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## Soft violence: migrant domestic worker precarity and the management of unfree labour in Singapore

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### ABSTRACT

In Singapore, the temporary legal status of migrant domestic workers binds them in servitude to their employer-sponsor as their residency is contingent on their continuous and sole live-in employment with a sponsor whose permission they must secure in order to transfer jobs. This legal status technically renders domestic workers unfree and precarious as it gives employers tremendous power over domestic workers. Based on 30 in-depth interviews with employers, this article examines how employers in Singapore negotiate their power over domestic workers. We identify ‘soft violence’ as a tool that employer’s utilise in their management of domestic workers. By ‘soft violence’, we refer to the practice of cloaking the unequal relationship in domestic work via the cultivation of a relationship of ‘personalism’ while simultaneously amplifying one’s control of domestic workers. Representing a strategy utilised by employers to maximise the labour of domestic workers, ‘soft violence’ emerges from the paradoxical relationship of simultaneously *relieving* and *amplifying* servitude.

### KEYWORDS

Soft violence; unfree labour; migrant domestic work; temporary migrants; employers; Singapore

In most destinations, migrants with a domestic worker visa are bound labourers as their legal residency is contingent on their continuous and sole employment by their sponsor as it constrains their ability to change sponsors. This is the case in Canada, Great Britain, Israel, Taiwan, Singapore, and among others the United Arab Emirates (UAE) (Anderson 2000; Bakan and Stasiulis 2005; Lan 2007; Liebelt 2011; Mahdavi 2011). Scholars have argued that domestic workers who are bound labourers are subject to the ‘persistence of the master/mistress servant roles’ (Anderson 2000, 193) and become likely victims of abuse and labour trafficking (for examples, see discussions on Britain by Anderson [2000]; Lebanon by Pande [2013]; and the UAE by Mahdavi [2011]). Bound labourers, as they cannot freely quit their job without the permission of their employer, are arguably in a situation of unfree labour, who geographer Sallie Yea, writing on construction workers in Singapore, defined as ‘any situation where workers cannot extricate themselves from an exploitative working situation, despite their desire to do so’ (Yea 2017, 180). Unfree labourers, are however, not always exploited though we acknowledge that they are easily exploitable as well as precarious (Yea 2018).

The rise of unfree labour is not exceptional but part and parcel of the rise of 'global cities' in late capitalism (Sassen 1996). As argued by Sassen (1996), the advancement of capitalism coincides with the 'opposite turns of nationalism' in which the 'denationalization of economies' goes hand in hand with the 'renationalization of politics' (Sassen 1996). Indeed, the resurgence of populism in Europe and the United States alongside heightened anti-immigrant sentiments attest to this trend (Anderson 2013; Hayes and Dudek 2019). The exclusionary conditions of membership for temporary labour migrants whose labour is highly demanded likewise illustrate this contradiction in nationalist sentiments (Hahamovitch 2011). Focusing on one of the largest groups of temporary labour migrants across the globe, this article examines how the exclusionary terms of membership for migrant domestic workers shape the conditions of their labour. For domestic workers, it is their status as bound labourers subject to the arbitrary power of employers that defines the terms of their migrant exclusion and precarity.

This article accordingly examines the unfree labour of domestic workers on temporary contracts from the perspective of employers, focusing on the destination of Singapore, which is a high receiving country of domestic workers. Many scholars have paid attention to the effects of being an unfree worker on the labour conditions of migrant domestic workers, arguing that it results in the case of England in a 'master-slave relationship' (Anderson 2000); in the UAE and Lebanon in 'structural violence' (Mahdavi 2011; Pande 2013); and in 'labor trafficking' and 'contract slavery' in Lebanon (Jureidini and Moukarbal, 2004). While these previous works establish the susceptibility of domestic workers to abuse, they do not address the dynamics that sustain this abuse and precarity. In this article, we address this question by examining how employers act on their power over domestic workers who are tied to them in servitude as bound labourers, meaning workers whose legal residency is contingent on their sponsorship. In managing the bound labour of domestic workers, we found that employers practice 'soft violence', which we define as acting on while simultaneously cloaking their unequal relationship.

This article begins with an overview of the conditions that render migrant domestic workers to be unfree labourers exposed to oscillations in precarity. We follow with a discussion of the literature on migrant domestic work, addressing how the literature has attended to the unfree status of domestic workers. Then we proceed to describe our methodology and characteristics of sample, making a case for the unique perspective provided by interviews with employers, in other words, those in a position to abuse the unfree status of domestic workers. We then describe the emergence of 'soft violence', illustrating how the majority of employers claim the recognition of domestic workers as 'human' while simultaneously sustaining their unequal relationship by amplifying servitude. Employers amplify servitude through the common practices of withholding salaries, maintaining a relationship of debt bondage and among others imposing a curfew which underscores the scalar and temporal dimensions of their precarity (Chacko and Price 2021).

