors have recently attempted to bring into scholarly debates non-Western cases like Singapore (Koh et al. 2017) and South Africa (Klotz 2013).

[7] The GCC countries are the third-largest migrant-receiving region in the world after North America and the European Union (UNDESA, Population Division 2017). They host the highest proportion of foreigners, and most Gulf immigrants come from developing countries. All three characteristics make them crucial to understanding the governance of South-South migration, which composes the majority of flows today (Abel and Sander 2014). Few recent studies have included some or all GCC countries in policy index-based analyses (Mirilovic 2010; Peters 2015; Ruhs 2017; Shin 2017).

contexts.[8] Even if migration policies are more open in the Gulf and more restrictive in OECD countries (Beine et al. 2016), since the 1990s, policies have become more discriminatory across migrant categories in both OECD countries (de Haas et al. 2018; Mau et al. 2015) and in the GCC. Rather than outliers or exceptions, the GCC countries can thus open a discussion around converging trends of illiberal migration governance.

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[8] I adopt a broad understanding of "illiberal" beyond a "human rights problem" (Glasius and Michaelsen 2018) or a regime issue (Er 1999), adding a market-based dimension to it but converging with analyses that find illiberal practices in both undemocratic and democratic contexts (Behrend and Whitehead 2016).

1 Liberal decoys: More immigrants from more diverse origins with more rights?

1.1 A second immigration boom

Immigration flows to the Gulf have been massive since the 1970s, and the variations displayed in Figure 1 show a strong correlation between oil prices and net migration rates[9] after the OPEC-led oil embargo against the United States in 1973. Echoing the peaks of both commodity prices and immigration flows of the 1970s, the region experienced a second immigration boom in the 2000s that also correlated with rising oil prices. The immigrant population in the GCC went from 8 to 10 million from 1990 to 2000, then jumped to 20 million in 2010 and 25 million in 2015 (UNDESA, Population Division 2017).

Figure 1: Average net migration rates per thousand (‰) of inhabitants in the GCC (left axis) and Oil prices in 2016 USD (right axis) from 1950 to 2015.
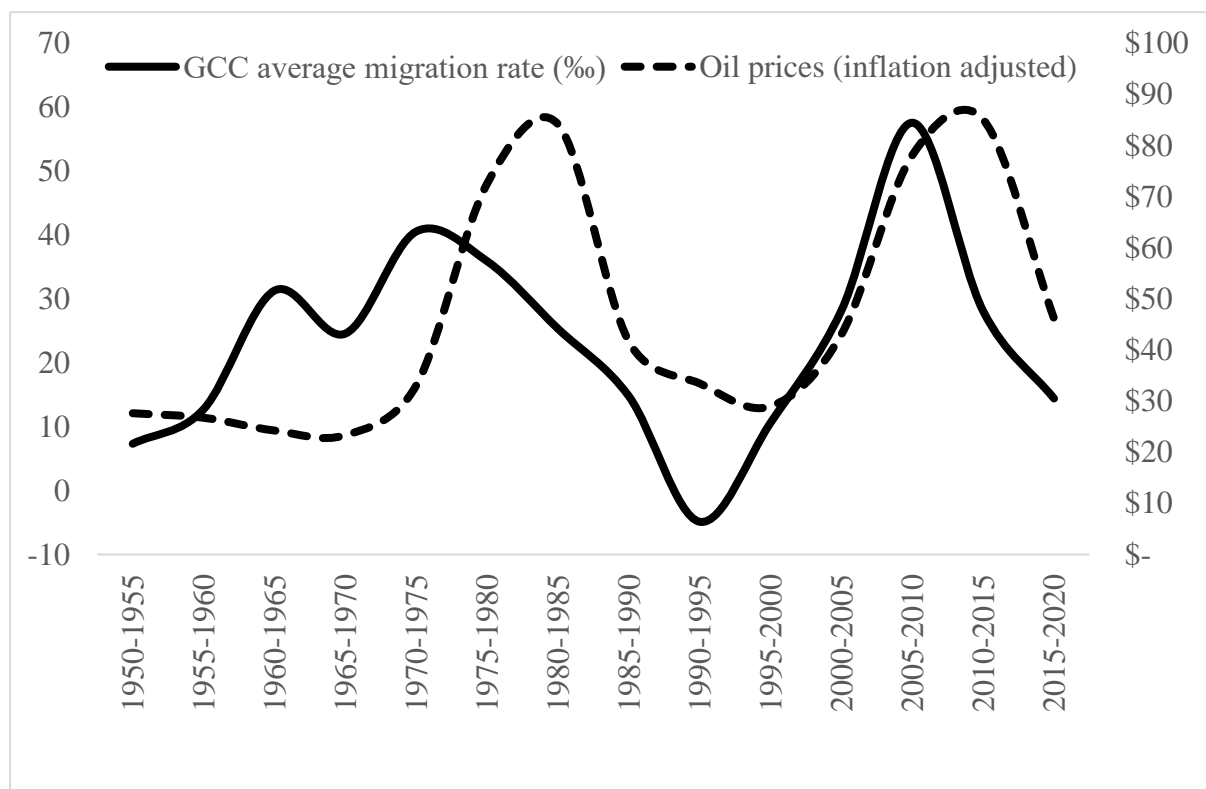
Source: UNDESA, Population Division 2015.

Focusing on commodity prices related to labour demands, many experts interested in Gulf migration

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[9] Net migration rates capture migration flows through the number of immigrants minus the number of emigrants as a ratio of the local population and are calculated per thousand of inhabitants.

have underestimated the role of political variables in determining the magnitude and nature of immigration. Many have described the politics of migration governance as "open door" (Fasano and Iqbal 2003), "liberal migration policies" (Feiler 1991, 147), "liberal and nonselective migration policies" (Winckler 1997, 483) or *laissez-faire* approach (Richards and Martin 1983) emphasising the oil/migration dependency through historical, qualitative, and quantitative analysis (Birks et al. 1986; Jones 2010; Naufal 2015; Winckler 2017, 116-159).