Our article extends current understandings of employer-employee relations in domestic work at the household scale by addressing the dynamics that sustain the unequal relationship that others have argued lends itself to 'structural violence', 'slavery', or 'trafficking'. Drawing from interviews with employers, we found that they do not necessarily resort to extreme force but instead turn to 'soft violence' to sustain unequal relations in domestic work. Soft violence is distinct from what Nixon (2013) refers to as 'slow violence', meaning the often invisible and gradual violence wrought by environmental

disasters, and likewise distinct from what Galtung (1969) has described as ‘structural violence’, meaning a system’s denial of basic human rights. Soft violence instead refers to a paradoxical process of simultaneously relieving and aggravating the unequal dependency of unfree labour and is thus an important aspect of temporary migrant precarity. As a process, soft violence emerges from a perspective of what anthropologist Pierre Bourdieu would describe as unrecognised privilege (Bourdieu 1977). It represents an enactment of ‘symbolic capital’, meaning the legitimisation of the employer’s power over the domestic worker and ability to determine and define the nature of their job. Contrary to the assertion that employers would uniformly act on their power and impose ‘structural violence’ to maximise the labour of domestic workers (Mahdavi 2011), we found that they strategically deploy what Hondagneu-Sotelo (2001) calls ‘instrumental personalism’ and accordingly recognise the humanity of domestic workers. They do so not only to extract labour but to also maintain ‘symbolic capital’ and legitimise the unfree status of domestic workers as bound labourers.

### The unfree labour of migrant domestic workers

Various states across the globe legally recognise the reliance of their residents and citizens on the household work of foreign workers, thereby permitting them to sponsor the labour migration of domestic workers, especially to cities. The largest groups of foreign domestic workers to utilise this labour opportunity are Filipinos, estimated to reach 1.4 million, and Indonesians, estimated at 2.1 million (Parreñas, 2015; Parreñas, Silvey, Hwang and Choi, 2019). While Indonesians are primarily located in Asia and the Middle East, Filipinos are employed as domestic workers across the globe. The largest visa granting destinations for Filipino domestic workers are in the Middle East, but they also include Canada, Italy, Hong Kong, Malaysia, Singapore, and Israel (Parreñas, 2015).

While numerous states sanction the relegation of housework (including childcare and eldercare) to the market via the allocation of domestic worker visas to households, they simultaneously suppress the ability of such workers to maximise their market value by limiting their ability to freely participate in the labour market. In almost all destinations, migrant domestic workers cannot freely change their sponsors, which in turn results in their unfree status as bound labourers. Only Italy allows domestic workers to quit their job and secure a new resident-sponsor without restrictions. In the UAE, Kuwait, Lebanon, and other countries in the Middle East, domestic workers must secure the permission of their sponsor to transfer jobs prior to the end of their contract (Fernandez 2013; Mahdavi 2011; Pande 2013); in Israel, they can only change employers during their first 63 months of residency (Liebelt 2011); in Hong Kong, their flexibility to change employers is limited by the ‘Two Week Rule’ which requires they secure a new sponsor within two weeks of the termination of their employment to avoid deportation (Constable 2007); and as a final example, in Denmark, au pairs can only change employers twice during their 24 month stay in the country (Stenum 2011).

Migrant domestic workers in Singapore are likewise bound to their employer. The Ministry of Manpower (MOM) does not allow foreign domestic workers to work for more than one employer at a time. To change sponsors, even after the completion of their labour contract, foreign domestic workers are also required to secure the permission of their employer-sponsor. This legal condition has prompted Jolovan Wham, a local activist

in Singapore, to claim that Singapore has its own *kafala* system. Indeed, the terms of incorporation for migrant domestic workers in Singapore mirror those of the *kafala*, meaning sponsorship system, in the Middle East. Under the *kafala*, the legal residency of a migrant domestic worker is contingent on their continuous employment with their sponsor. Aggravating this relationship of unequal dependency, domestic workers must also secure the permission of their sponsor to transfer jobs.

Other migrant contract workers, for example, South Asian construction workers in the UAE (Kathiravelu 2015) or Korean migrant workers employed in factories (Choo 2016), are likewise bound workers who must solely work for their employer-sponsor. Yet, differentiating and arguably placing domestic workers in a more vulnerable situation is the live-in requirement of their employment (Anderson and O'Connell Davidson 2003). Of all destinations that grant a domestic worker visa, only Canada and Italy legally permit the live-out employment of domestic workers. In all other destinations, domestic workers are required to reside in the home of their employers, which is a condition that heightens their risk of overwork as it results in extended work hours (Romero 1992) and at the same time aggravates the relationship of unequal dependence in domestic work (Jureidini 2010; Pande 2013).

Further aggravating the unfree status of domestic workers is the financial cost of migration, which domestic workers cover in most destinations (Pande 2013). They include the cost of the government required technical training programme in which domestic workers are given basic training in cooking and cleaning including the use of electronic appliances and gadgets, the cost of travel including airfare, passport and medical clearance, and finally the agency fee. The agency fee varies across destinations with the amount increasing according to average salary with lesser paying destinations costing less and higher paying destinations costing more. Due to differences in agency fee by country, Filipino domestic workers in Israel can expect to pay a sum total of approximately US\$7000 for a guaranteed starting monthly wage of US\$1100, in Hong Kong, they earn at least US\$500 and accordingly pay approximately US\$3000 to secure a labour contract; in Singapore, where they earn at least US\$365, they can expect to pay at least two to six times this amount.<sup>1</sup> The fees Indonesian domestic workers pay likewise vary according to their average salary. While they must give up at least six to seven months of their salary to secure employment in Singapore or Hong Kong, it costs them no more than two to four months of wages for a job in the Kingdom of Saudi Arabia (KSA).<sup>2</sup> Notably, they can expect to earn less in KSA than in destinations in Asia.

The cost of migration limits the ability of domestic workers to change employers. While a responsibility of domestic workers, the cost of migration is usually covered initially by employers who would then incrementally reclaim this expenditure from their domestic worker via a salary deduction system. This historically had been the case in Lebanon (Pande 2013) and still is the case in Taiwan and Singapore.<sup>3</sup> While paying for their debt, the domestic work is technically 'unfree' (Lan 2007) as they are paid not a salary but instead an allowance of US\$10-30. In Taiwan, Filipino domestic workers are subject to a salary deduction schema of up to twelve months (Lan 2007), in Hong Kong, they can work without pay for up to eight months, and in Singapore for two to six months.

Finally, domestic workers are perpetually bound to the sponsorship of their employer as they remain ineligible for permanent residency in most destinations. Only Italy allows domestic workers to apply for permanent residency, which they can do after five years

of continuous employment with at least one sponsor (Parreñas, 2015). While participants in Canada's Live-in Caregiver's Program historically gained eligibility for permanent residency after two years of continuous employment in one household, the government amended this programme in 2014 and imposed a quota that restricts the number of domestic workers accepted as permanent residents (Black 2014). In Canada, domestic workers must now leave the country after four years of employment. In other countries, migrant domestic workers remain ineligible for permanent residency with some countries imposing a residency cap including Israel which limits the years of residency for domestic workers to five and Taiwan to twelve. With the exception of Canada and Italy, countries that grant a domestic worker visa usually follow the citizenship principles of *jus sanguinis* which results in the exclusion of the children of domestic workers from permanent membership and renders them 'born out of place' (Constable 2014).

The unfree status of domestic workers speaks of the conflicting political culture of domestic work. While states designate the responsibility of care and reproduction to the market by allocating residents the power to hire foreign domestic workers, the state simultaneously suppresses the ability of foreign domestic workers to fully participate in the market by binding them to employers. How employers manage this designated relationship of unequal dependency remains insufficiently analysed in the literature. This is not to say that scholars have not acknowledged the unfree status of domestic workers. Pande (2013), writing on Lebanon, and Yeoh and Huang (1998), writing on Singapore, see unfreedom as an abdication of state responsibility for standards of employment in domestic work and the ultimate designation of this labour as a private household responsibility. Some have observed that unfreedom places domestic workers in a locked-in situation that leaves them vulnerable to abuse (Bakan and Stasiulis 2005; Mahdavi 2011). Pratt (2012), looking at Canada's requirement that domestic workers continuously work for one household within a four-year window to qualify for permanent residency, and Constable (2007), commenting on the temporal restriction imposed by the 'Two Week Rule' for domestic workers in Hong Kong, have both noted that such conditions pressure domestic workers to accept less than ideal working conditions. Overall, the literature on the unfree labour of migrant domestic workers is relatively thin with the primary focus of discussion being on the effects of this structural factor on labour conditions. Missing from current discussions is the perspective of employers, which this article considers in its assessment of the unfree labour of migrant domestic workers.

## Methodology

This article is based primarily on semi-structured interviews with 30 employers conducted in Singapore in 2014, which is supplemented by 40 hours of observation of employer visits to an employment agency in 2016.<sup>4</sup> We chose Singapore as a research site because it is a major destination for migrant domestic workers. Each year, thousands of domestic workers from Indonesia, the Philippines, Myanmar, India and Sri Lanka seek legal employment in Singapore, utilising the high volume of visas granted by the Ministry of Manpower [MOM]. In 2015, MOM issued 231,500 work permits to foreign domestic workers (Ministry of Manpower 2016). Legal conditions of domestic work in Singapore likewise reflect those of other destinations as domestic workers are ineligible for permanent residency, restricted to live-in employment, not protected by labour laws, and are

bound workers whose legal residency is conditional to their continuous employment by a sponsoring employer. Because their place of employment is within private homes, their critical labour contributions are less visible in urban life.

Domestic workers are, however, protected by criminal and human rights laws most of which employers learn about in the mandatory online class required by MOM for all new employers to complete. It would be an offense, for instance, to inflict corporal harm on domestic workers including the withholding of food or imposing of physical abuse. The course educates employers on their challenges and obligations; informs them of the human rights of domestic workers including their right to basic food and shelter; and warns them of penalties against proven cases of employer abuse of domestic workers. Since 2004, domestic workers in Singapore have also benefited from the visible advocacy work of two organisations, Humanitarian Organization for Migration Economics [HOME] and Transient Workers Count Too [TWC2]. Efforts to raise public consciousness on the conditions of domestic workers have been the focus of both groups with HOME also providing shelter and assistance to victims of abuse. Both groups regularly conduct surveys and release information to the press on the conditions of domestic work. A joint campaign by the two organisations to mandate a weekly day off for domestic workers resulted in successful legal reform beginning on 1 January 2013. Due to efforts of government and nongovernmental organisations, employers in Singapore have a relatively high level of consciousness regarding the basic labour rights of domestic workers (e.g. right to 8 hours of rest per day, a weekly day off, three meals per day).