1.2 The globalisation of migration flows

Furthermore, immigration became more "global" around the 1990s. If migrants were mainly coming from neighbouring Arab countries up to the late 1980s, in the 1990s most came from Asia and particularly from India, which represented 32 percent of all foreigners in the region in 2015 (Figure 2). Asian workers are often said to have "replaced" Arab workers (mostly for unskilled labour) because they were "cheaper" in an era of decreasing oil revenue (Kapiszewski 2006, 9) although the shift is critically discussed in the literature as a political one (Choucri 1986; Fargues2000; Humphrey et al. 1991; Thiollet 2011). The geography of migration networks changed in the 1990s, globalising Gulf migration and feeding diverse ethnic economies in the GCC. Although they did not "replace" Arab workers, Asian immigrants who staffed mostly low-skill sectors in the 2000s (Girgis 2002) came to also occupy semi- and skilled jobs in the 2010s (*Gulf Business* 2017). Shops and restaurants opened to cater for their needs, creating ethnic economies in these new "global cities" (Elsheshtawy 2010).

Figure 2: Number of immigrants in the GCC by main regions of origin in 2015[10]
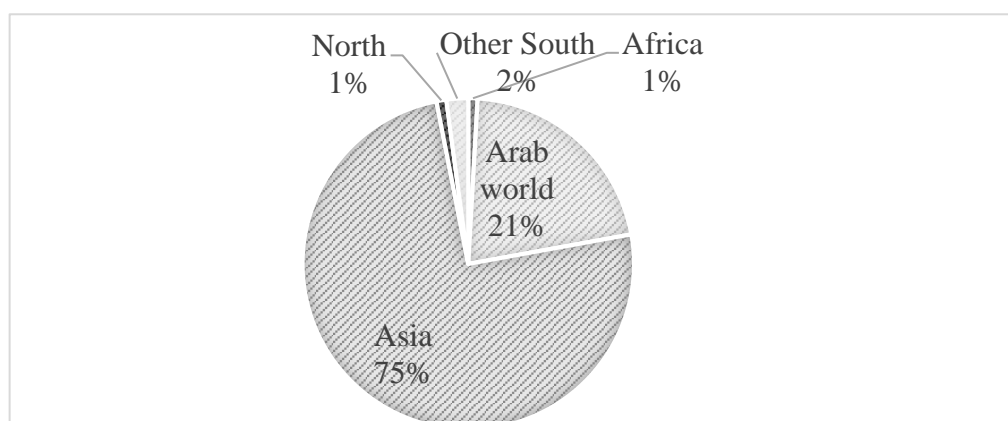
Source: UNDESA, Population Division 2015.

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[10] Asian countries include Afghanistan, Bangladesh, India, Indonesia, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Turkey. Arab countries include Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Morocco, Qatar, Saudi Arabia, State of Palestine, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen. African countries include Chad, Eritrea, Ethiopia, Nigeria, Somalia, South Sudan. "Northern" countries include USA, France, Netherlands, UK, Other North.

1.3 Rights-based international cooperation and domestic reforms

In the early 2000s, Gulf governments engaged in South-South cooperation around migration issues through bilateral and sectorial agreements with Arab[11] and Asian countries.[12] At the multilateral level, the Abu Dhabi Dialogue initiated in 2008 sought to "improve the governance of labour migration in the Asia-Gulf corridor" through "non-binding regional consultative processes"[13] under the auspices of the International Organisation for Migration (IOM) and the International Labour Organisation (ILO). In the late 2000s, Gulf governments adopted discourses and initiated reforms in favour of rights-based labour migration governance (Khan and Harroff-Tavel 2011). Reforms often concerned the sponsorship system or *kafala* (al-Jazeera 2015),[14] widely criticised by human rights activists (Human Rights Watch 2010), sending states like the Philippines (Aben 2018), and scholars alike. The *kafala* is often considered the main source of exploitative practices in labour migration and the main cause of migrant abuses, as it generates situations of "unfree labour" (Longva 1999). New legislation was introduced in Kuwait, Saudi Arabia, and Qatar to allow workers to change jobs without their *kufala'* or employers' authorisation (under conditions), but it the *kafala* as a whole was only suppressed in Bahrain in 2009.

2   The *realpolitik* of numbers: Unpacking migration diplomacies

The ethnic or national selection of immigrants signals security concerns of immigration states (Weiner 1993) and offers an indicator of illiberal and racialised migration policies both for proponents of the liberal convergence thesis in Europe (Joppke 2005) and for its adversaries in the Americas (FitzGerald and Cook-Martín 2014). To shape the volume and composition of flows (migrant selection), Gulf governments use not only coercive diplomacy and formal cooperation with sending states but also domestic labour regulations to police transnational networks of chain migration.

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[11] See for instance in the UAE, Federal Decree No. 45 on Regulating the Recruitment and Employment of Syrian Workers made between the United Arab Emirates and the Government of the Syrian Arab Republic in 2009 and Federal Decree No. 92 on the ratification of the Convention for the Cooperation in the Field of Manpower Between the Government of the United Arab Emirates and the Government of the Kingdom of Jordan in 2007, and a Memorandum of Understanding with the Government of Nepal in the Field of Manpower the same year.

[12] See for instance in Saudi Arabia, the Council of Ministers Resolution No. 68 (Sri Lanka) and Council of Ministers Resolution No. 19 (Philippines) regarding the bilateral agreement for the recruitment of domestic workers signed in 2014.

[13] See "About Abu Dhabi Dialogue" on the official website, http://abudhabidialogue.org.ae/about-abu-dhabi-dialogue.

[14] Immigration and migrants' lives are legally dependent on sponsors (singular *Kafil*, plur*al kufala')* that may or may not be a migrant's employer. Intermediation is required for migrants' entry and exit, hiring and laying off, job changes, residence rights, family reunion, and business investment, all in exchange for fees.

Retaliatory migration diplomacies most famously have impacted Arab immigration in 1991 and again in 2011, but they also feature in Arab-Asian relations. The recent evolutions have generated little research in international studies contrary to the 1970s-80s (Ibrahim 1982; Shafik1998; Thiollet 2011).

2.1 Targeted deportations

Selective immigration and deportation policies unveil the use of migrants as leverage in foreign policy (Thiollet 2011; Tsourapas 2018), particularly in times of crises. All induced extreme changes in the volume of immigration, as observed in Figure 1, but also in its composition. The often-cited historical example of such policies is the mass deportation of Arab migrants from Kuwait and Saudi Arabia during the 1991 Gulf War (Van Hear 1998).[15] Kuwait and Saudi Arabia retaliated against Palestinian and Yemeni residents because of the explicit or implicit support granted to the Iraqi invasion of Kuwait by the Palestinian Liberation Organisation and Yemeni President Ali Abdallah Saleh. In both cases, administrative constraints on immigration and residence were arbitrarily changed for specific categories of migrants. In Kuwait, Palestinians' residence permits were cancelled or not renewed, state-owned firms laid off Palestinian employees, and those who had left the country before the invasion were forbidden to return. In Saudi Arabia, Yemenis were the main expatriate community in the country when a royal decree ended the exemption of sponsorship requirement they enjoyed and more than 800,000 had to leave.