The interviews followed an interview guide in which we sought to gather detailed information about each participant's history of domestic worker employment, the employment process, the work standards and expectations, and their understanding and perception toward the law in regard to domestic employment. We did not explicitly ask employers about their negotiation of servitude but instead asked them to elaborate on pertinent conditions including the day off and agency fee. Doing so allowed us to gather sufficient data on their conscious or unconscious management of their sponsorship of workers. The interviews ranged from half an hour to one and a half hours in length. We also conducted interviews with various community leaders (e.g. staff at non-governmental organisations and at the Philippines Embassy), employment agency owners, and local researchers who have studied domestic workers. Finally, we observed the hiring process including interviews conducted by prospective employers in one employment agency. We took note of their hiring criteria and job standards including rules concerning the day off, use of mobile phone, Internet access, and work load.

To obtain a diverse sample, we solicited research participants from various sites (e.g. plazas, parks, and events) in different neighbourhoods of Singapore, ranging from the shopping district of Orchard Road to the working-class neighbourhood of Geylang. We also distributed and posted flyers in housing communities and at local associations. Several women responded to the flyers. We also relied on our own networks to identify potential interviewees. The interviews usually took place in the workplace of the respondent, in restaurants, or in their homes. All but two interviews were tape-recorded and fully transcribed.<sup>5</sup> Extensive notes were taken during the non-taped interviews. The interviews were all conducted in English by a graduate research assistant whose identity as a Thai of Chinese descent helped build rapport with the majority of Asian respondents. Their shared racial, social, and class status also facilitated a level of comfort, particularly as



respondents frequently discussed issues of cultural conflicts and the difficulties they faced in employing domestic workers.

### Characteristics of sample

Contrary to the popular belief that employers are only those of higher socioeconomic status, our interview sample represents a wide range of socioeconomic groups. Our assessment of the socioeconomic status of employers is based on their occupation, level of education, types of residence and their own self-evaluation. Our respondents include business owners (17 per cent), retailers (20 per cent), academics (20 per cent), stay-at-home mothers (17 per cent) and professional office workers (27 per cent). Their job titles include but are not limited to director of a private company, manager, consultant, sales associate, researcher, and clerk. Their levels of education vary from those holding a polytechnic degree to those having completed post-tertiary training. Illustrating the diverse class backgrounds of research participants, the types of residence of employers include large houses with yards, upscale private condominiums, government subsidised condominiums (HDB), and apartments.

Most of our interviewees are women (83 per cent), yet this does not mean that men employ domestic workers less as most of our interviewees are married. However, it does imply that women feel more fit to provide the details of employing domestic workers, explaining why only women had responded to our flyers and women employees in businesses approached were those more likely to agree to an interview. Indeed, it was primarily women who inquired about hiring a domestic worker in the employment agency we observed. Men never came alone and if they were there, it was to accompany their partner. This then reaffirms the claim that reproductive sphere responsibilities still primarily remain the responsibility of women (Huang and Yeoh 1996).

In our solicitation of research participants, the response rate was 80 per cent. Most of the employers interviewed are Asian (83 per cent) and a minority were Caucasian (13 per cent) or of mixed-heritage (3 per cent). Most employers (70 per cent) classified themselves as Chinese, while 7 per cent are Indian. Seventy per cent of the employers are Singaporeans, the rest are expats from Australia, Great Britain, the United States and South Korea. Some expats have been in Singapore for less than two years whereas others have been in Singapore for more than a decade. The majority of expats have been in Singapore for roughly two to five years.

As to be expected in dual-income households which represent the majority of our participants, most employers interviewed are married with children (73 per cent). Other participants are married without children (13 per cent) or single, divorced or widowed (14 per cent). The vast majority (80 per cent) of research participants are with children at home. Not surprisingly, most prospective employers we observed in an employment agency had sought domestic workers to assist them with childcare, though most expect their workers to be what is called an 'all around', as they are required to not only care but also cook and clean for the family. Rarely did a household rely on more than one domestic worker, resulting in the reliance of families on the domestic worker for a wide range of housework.

Most studies on domestic work neglect the perspectives of employers, instead choosing to account for the labour process solely from the perspective of the worker. Notable exceptions include the study of Hondagneu-Sotelo (2001) on Latino domestic workers in Los



Angeles and Lan's (2006) examination of domestic work in Taiwan. While our sample has several notable advantages over data used in most existing studies on domestic work, one shortcoming should be acknowledged. As our sample only includes employers who voluntarily agreed to an interview, it could be said that our sample excludes those who abuse their workers. Thus, our sample may exclude the worst-case scenarios faced by domestic workers in Singapore. This may be a potential source of sample selection bias. In the next section, we draw from our interviews with 30 employers to describe their management of the unfree status of domestic workers, illustrating 'soft violence' in the simultaneous relief and amplification of unfreedom by the majority of employers we interviewed.

### **Precarity, soft violence and the management of unfree workers**

Standards of employment for domestic workers vary across households resulting in various states of precarity. This is because domestic work remains an unregulated occupation, as the work occurs in the private space of a home and remains excluded from regulation. In Singapore, domestic workers remain exempt from the Employment Act, thereby denying them the right to overtime pay, sick leave and other such employment benefits. As expected, the weak regulation of domestic work results in the inconsistency of labour standards. This is reflected in the day off. In Singapore, not all migrant domestic workers receive a weekly day off despite the recent change in law, as some are still denied a day off during the first six months of employment, others are only permitted a day off every other week, while others are restricted to one day off in a month.<sup>6</sup> A 2013–2014 survey with 195 domestic workers conducted by TWC2 confirms that 59 per cent of the domestic workers still do not consistently receive a weekly day off.<sup>7</sup>

This variation in standard of employment challenge claims of a uniform effect of unfree labour. Contrary to the assertion that unfree labour would uniformly lead to 'structural violence', which would, for instance, be established in the withholding of the day off for the vast majority of domestic workers, we instead found the emergence of 'soft violence' in the management of unfree labourers. In this section, we establish the use of 'soft violence' by describing the paradoxical process by which employers simultaneously relieve and amplify the servitude of domestic workers. The practice of 'soft violence' allows employers to sustain their relationship of unequal dependency with domestic workers, cloak their limits of freedom, and extend their relationship of inequality.

### ***Relieving servitude***

Employers maintain a wide range of perceptions of domestic workers. Some think of them as simpleminded, including a wealthy Chinese Singaporean housewife in her 40s who expressed a preference for Indonesian over Filipino domestic workers for their lower salary as well as lower level of intellect.<sup>8</sup> Some think of them as downtrodden. This includes a wealthy widower who thinks giving domestic workers a windowless bedroom constitutes of cruelty. Yet, the majority insists on seeing domestic workers as 'human' with basic rights. This includes a 65-year old Indian Singaporean clerk at an employment agency:

The maid is not a servant to you. OK? Because we depends [*sic*] on them a lot, when we go to work, we expect the maid to be a housekeeper, to bring our children up and to upkeep the

house and do the cooking for us. That's what I believe in and *they are human* [emphasis our own]. So all my life I never have any complaints with MOM.

While MOM raises awareness of domestic worker rights among employers, these rights, however, do not eclipse the power of the employer. As the elderly Indian employer continues, '... when in 6 months if they are not happy with me, I will tell them you are not happy, you wanna go back? I will be send you back'. Though mindful of the basic rights of domestic workers as 'human', employers are likewise aware of their relegated power as an employer of an unfree worker who is legally bound to be under their employ. This power includes their ability to not only fire but also deport domestic workers at will.

In general, the recognition of domestic workers as 'human' shapes how employers manage unfree labour and mitigates – although not completely – their maximisation of the labour of domestic workers. A push and pull dynamic characterise the recognition of the humanity of domestic workers. The recognition of domestic workers as human encourages employers to *relieve servitude* – granting adequate foods, providing breaks, allocating decent accommodation and allowing access to communication. However, this recognition does not eclipse labour expectations of employers, resulting then in a constrained recognition of humanity. While employers may insist that they view domestic workers as 'human', the vast majority of employers perceive domestic workers as their subordinate and accordingly impose boundaries that do not just create distance but also hierarchy (Lan 2006).

We witness the constrained relief of servitude in the food provisions allotted by employers to domestic workers. Many employers claim to maintain an 'open kitchen' policy.<sup>9</sup> However, there is an unspoken limit to the access of domestic workers to food, one that is rarely stated explicitly by employers but one that domestic workers seem to be expected to intuitively know. Our observations in the employment agency, for instance, indicate that employers may fire domestic workers for eating too much as employers with an open kitchen policy usually have an unspoken standard of what is acceptable for domestic workers to consume and those who cross the line are considered undisciplined and fired at will. Examples we witnessed of food consumption that led to the firing of a domestic worker include the selection of a large as opposed to a small apple from the refrigerator, the consumption of too large a portion of tofu on the dining table, or the failure to ask for permission to eat a banana. In addition to the unequal access of domestic workers to food, also establishing their subordinate status is the insistence of employers for domestic workers to not just eat separately but also only after the rest of the family. As a 58-year old Chinese Singaporean business professional states matter of factly, 'Normally, the maid would eat after we eat. That's the norm actually'.

The subordinate position of domestic workers suggests that most employers perceive domestic workers as workers and not 'one of the family', despite the common reference of 'aunty' that is designated to domestic workers. This is not to say that the designation of 'aunty' renders one to be a family member but it does signal familiarity and ease as opposed to distance and rigidity. Another indication that domestic workers experience a constrained relief from servitude comes in the provision of accommodations. Domestic workers are usually given decent accommodations but one that is of a lesser type than the rest of the adults in the household. Some admit to denying their domestic worker their own bedroom as they have them sleep in the living room or with children. Others have

domestic workers sleep in a utility room without windows. Some, however, insist on always granting domestic workers a bedroom with a window.