Foreign policy again accounts for Saudi Arabia's mass expulsions of Yemenis in 2011. Yemenis were the primary targets of "correction" campaigns undertaken by the Saudi government against irregular immigrants. Expulsions came as a retaliation against the Iran-supported Houthi government that took power in Sanaa in 2013 and as a way to shatter the Yemeni economy and society with mass returns and a remittances downfall. Between June 2013 and November 2014, 613,473 Yemenis were expelled and deportations continued, with Yemenis composing up to 65 percent of the deported in 2017 (McKernan 2018). Yemenis also came under acute police surveillance, notably in Riyadh, Jeddah, and in the border cities of Jizan, Abha, and Najran.[16] In the UAE, targeted deportation concerned Shia Lebanese in 2015 in the wake of the political condemnation of Hezbollah (Khalil 2015). Kuwait deployed campaigns against irregular migration in 2011 and in 2015, with over 100,000 foreigners apprehended each time; actual deportations were unevenly implemented, more harshly against Syrians (Shah 2014, 7) than against the majority of irregular residents (Bangladeshis and Egyptians). With routinely organised crackdowns on irregular immigrants, police raids and actual deportations often combined security and administrative motives in a context where informality was generally tolerated. Interviews with public officials acknowledge the limited impact of deportations on irregular migration

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[15] The composition of immigrant communities varies across countries, and Saudi Arabia retained or reincorporated sizable proportions of Arab immigrants after 1991, contrary to Kuwait (Girgis 2002).
[16] Interviews with Yemeni migrants, Jeddah, November 2017.

but emphasise their use as a signal of state control.[17]

2.2 *Selective labour import: Managing migration interdependence*

Saudi ministry officials in the early 2000s underplayed the role governmental policies play in migrant selection: "The private sector decides the nationality of workers, not the ministry of labour. The market decides (…) and the chambers of commerce operate the recruitments," said a high-ranking official of the Saudi Ministry of Labour in 2006. He added, "We do not have specific arrangements with any country. (…) We don't even know how many Arabs and Asians are here. We have our labour law and that's all we need."[18]

An African diplomat interviewed in 2006 explained that "the embassy in Riyadh and the consulate in Jeddah did not interfere with the migration process and had as little intervention as possible in the recruitment and sponsorship dynamics."[19]

In fact, no evidence can be found of "visa policies" selecting immigrants by nationality, but as a Saudi academic summarised, "There is no immigration policy in Saudi Arabia," but there are "hidden politics" of migration that "have to do with international politics."[20] These "hidden politics" translated into both international cooperation and public-private arrangements.

From the 1960s to the 1980s, migration from Arab countries — notably Egypt — was perceived as a vector of Pan-Arab integration (Shafik 1998) and supported for political motives (Fargues 2000; Thiollet 2011). In the 1990s, migration interdependence (Hollifield and Faruk 2017; Tsourapas 2018) with Arab states came to be seen as a threatening form of "dependency." Arab immigrants who were well connected to host societies came to be seen as a growing threat to local rulers (Chalcraft 2011), as opposed to "disenfranchised" or "quiet" South Asians who would not unsettle local regimes (Choucri 1986, 252; Weiner 1982, 3). South Asian migrants were also seen as more easily "controlled" and expendable (Humphrey et al. 1991, 47). Asian immigration, however, created new cultural and existential "threats" (officials' quotes cited by Kapiszewski 2006, 8) in a context of rising discourses on *khaleeji* (Gulf) and national identities (Dresch and Piscatori 2013). Thus, concerns for political influence of certain groups of Arab immigrants blended into the overall fear of the "demographic imbalance" between foreigners and nationals (Al-Shehabi 2014).

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[17] Interviews with members of the Majlis ash-Shura and officials from the Ministry of Labour, Riyadh and Jeddah, 2015.

[18] Interview, Ministry of Labour, Riyadh, 2006.
[19] Interview, Eritrean embassy, Riyadh, 2006.
[20] Interview, Riyadh, 2006.

In Saudi Arabia, a "10 percent" rule was informally established in the 1990s by the Manpower Council (abolished in 2004): the agency tried to impose that no single nationality would represent more than 10 percent of the total foreign population but failed to enforce the limitation.[21]

In the UAE, Kuwait, and Qatar, English was introduced alongside Arabic in the early 2000s as a language of instruction from secondary levels onwards, which accelerated the recruitment of English-speaking Indian and Pakistani academics instead of Egyptian and other Arab-speaking nationalities. If such policies did not prevent Arab immigrants from staying in the UAE, they clearly limited the opportunities of new immigrants from Egypt or Lebanon to migrate (Assaf 2017; Gruntz 2014), inducing changes in the cumulative composition of immigrant communities or chain migration.

Fieldwork conducted in 2017 among Pakistani taxi drivers in Riyadh[22] illustrates the impact of state policies in a sector where the migrants had acquired quite a degree of autonomy and even leverage due to a quasi-monopoly on the urban transportation industry. In 2017, over 10,000 Pakistanis formed a majority of Riyadh's taxi drivers,[23] most of them from Peshawar and the Khyber Pakhtunkhwa (PKP) province ("Patan"). Chain migration was organised since the 1960s by small entrepreneurs and drivers in the transportation industry back in PKP. Similar to other migrant workers in low-paid service sectors in the GCC, they hardly ever bring their families with them although they often stay in Saudi Arabia for decades, maintaining transnational lives with families back home. Official limitations were imposed in 2012 on hiring foreigners for two main private chauffeur services, Uber and Careem, in the context of *Nitaqat* programmes designed to promote nationals' employment. Drivers interviewed considered new Patan immigration has decreased since 2013. Informal networks could not provide official migration documentations "as before." and drivers had to transfer their work and residence permits to large companies. Further interviews with Pakistani diplomats in Riyadh unveiled a significant rise in official implications in migration management for the second-largest migrant community in the country, notably in the context of "correction campaigns" launched against irregular migrants.[24]

2.3 States and the immigration industry

As mentioned earlier, immigrant selection qualifies as "hidden politics" as governments push for more indirect control over private actors via "arm's length public bodies" or public-private partnerships. But contrary to the dynamics of devolution in Western democracies, "delegated governance" (Denton and Flinders 2006) in the Gulf actually empowers states instead of externalising

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[21] Interview, Ministry of Labour, Riyadh, 2006.
[22] Interviews (N=17) conducted in Riyadh, November 2017.
[23] Interview with government officials at the Pakistani embassy and Saudi Ministry of Labour, Riyadh, November 2017.
[24] Interviews, Pakistani embassy, Riyadh, 2017.

sovereign control to private intermediaries. Business-government coalitions in migration management appear less surprising in patrimonial contexts than the "strange bedfellows" analysed in the United States (Freeman 1995; Zolberg 2008). However, beyond extended ruling families (*kinship corporatism*) or prominent merchant/tribal elites (Hanieh 2011), new institutions and formal public-private partnerships were crafted in the 2000s.