The recognition of domestic workers as 'human' is also illustrated in the provision of a break. While employers recognise the need of domestic workers for a break, most give their own needs greater priority than those of the domestic worker. As a result, employers prioritise the completion of the work over the physical well-being of the domestic worker. Thus, most employers expect domestic workers to work continuously except during their designated break time. As a Chinese Singaporean stay at home mother with young children shared with us, 'I told her before she work [*sic*] for me, I say you cannot take a nap in the afternoon. No sleeping in the afternoon I told her'.

Likewise, most employers recognise the need of domestic workers for outside communication and accordingly grant them access to a mobile phone. However, they limit their access to 'non-working hours'. A 58-year old Chinese Singaporean, a human resources director, explains:

Our rules you know we say during working hours, you're not supposed to stick on to the mobile phone or in a way ear phone [*sic*]. But you wouldn't know what they do because we're not home. So the official time for her take a break is from 1 to 3 pm [*sic*]. And then at night, I guess is when she can call home or whatever ... So you know it's like office working hour ... The maid is not supposed to watch TV, neither is the maid supposed to be making phone calls during working hours. They're supposed to look after the employer, the kids, the employers, or the employers' parents.

Although insisting that domestic workers do no more than work during working hours, employers do not necessarily see their home as a workplace as they do not fully but only selectively transfer rules one would have in a regular workplace. One standard rule they do not transfer is the eight-hour workday recommended by MOM as most expect at least a 12-hour workday from domestic workers that can begin as early as 6 am and end as late as 10 pm.

Finally, most recognise the need of domestic workers for outside communication but not at the cost of their labour productivity. Thus, the majority admit to limiting the freedom of domestic workers. They do so by either imposing a curfew during their day off, denying a day off, barring the use of the phone during work hours,<sup>10</sup> or banning them from engaging in romantic relationships. Employers choose to limit the freedom of domestic workers in order to maximise their labour. As the wealthy Chinese Singaporean in her 40s explains:

Well first of all she will be busy talking to her boyfriend if she has a boyfriend, right? Then she will neglect her job right? Then she will have some, with a boyfriend she will not be able to concentrate and she may have some quarrel and some issues with the boyfriend. Then you won't have the mood to work, you're not in the right mood and all these troubles la.

Questioning the claim that they view domestic workers as human is the common disregard for the personal needs of domestic workers, including their potential desire for privacy or intimacy, as some employers prioritise their own needs at the expense of the said worker's personal well-being. Still, employers regularly insert recognitions of domestic workers as 'human' and in the process engage in *relieving servitude* albeit not at the cost of the worker's lower status in the household.

### *Amplifying servitude*

[You don't need to follow the law] because if there is a mutual [*sic*] between you and your helper and your helper willing to help you, why not? I mean as long as you pay them well and they don't complain. I mean rules are made but we don't need to strictly follow. As long as she think it's fair [*sic*]. (40-year old Chinese Singaporean sales clerk)

Employers might claim to perceive and treat domestic workers as 'human', but most do not question but instead aggravate the legal status of domestic workers as unfree workers. In Singapore, employers amplify the unfree status of domestic workers when they subject them to a relationship of temporary debt bondage, withhold their salary, or act on their power to deport them at will. This amplification enforces the subordinate status of domestic workers while easing the ability of employers to maximise the extraction of labour from workers who are not in a position to quit.

Employers are not necessarily malicious when they fortify their power over domestic workers. Some amplify unfreedom for the best of intentions. For instance, those who admit to withholding the salary of their domestic worker claim to do so for the good of the worker. This includes a 35-year old Chinese Singaporean sales executive, who thought it a reasonable arrangement for her to control the ATM card of her domestic worker:

I don't want her to spend all then starts to have problems. So if she wants the money, we go together. We withdraw. Or if I don't have time to pick her up for withdraw, I will withdraw for her, show her all the receipt. Then every month the bank will send her the statement. She will see the statement.

More than a handful of our interviewees admit to withholding a portion of their domestic worker's monthly salary, informing us that their intention is 'good' as they wish to ensure that their domestic worker accumulates savings during the course of their employment. The same employers are also likely to withhold the passports of their domestic workers, though they claim that they do for their mutual protection. As the same sales executive explains, 'I feel that it's safer that I keep for her. She runs away, if anything happens she had quarrels with friends or her boyfriend she run away, the government wants to fine me la'. The practice of withholding salaries – akin to withholding passports – places domestic workers at risk of forced labour while increasing the power of employers over the worker and heightening employee precarity. For this reason, MOM strongly advises employers against doing both.<sup>11</sup>

Employers withhold the passport of domestic workers not necessarily to exert control over domestic workers but instead for their own legal protection. MOM holds employers responsible for domestic workers to remain in good legal standing. In addition to being required to cover a monthly levy to the government, employers must also ensure that their domestic workers reside in their abode and solely and continuously work for them. If the domestic worker is to run away, for instance, an employer could be held liable for a \$5,000 bond (Ministry of Manpower 2018a). This suggests that migration regimes and legal infrastructures encourage the amplification of unfreedom by employers.