In Saudi Arabia, the position of Deputy Minister for International Affairs was created in 2013 specifically to manage the increasing number of bilateral and multilateral agreements regarding labour import.[25] The deputy minister, however, explains, "The government does not want to enter into political relations with emigrating countries, and the chambers of commerce and their recruitment committees (*Lijân al-Istiqdâm*) are foreign governments' counterparts so that the Saudi government is neither legally responsible nor politically involved."[26] Still mentioning "self-regulated labour markets," public officials in 2015 more openly defended state-led migration control. Multilateral negotiations crafting migration agreements in the 2010s "embedded" members of the recruitment committees of chambers of commerce, but the committees were structurally put under state control with the inclusion of representatives of the chambers and the ministries of Labour and Interior after a reform of the Council of Saudi Chambers in 2013.[27]

In 2013, the Saudi government reformed the recruitment sector and limited the number of firms operating transnationally to better control the private dynamics of labour import to the country, with echoes in sending countries. [28] The Ministry of Labour introduced a system of licensing to foster the emergence of mega firms. Aiming at "cleaning up" the recruitment sector,[29] they made the industry formally state dependent.

The CEO of a large recruitment firm described the role of businessmen as "key mediators in migration diplomacy": he participated in the negotiations on minimum wages with Indonesia.[30] However, he emphasised the ever-growing government control over the transnational recruitment business, notably with the state licensing of recruitment firms. Given his "connections to government officials," he obtained one of the few licences distributed by the Saudi ministry in 2013, whereas they were denied to other prominent businessmen. His experience illustrates porous boundaries between private and public spheres typical of rentier polities but also echoes the increasingly formalised state

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[25] Interview with the Deputy Minister of International Affairs, Ministry of Labour, Riyadh, 2015.
[26] Interview, Chamber of Commerce, Jeddah, 2006.
[27] Interview, Council of Saudi Chambers of Commerce, Riyadh, 2013.
[28] In 2016, the Indian government started to channel migrant recruitment to six state-run recruitment agencies for nurses and domestic workers. Similarly, the Philippine Overseas Employment Administration (POEA) controls transnational recruitment agencies with offices both in origin and receiving countries in the Gulf through a licencing process that strictly enforces migrant and wage control (POEA 2018).
[29] Interviews, Ministry of Labour, Riyadh, 2015.
[30] Interviews, Riyadh, 2015.

control of the transnational recruitment sector,[31] thus structuring an illiberal transnationalism (Thiollet 2017).

States and the migration industry operate along a continuum that can blur the public-private distinction as described in classical studies (Harney 1979; Lahav 1998). As Gulf business actors gained political momentum in the 1990s (Hertog 2013), reforms in the recruitment sector and labour market institutions were aimed at enhancing states' structural power (Barnett and Duvall 2004) beyond rentierism and patrimonial relations.

3 The international politics of wages and rights

International cooperation and diplomatic struggles around migrant rights and wages between Gulf and Asian governments in the 2000s illustrate the political engagement of both sending and receiving states in migration governance. Paradoxically, they yielded little liberal outcomes for immigrants but actually changed power relations between Asian sending countries and the GCC as well as between governments and nonstate actors.

3.1 Rights and wages: Issue linkage in migration governance

In the past decade, emigration countries like India and the Philippines developed emigration and diaspora policies to both protect and control emigrants and secure large inflows of remittances. Asian states have repeatedly used "migration bans" against Gulf monarchies, as a way to flex their muscles in multilateral migration governance. In 2011, Indonesia and Saudi Arabia engaged in diplomatic arm wrestling over migrant maids. The Indonesian government announced a ban on emigration of female domestic workers to protest the beheading of a maid, which was only formally lifted in 2013. The Saudi government immediately retaliated, in turn banning all labour migration from Indonesia. A similar ban was imposed from 2015 to 2018 to the Gulf countries and other Middle Eastern destinations, with little effect but the increase of irregular migration. Similar diplomatic confrontations pitted the Philippines against Saudi Arabia in 2011 after the Filipino government imposed a minimum wage policy for their nationals, and Kuwait in 2016. Bans sometimes turn into more permanent constraints. In 2012, the Indian government banned migration for females under age

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[31] He founded his company in the 1980s to recruit workers from Indonesia. He became the head of the Saudi-Indonesian recruitment committee for the Riyadh Chamber of Commerce, and, as Indonesian migration increased, he ended up heading the chamber's recruitment committee that oversees all bilateral committees' activities. He later served as chair for the recruitment committees at the Council of Saudi Chambers. Interviews, Riyadh, 2013 and 2015.

thirty to the Gulf countries which were already listed as Emigration Check Required countries under the Emigration Act of 1983. Nepal did so the same year. Rather than dilemmas of "promotion or protection" mentioned by Ruhs (2013, 138-144), I argue that sending countries impose "issue linkage" between migrants rights and wages in their diplomatic bargaining and muscle flexing. During these crises, the defence of Gulf migrants' civil and labour rights was often tied to negotiations on wages by sending countries. The Gulf had become the largest source of transfer to Asia in a very short period of time,[32] providing USD 72 billion of USD 98 billion in remittances (World Bank 2016).

Emigration countries used criminal cases against migrants and migrant abuse to increase their pressure on economic issues, notably on demands regarding minimum wages. Issue linkages between rights and wages feature as a key tactic of Asian states' migration diplomacy in the 2010s. In 2016, the Philippines threatened to ban emigration of domestic workers to Kuwait after the murder of a maid and used the pressure to bargain in favour of minimum wages for Filipino maids (at KWD 120 or USD 400 per month). The Kuwaiti parliament yielded and became the first Arab country to introduce a minimum wage for domestic workers at KWD 60 or USD 200 per month (State of Kuwait 2016). However, bilateral negotiations between the Filipino Department of Foreign Affairs and Kuwait for a minimum monthly salary of KWD 120 for Filipino domestic workers succeeded in March 2018 under pressure of another ban imposed by Philippines President Rodrigo Duterte. The Philippines had already used the threat of a ban to negotiate a bilateral agreement on maids' wages with Saudi Arabia in 2012 despite strong reluctance from the Saudi government and business community. The Indonesian embassy in Abu Dhabi managed to impose a minimum wage of AED 1,400 or USD 380 on recruitment companies for Indonesian housemaids based on "experience" in the UAE in the context of the overall ban on Indonesian female immigration to the Emirates (Sebugwaawo 2018). Home governments of large migrant communities and their embassies sometimes thus manage to negotiate minimum wages for their nationals either by pressuring or directly regulating recruitment companies.

These differential minimum-wage policies by nationality turn the *de facto* segmentation of Gulf labour markets into a state-endorsed institution. The market hierarchises categories of migrant workers across nationalities. Wage inequalities tend to be particularly visible in low-skilled and care jobs but also show in skilled jobs as a regional survey documents.[33] Eritrean "maids" I met in Riyadh repeatedly lamented the poor "value" they had on the market compared to Filipino maids because of

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[32] Official remittances from the GCC to the Philippines rocketed from almost zero to over USD 3 billion between 1990 and 2011 (Bangko Sentral Ng Pilipinas 2017).

[33] In 2017, a retail bank manager for instance earned an average monthly wage of USD 8,918 if he/she were "Arab," USD 6,846 if he/she were "Asian," and USD 10,747 if he/she were "Western." (*Gulf Business* 2017).

racial prejudices and social prestige attached to them.[34] A wealthy Pakistani family lamented that as highly specialised doctors employed in a private hospital they earned less than their Saudi or Western colleagues of equal skills. But they paid their new Filipino maid more than their previous Indonesian one.[35] Wage gaps translate into hard currency the socially constructed hierarchies between nationalities, often conflating nationality and race to operate a racialisation of labour markets (Jureidini 2003). The moral economies of racialised labour markets are widely accepted and reproduced by employees and employers, migrants and nonmigrants. They translate into policies through the negotiated minimum wages, thus officialising a racialised labour migration governance.

3.2 *Migrant rights-washing: Public diplomacy and migrant control*

International cooperation around migration governance aligned with the general ambition of Gulf states and cities like Dubai, Abu Dhabi, or Doha, to fully participate in international society, develop their "soft power" along international liberal norms (Hertog 2019), and diversify their economies. Gulf states sought to host world events in politics, sports, and arts and developed public diplomacies around those megaevents.[36] The intense pressure exerted by international nongovernment organisations (NGOs) and international organisations (IOs) in these contexts has fostered novel albeit limited legal commitments on behalf of immigrant rights as the case of the 2022 FIFA World Cup in Qatar illustrates (Ratcliffe 2018). In the run-up to its selection, the Qatari state sought to improve its dismal labour-conditions records by creating a wage protection system (WPS) in 2015 and a National Human Rights Committee. Featured on the official website "iloveqatar.net" are quotes from human rights NGO websites that support the message that the state is addressing critiques through the WPS. The official website also offers online forms to file complaints,[37] but the record of implementation remains low, according to human rights organisations (Amnesty International 2019).

International conventions were adopted in the 1990s and 2000s but were often signed and not ratified, or they excluded migrant workers from the provisions adopted, which amounted to excluding a majority of their labour force. [38] More importantly and besides implementation gaps, new legal instruments adopted domestically sought to foster migration control ahead of migrant protection.

The UAE, which reformed its social insurance system and labour regulations concerning foreigners

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[34] Interviews, Riyadh, 2006 and 2015.

[35] Interviews, Riyadh, 2017.

[36] Dubai won the bid for the 2020 World Exposition, Qatar for the 2022 World Cup after organising the United Nations Framework Convention on Climate Change Conference of the Parties (UNFCCC COP) 18 conference.

[37] See "How Qatar's Wage Protection System works for you" published on May 1, 2018 at https://www.iloveqatar.net/news/general/wages-protection-system-wps [accessed May 7, 2019].

[38] See NORMLEX database of the ILO: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1: [accessed May 7, 2019].

between 2005 and 2007, passed a federal law (Federal Law No. 51) to combat trafficking in 2006 that established a National Committee for Combating Trafficking. The law aims to better control foreigners through registration and monitoring, in particular "absconding" workers (who leave their jobs without the employer's authorisation), and limits the possibility of strikes. On the protection side, the committee reported a very limited number of trafficking cases across the Emirates (10 in 2008, 20 in 2009, 43 in 2009, 58 in 2010, 37 in 2011, 47 in 2012, 19 in 2013, 15 in 2014, and 17 in 2015), and charges concerned mostly foreign employers (National Committee 2015). In 2013 and 2015, Saudi Arabia also introduced amendments to the Labour Law, including fines for employers who violate regulations, keep employees' passports, or do not pay workers. But the new labour courts in charge of implementing a decade of reforms were only established in November 2018 and their efficacy was questioned by human right activists (Migrants-rights.org 2019).

The few migrant-led mobilisations that emerged in the Gulf in the 2000s both illustrated the hope for more rights-based governance on behalf of migrant workers and the limits of reforms. Marches and strikes organised by migrants in Kuwait (2005), Dubai (2007-2008), and Saudi Arabia (2016) in the construction and health sectors made visible the often-silenced claims of low-skilled workers (Chalcraft 2011, 50). Some claims were successful in courts, as in the case of the 31,000 complaints about unpaid wages by construction firm Oger in Saudi Arabia in 2016. But wage payment failed to take place, and deportation procedures were implemented against laid-off plaintiffs with the help of foreign embassies (Reuters 2016). Newspapers in the Gulf regularly report the jailing and deportation of striking foreign workers. Interviews conducted in 2017 among immigrants confirm that courts are not deemed to offer credible protection against employers' abuses despite recent reforms.

On the reform agenda, migrant protection therefore lags behind control and repression. State control has increased on entries and exits, for example through biometric visas introduced in 2009 in the UAE and brutal campaigns of deportation against irregular migrants. Labour law mainstreaming only paid lip service to international labour and human rights conventions (Keane and McGeehan 2008) but enhanced states' capacity for migration control.