Employers also reinforce their relation of unequal dependency with domestic workers when they remind or act on their power to terminate or deport them. Threatening termination and deportation are disciplining mechanisms admittedly used by employers against domestic workers who miss their curfew, consume alcohol, pursue a romantic relationship

or express dissatisfaction with their job. When they threaten termination or deportation, employers fortify their relation of unequal dependency and consequently diminish the ability of domestic workers to negotiate their labour conditions while intensifying their precarity. One employer, the earlier-cited wealthy Chinese Singaporean stay at home mother in her 40s, admitted to deporting her domestic worker without warning as she suspected her of stealing cash:

I booked a ticket without letting her know until two hours before she left I asked her to pack and ask her to go off. I sent her straight to the airport and I cancel her permit, everything, the work permit ... Two hours I asked her to pack and send her off.

In Singapore, as is the case in various destinations in the Middle East, employers have the power to not only fire but deport domestic workers at will (Jureidini 2010). This is a disciplining strategy rarely used by employers we interviewed but it is one some feel rightfully entitled to.

Finally, the vast majority of employers we interviewed (22 of 30) subject domestic workers to a temporary relationship of debt bondage as they abide by the employment agency recommendation for domestic workers to cover the entire cost of labour migration. It is common practice in Singapore for employers to initially pay for the fee charged by the employment agency to place a domestic worker in their home. This amount varies across ethnicities as it is based on the monthly salary of domestic workers. The placement of a domestic worker from the Philippines, for instance, can initially cost an employer SG \$3,000. Employers eventually retrieve these funds by deducting this cost from the monthly salary of the domestic worker. The Filipino domestic worker can expect to have their salaries withheld for as long as six months upon their initial placement in a Singaporean household. Indonesians, as they are paid a lower salary rate, are subjected to salary deductions for slightly longer at eight months. During this time, they can expect to receive no more than \$40 a month for their payment.

In Singapore, domestic workers are expected to pay for the entire cost of their labour migration. This market standard is not one that employers tend to question but is one that they willingly embrace as an unquestioned norm.

Upfront is the maid they borrow from the agent when they come to Singapore. So upfront will be 3K to 4K and the maid will not get any salary for like up to 8 months. For every month we just pay her some allowance like \$20. Until the upfront is being cleared then we pay her full salary. Probably 6 months or 8 months onwards. (28-year old Chinese Singaporean)

Umm we pay about ... I think I pay about \$3000 plus, \$3000 plus. That is because advance salary of the maid and then when they claim that they have to pay other site agent in advance. So actually the maid work for a few months la, like minimum 6 months without salary. It's not without salary, employers pay in advance, but because the Indonesian agent charge the maid I think at a very high price for the fee. And they end up with no salary for six months. So six months to eight months. (65-year old Chinese Singaporean manager of tourist company)

As is the case in Singapore, domestic workers in Taiwan likewise pay for the entire cost of their labour migration. The higher cost of migration to Taiwan results in a longer period of a 12- month salary deduction for domestic workers, a practice that subjects them to what Lan (2007) calls 'legal servitude'. According to Lan (2007), the forces of supply

and demand work in favour of employers and allow them to pass all financial responsibilities for the placement of a foreign domestic worker in their home to the worker. Agreeing with Lan is a 35-year old Chinese Singaporean sales executive, who matter of factly states, 'Why the maid owe the agency fee? Because they want to come here ... the maid pay [*sic*] the agency'.

Potentially curbing the forces of supply and demand is the moral consciousness of employers, who may find discomfort in their blatant aggravation of the servitude of domestic workers. Thus, some – particularly expat employers from the United States and Europe – choose to only hire transfer domestic workers, as the much lesser fee of a month's wage penalty charged domestic workers who are already in Singapore limits the length of debt bondage to no more than two months for Indonesians as opposed to six to eight months for those hired from their country of origin and one month for Filipinos. Notably, this set of employers do still subject their domestic workers to debt bondage, although for a much shorter period.

Other employers negotiate their moral discomfort by passing blame to the employment agency, who they describe as 'evil and unreasonable'. Expressing her outrage over the tendency of employment agencies to 'overcharge' is a 58-year old Chinese Singaporean jewellery store owner,

They get no money for 6 months. The agency takes all the money. I feel bad for the maid but what can I do? It's 3000 plus, they have to give back to agency. I don't want to give to agency. Agencies are evil and unreasonable.

Yet, in her outrage, this employer disregards the actual costs incurred by the agency for the training and travel of the domestic worker. Moreover, it does not cross her mind to share this cost burden with her domestic work.

Indeed, only a minority (8) chose to bear some of the cost of the placement fee charged by employment agencies.<sup>12</sup> They include the earlier cited 40-year old Chinese Singaporean sales clerk, who expressed a moral responsibility to help ease the cost of migration of her domestic worker: 'I think as an employer we should bare half of the cost. Rather than the maid take everything because their salary are not much especially in Singapore'. It is perhaps not surprising then that her domestic worker has worked for her for more than 10 years. The minority who choose to incur some if not all of the cost of migration for their domestic worker are those more likely to have worker-friendly conditions in their home.