4 Policing labour markets and brokering control

In the 2000s, mass labour import conjoined with reforms and policies that severely restrained — formally and in practice —- the autonomy of migrants while often pretending to enhance labour rights. Reforms have formally "brought the state" into migration governance through policing practices that reinforced discrimination between migrants and nationals and among migrants.

4.1 Policing labour market segmentation

Wage discrimination between nationals and migrants and among migrants is common across contexts (Portes and Zhou 1993), but how do states intervene in the mesostructures of segmented labour markets?

Gulf governments historically used legal instruments, such as the "nationality clause," to promote nationals' employment in foreign oil companies in the 1930s (Errichiello 2012). In the 1990s, governments started to intervene directly and indirectly to institutionalise the national/migrant distinction. Their involvement varies across countries, as do the "arrangements" through which states partner with migration industries based on the degree of formality and profit (Surak 2018). Governments most famously introduced *nationalisation* policies ("Emiratisation", "Saudisation" etc.) that promoted the employment of citizens. These policies aimed to restructure labour market segmentation between migrants and nonmigrants: nationals who were predominantly in the private sector prior to the 1990s started to enrol as public servants staffing plethoric state services, while foreign workers were progressively banned from accessing public employment. Migrants mostly work in the private sector, where nationals are underrepresented if not quasi absent (see Table 1: Share of nationals and migrants in the labour force by GCC country). They are present across skill levels in all subsectors of activities but are overwhelmingly represented in low-skilled jobs. The 1990s thus permitted the institutionalisation of an exclusionary regime that separates migrants and nonmigrants legally and practically, severely limits naturalisation, reserves free access to socioeconomic benefits and public services (education, health) for nationals, and uses public sector jobs as a vector of rent redistribution.[39]

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[39] Exclusionary policies against migrants are combined with discriminatory policies and practices against nationals along tribal, ethnic, religious, and gender identities across the Gulf, as shown in policies for Shia citizens (Matthiesen 2013), women (Le Renard 2018), or stateless residents (Beaugrand 2017).

Table 1: Share of nationals and migrants in the labour force by GCC country

	Percent of nationals in the private sector	Percent of migrants in the private sector	Percent of nationals in the public sector	Percent of migrants in the public sector
Bahrain (2018)	17.3	82.7	84.5	15.5
Kuwait (2015)	4.1	95.9	70.5	29.5
Oman (2014)	10.9	89.1	85.8	14.2
Saudi Arabia (2017)	18.7	81.3	94.9	5.1
Qatar (2016)	1.1*	99.4*	31.2*	63.8*
United Arab Emirates (2017)	9.1*	87.6*	83.7*	8.0*

Source: National statistics (author's compilation).[40]

Nationalisation policies resurfaced in the 2000s as a core component of migration governance.[41] Governments created national human resources agencies and renamed ministries as the "Ministry of Human Resources and Emiratisation" in the UAE and the "Human Resource Development Fund" (HRDF) in 2000 in Saudi Arabia. In the Emirates, nationals working in private companies are assured

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[40] Definitions of the public and private sectors vary across countries. For Qatar and the UAE, the asterisk (*) signals that the total excludes workers in "other" categories.

Bahrain. Source: Table A. Estimated total employment by citizenship and sector: 2007-2018," Labour Market Regulatory Authority, accessed November 2, 2019, http://blmi.lmra.bh/2018/06/data/lmr/Table_A.pdf. Note: For data from 2004 to 2018 and complete labour force data, see "Bahrain Labour Market Indicators," Labour Market Regulatory Authority, accessed November 2, 2019, http://blmi.lmra.bh/2018/06/mi_data.xml.

Kuwait. Source: Public Authority for Civil Information, Data for 2015 - Table 14-15, released 2016, https://www.paci.gov.kw/stat/. Note: Statistics separate government, nongovernment, and domestic work. Nonnationals may include *bidoon* (stateless) population.

Oman. Source: National Center for Statistics and Information (website), https://www.ncsi.gov.om/Elibrary/LibraryContentDoc/bar_workers%20in%20Oman_8c53b1dc-2672-4de6-819a-d76c7ab4c850.pdf. Note: See also labour force survey in Arabic, p. 21 for 2010 (excludes domestic workers, only percentages are given).

Saudi Arabia. Source: Labour Market Survey 3rd quarter of 2017: data based on registration as civil service (public) vs social insurance + domestic workers: private, General Authority for Statistics.

Qatar. Source: Labour Force Survey 2016, Ministry of Development Planning Statistics, accessed November 2, 2019, https://www.mdps.gov.qa/en/statistics/Statistical%20Releases/Social/LaborForce/2016/labor_force_statistical_analysis_2016_En.pdf. Note: The total does not include workers employed in "other" sectors.

United Arab Emirates. Source: Labour force survey Table 10: percentages of employed nationals and migrants in private sector (private sector, foreign, nonprofit organisations, without establishment + domestic workers employed in private households) and public sector (local and federal government, shared: government and private: foreign, diplomatic authority) and private household and others," Federal Competitiveness and Statistical Authority, http://fcsa.gov.ae/en-us/Pages/Statistics/Statistics-by-Subject.aspx. Note: The total does not include workers employed in "other" sectors.

[41] See for Bahrain (Louer 2008).

the same social security benefits as in government-sector companies. In Saudi Arabia, *Taqat* programmes partly designed by foreign consultants were implemented in 2011 and include extremely large wage subsidies for nationals. Initially designed as temporary measures, HRDF increasingly subsidises newly hired employed Saudis "to replace foreigners" in the private sector.[42] As a complement, governments increased the level of taxation on foreign workers by raising residence permit (*Iqama*) fees and fees on changes to *kafil* and work permits, as well as taxing companies that fail to adjust to the required level of nationals in their staff stipulated in the *Nitaqat* programme. Economic incentives, combined with and financial and legal constraints at the firm level, aim to compensate for the nationals-expat wage gap and change labour market dynamics. The effectiveness of these policies is largely contested (Hertog 2010), but the policies epitomise the ambivalence of the "sovereign turn" as the contradictions between "liberal" claims and the politics of the developmental state bestride officials' discourses. [43]

4.2 Policing intermediation

Migration policy changes have targeted the *kafala*, widely considered a source of migrant exploitation and abuses both by Gulf governments and human rights campaigners (Ratcliffe 2018). Thus governments place the blame for all migrant mistreatment on "sponsors" or employers, often confusing both and their respective legal roles. Reforms loosened control over migrants' professional mobility (in Qatar and the UAE) but mostly aimed to replace government control over immigration and immigrants' lives (in Bahrain and Saudi Arabia).

Constraints on job changes were loosened in Kuwait in 2009 and 2011. In Qatar, several attempts to abolish the system were unsuccessful, only textually replacing "sponsors" with "recruiters" in 2016 (AFP 2016), then finally lifting employer authorisation to leave the country (exit visas) in 2018 and extending the measure to domestic workers in 2019.[44]

In Bahrain, migrant control was transferred to a state agency. King Hamad bin Issa al-Khalifa created the Labour Market Regulatory Authority (LMRA) in 2006 to strengthen government control over labour migration and replace sponsors; the *kafala* was "formally" dismantled in 2009. The LMRA

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[42] The HRDF wage subsidies program started in 2012 and covered 50 percent of the difference between nationals' salary and expatriate ones on a given position. It then increased to 30 percent of the national's salary. The subsidies cap increased from SAR 2000 per month (approximately EUR 481 or USD 534) in 2012 to SAR 4,000 (approximately EUR 962 or USD 1068) in 2014, and its duration was extended to four years. Officials argue that subsidies are temporary (aiming at "upskilling") and should decrease with an increase in "the market value of Saudi workers," but since 2012, the level of financial support has remained high. The withdrawing of governmental support was "hard to imagine" in 2017. Interview with HRDF officials, Riyadh, January 2015 and 2017.

[43] Interview, Ministry of Labour, Riyadh, January 2015.

[44] Workers still had to ask their employer to "leave" and nonpayment as well as abuses remain numerous despite increased fines and penalties for employers.

reintroduced control over labour mobility and residence rights in 2011 and imposed fees on job changes and work permits (LMRA 2016). It became the sponsor of all immigrants, transferring to a state agency the functions performed by individuals, recruiters, or employers.

In Saudi Arabia, the 2013 reform of the recruitment sector transferred sponsorship rights to state-licenced recruitment agencies. The reform targeted large companies and aimed to limit the role of individual sponsors, especially for the retail trade and domestic work sectors that offered space for informal practices outside of state control. The Labour Ministry pushed the 21 licenced recruitment companies to serve as sponsors for maids, drivers, gardeners, shopkeepers, etc. paid by the hour. [45] For the recruitment company studied in Riyadh, this translated into more control over workers who were selected in their countries of origin, brought over in large numbers, and housed in buildings under electronic surveillance, with work hours controlled and their salary paid directly to the company.[46]

The *kafala* illustrates the complex interweaving of public and private interests in "migration infrastructures" (Xiang and Lindquist 2014) and the relationship between state policies and brokerage (Triandafyllidou 2018). Far from being a "private" institution, the *kafala* stemmed from commercial and religious law (Ahmed 'Abdel Khaleq 1986) with a colonial legacy (Al-Shehabi 2019) to organise "state sponsored bonded-labour" (Frantz 2013). As shown in other contexts, employer or family sponsorship is classically embedded in immigration policies (Lahav 1998; Rosenblum and Cornelius 2012) through visa policies with entry and residence conditional on labour or family ties. Across the legal-illegal frontier[47] and the public-private divide, brokers play a key role in the "implementation" of state policies. But as shown by development anthropologists, these social actors "do not simply (…) execute norms, (…) [they] are also in a position to carve out room for maneuver" (Bierschenk et al. 2002, 10). Since the 1990s, governments have actively sought to police intermediation through legal and administrative reforms, as they had identified the *kafala* as a source of regulatory failure both in migrant control and protection (Fernandez 2013). Anti-*kafala* reforms were generally unpopular and opposed by citizens and recruitment-based interest groups defending an income-generating process for locals (Diop et al. 2015), what can be called a "secondary rentierism" (SaadEddin 1982). Such opposition explains the limits of effective reforms across the region.

Furthermore, a shift towards a state-controlled sponsorship system might not liberalise migration processes. As anthropologists have shown since the 1980s, evidence of exploitative intermediation overshadows practical ambiguities (Beaugé 1986; Longva 2005; Vora and Koch 2015). *Kafala* can

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[45] Interviews, Ministry of Labour and recruitment businessmen, Riyadh, 2015.
[46] Fieldwork observations, Riyadh, 2013, 2015.
[47] The debate on brokerage in liberal democracies is usually associated with irregular migration or smuggling with various profiles of intermediaries (Ambrosini 2017).

work as a relationship of "protection/collaboration," particularly for long-term residents (Longuenesse 1988, p. 3), and it allows migrants to escape state control notably in times of anti-immigrant policies or harsher labour market control. When employers and sponsors are not the same person, a *kafil* can "sign a worker off" from his/her employer and the worker can still maintain his/her residence rights. So called "free visas" provided by sponsors allow migrants to enter a GCC country without a job contract despite labour regulations.[48] *Kufala'* can also sign for visas and resident permits of migrants' family members. An Eritrean woman told me she brought family members to Riyadh in the 1990s thanks to her *kafil,* for whom she worked as a maid. After leaving her job and becoming a nurse, her former employer remained her *kafil*, allowing her to work between hospitals and private practices while keeping her residence rights.[49] In these anecdotal cases, *kafala* can both reinforce or mitigate exploitative labour structures and regulations, but in the context of enhanced control, it can be used to circumvent the state.

Everywhere except Bahrain the role of the individual sponsor remains central for domestic workers and workers in the retail trade, which together account for large numbers of migrants in the region.[50] Rather than rights-based governance, reforms led to more informality, particularly for more low-skilled workers.

4.3 Differential exclusion: Class-based migration governance

Migration policies have historically differentiated between highly skilled and low-skilled workers for residence or labour rights, creating class-based migration governance (Cohen 1988; Van Hear 2014) and regimes of differential *inclusion* in Western contexts (De Genova 2017; Könönen 2018). In the Gulf, class-based migration governance was progressively institutionalised, creating regimes of differential exclusion as states started to legally stratify access to socioeconomic rights based on skill level, income, and gender.

4.3.1 Residence rights

In the wake of labour reforms, international organisations and some voices from within GCC societies

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[48] Paradoxically, labour market reforms and nationalisation constraints led to higher recruitment costs and less labour market flexibility. Numerous employers decided to hire sponsored workers without work contracts, especially unskilled workers in small and medium businesses. Even after the anti-*kafala* reforms, there were more "free visas" than before. In Bahrain, as the government realised this unexpected outcome, the LRMA introduced the "Flexi Permit" of two years in exchange for a fee for workers who terminated their work contract, thus officialising the "free visa." See LRMA website http://lmra.bh/portal/en/page/show/325 [accessed May 8, 2019].