An elderly couple who has employed their Filipina domestic worker for nearly 28 years and are owners of a foot reflexology business are not the wealthiest of Singaporeans. Still, they insisted to cover the entire placement fee charged by the employment agency and opted to relieve her of any salary deduction. As they shared, 'We pay everything. Initially, before she comes, we have to pay for everything. It's about 2000 Sing dollars ... She got no loan, nothing. First month, she can get her pay'. Reflecting their mindfulness, they do not micromanage the work or time of their domestic worker, who they know spends hours watching Korean television drama programmes every week. They insist on eating with her and are not one to discipline her as they leave her to manage their household. When asked if they ever had problems with their domestic worker, they mention her tendency to burn their clothes when ironing. When asked if they scold her for this, they insisted, 'no, never, never, never. Everybody makes mistakes'. This elderly couple proactively counters their structural position of unequal dependency



with their domestic worker and mitigates her servitude by downplaying their authority and easing her bound status, which they, for instance, did by covering the entire cost of her migration including placement fees.

Yet most employers are unlike this elderly Chinese Singaporean couple. Most including locals, permanent residents and expats do not prioritise worker-friendly policies. Instead, they prioritise their concerns over those of their domestic worker including their need to extract the greatest amount of labour from the worker, their need to exclude her from precious family time and space, their need to minimise costs, and finally their need to reduce their vulnerability by increasing their authority over her.<sup>13</sup> They practice 'soft violence'. When doing so, employers become willfully blind to the unfree and precarious status of temporary domestic workers.

## Conclusion

This article foregrounds the unfree status of migrant domestic workers in Singapore. It offers a window to the incorporation of low-wage migrant workers in cities across the globe and focuses on the household scale where soft violence and precarity varies among employers. With rare exception, this unfree status is one they share with migrant domestic workers in key migrant destinations in globalisation. This article asks, how do employers manage the power they hold over domestic workers who are bound to them in servitude? In Singapore, migrant domestic workers are beholden to their employer for their legal residency; their legal status is contingent on their continuous employment for the said employer and their ability to seek new employment likewise requires the approval of their employer who has the power to fire and deport them at will.

We identify the emergence of 'soft violence' as a common practice among employers in their management of servitude and precarity. 'Soft violence' is a process that fortifies their 'symbolic capital' (Bourdieu 1977), specifically their power to determine the conditions of employment of domestic workers. 'Soft violence', and the semi-good treatment of domestic workers, is the process by which the unfree status of domestic workers becomes morally and socially acceptable. Employers claim to recognise domestic workers as 'human', in the process relieving servitude and precarity, but at the same time, they act on their relationship of unequal dependency, thus simultaneously amplifying servitude. They relieve servitude in a variety of ways: maintaining an 'open kitchen' policy, allocating breaks during the day, granting a day off, and giving domestic workers access to a mobile phone including Internet. However, most simultaneously amplify servitude. Employers do this when they maintain a curfew, impose temporal limits on mobile phone access, or impose a 'partially open kitchen' policy. More significantly, the majority of employers amplify the unfree status of domestic workers when they withhold their salaries or subject them to a relationship of debt bondage.

## Notes

1. Information gathered from interviews with outgoing migrants at offices of the Overseas Workers Welfare Administration in Manila on July 2016 as well as interviews with staff at employment agencies in Manila on August 2014.

2. Information gathered from interviews with domestic workers in Dubai in July, November, and December 2014.
3. In contrast, domestic workers in other destinations, for instance Israel, take out a private loan.
4. Employers visit agencies to make inquiries, interviews as well as to return domestic workers they wish to terminate.
5. The two interviewees were not accustomed to being recorded and expressed concern about their anonymity. To appease their worries, we agreed to not record our interview.
6. We make this assessment based on interviews and observations in an employment agency.
7. See Transient Workers Count Too (TWC2). 2015. *The Right to Rest: The Effectiveness of the 'Day Off' Legislation for Foreign Domestic Workers*. Transient Workers Count Too (TWC2).
8. Explaining why she prefers Indonesians over Filipinos, a Chinese Singaporean employer emphatically states, 'Salary is lower is one and other thing is communication, they are dumber. If you compare to Filipino, Filipino are smarter. So we prefer to have a dumber maid'.
9. In general, 'open kitchen' policy means that domestic workers are allowed to eat any food that is located in the kitchen without needing to ask for a permission from employers.
10. Employers observed in the employment agency include those who confiscate the mobile phone of the domestic worker from Monday to Friday or from 8 am to 8 pm from Monday to Saturday.
11. States the MOM employer handbook: 'You should not withhold the salaries of your FDW on the pretext of safekeeping her salary or delaying payment for extended periods' (Ministry of Manpower 2018b, 12).
12. The eight employers who opted to cover the cost of the placement fee include locals and expats as well as those from a variety of class backgrounds.
13. Explaining the vulnerability of employers is a 37-year old Chinese Singaporean journalist: 'The whole burden is thrown to us. If the maid comes in and said nope I want to go home, I don't want to work anymore, we got to provide her the air ticket to go back. All the money we paid, down the drain'.

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