[49] Interviews, Riyadh, 2006 and 2015.

[50] Saudi Arabia alone counted 2.4 million domestic workers and 2 million in "retail trade" out of around 10 million migrant workers in 2017 (General Statistics Agency, Saudi Arabia 2017).

raised debates about permanent or long-term residency for expatriates (Fakkar 2009) as the long-term presence of foreign workers started to become more obvious (Assaf 2017; Thiollet 2010; Vora2013). New regulations tend to limit the duration of stay of unskilled foreigners and grant long-term residence to the wealthiest, reinforcing social and economic inequalities and "tiering" of citizenship and residency (Jamal 2015).[51]

Kuwait has capped family reunification based on workers' income since 1992 (Government of Kuwait 1992) and has discussed limiting the duration of stay of immigrants since the 1980s (Stanton Russell 1989).

The UAE imposed a six-year limit on duration of stay for all migrants but exempts wealthy "expatriates" who own private estates or invest in the Emirates. Long-term visas and residence rights (five or ten years) became accessible in February 2019 for specific categories of highly skilled professionals and their families without *kufala'* (General Directorate of Residency and Foreigners Affairs 2019). Family reunification is only open to wealthy immigrants: males earning more than AED 4,000 per month (or AED 3,000 plus accommodation) and women earning more than AED 10,000 per month (or AED 8,000 plus accommodation). If they live in Abu Dhabi and work as an engineer, teacher, doctor, or in the medical sector, they also have family reunification rights.

Saudi Arabia did not enforce class-based discrimination until a royal decree introduced an eight-year residence cap for unskilled workers in 2015. In 2017, the Saudi government introduced a fee on dependents' residence.[52] The fee disincentivises or directly impedes family reunification for less-paid workers while having little impact on wealthy expats. It led to the departure of dependents among low-income families in fall 2017.

The Gulf monarchies pushed to an extreme the financial discrimination in residence rights observed in most industrialised countries (Shachar and Hirschl 2014) by preventing long-term settlement except for the wealthiest and engineering mass "precarious non-citizenship" (Goldring and Landolt 2013).

4.3.2 Labour rights

With a rapid increase in local wealth and living standards as well as booming urbanisation, domestic and construction workers are two groups that particularly suffer from abuses and exploitative practices, the former at household level, the latter through mass-scale migrant import. If labour reforms introduced protective measures, such as maximum work hours, mandatory insurance, a cap in

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[51] Microethnographies on Sri Lankan maids (Gamburd 1995), construction workers in Qatar (Gardner et al. 2013), Indian middle-class migrants in Dubai (Vora 2013), and British expatriates in the UAE (Walsh 2014) document how social conditions and livelihoods of immigrants vary.

[52] The fee started at SAR 100 (approximately EUR 25 or USD 27) per dependent per month in 2017 and increases by SAR 100 yearly.

recruitment fees and sometimes minimum wages, they also institutionalised inequality in access to rights, notably by excluding domestic workers from mainstream labour law. A population of around 3.5 million domestic workers remains formally excluded from general labour laws in Kuwait (art. 5) (Government of Kuwait 2015, 2010), Oman (art. 2) (Ministry of Manpower 2003), and Qatar (section 3. art. 28) (State of Qatar 2004); in Bahrain, domestic workers are excluded despite recent reforms (Kingdom of Bahrain 2014, 2013). This legal gap, the employer-*kafil* collusion described earlier, and the material conditions of domestic work (in their employers' homes) offer institutional and material grounds for exploitation: nonpayment, underpayment, or delay in payment of wages, retaining of passport for coercive purposes, and lack of social insurance and health coverage (Gardner et al. 2013). Reforms thus not only reinforced existing class-based governance but also maintained other vectors of differential housing policies and differential policing of public spaces. Ethnographies have documented how unskilled workers are housed in remote "camps" away from the city of Doha with no public transportation apart from the employing companies' buses, which only operate towards work sites (Bruslé 2012). Public spaces (streets, squares, and corniches) and leisure spaces such as malls are subject to intersectional policing along gender, racial, and class lines. Young men of darker skin colour are identified by police or private security guards as lower-class foreign workers and prevented from circulating freely (Thiollet 2010). Formal and informal practices of segregation exercised by recruiters, employers, and real estate agents, as well as police and private guards, enforce a hierarchical and discriminatory migration governance.

5 Conclusion

The empirical findings from the Gulf case resonate within broader debates in migration research. The sovereign turn taken by authoritarian monarchies in migration management unsettles the idea that governance is a "non-hierarchical" interplay of public and private actors sometimes described as "governance with government" (Risse 2013, 9-10). But it also debunks the illusion of all-powerful authoritarian states by unveiling how immigration policies emerged in public-private partnerships and how power configurations changed across recent periods. Studying Gulf migration thus invites to revisit the tension between state and nonstate actors beyond the "liberal paradox" (Hollifield 1992) across regimes and contexts.

This paper's empirical findings also bring into the discussion the illiberal structures and practices of migration governance from a situated perspective. As it has been noted for extraterritorial authoritarian practices (Glasius 2018), the coexistence of liberal and illiberal practices and policies can be observed across political regimes. With security concerns driving migration governance within

and between countries (Adamson 2006; Choucri 2002; Rudolph 2003; Weiner 1993), states tend to enforce discriminatory regulations or informal practices along nationalities or ethnicities, as the infamous 2017 "Muslim ban" illustrated for the United States. Such discriminations intersect with skill- and class-based ones induced by the global competition for talent. As empirical and normative research on discriminations and visa or citizenship policies usually focus on rich citizens in liberal democracies (Mau2010; Shachar and Hirschl 2014), we take the debate to the Global South where extreme forms of class-based differential rights are also observed.

Contrary to the liberal convergence hypothesis (Cornelius et al. 1994; Hollifield 1992), global migration might be increasingly managed globally on hierarchical grounds, shaping migrants' rights to move and settle. Although large N comparative policy indexes supporting these findings do not include Gulf countries (de Haas et al. 2018), the GCC monarchies offer a heuristic standpoint to observe the (re)structuring of migration governance through intersectional hierarchies. This paper therefore calls for more scientific investigations into comparative studies across regime types in order to assess the global relevance of illiberal practices and policies.

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