

Gendered Migrations, Livelihoods and Entitlements in European Welfare Regimes

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Although unwilling to acknowledge the significance of immigration and the contribution of migrants, European societies and states have a long history of immigration, both from neighbouring areas as well as from far-flung colonies throughout the world. In the initial post-war period until the stoppage of mass labour migration, distinct migratory regimes (colonial, hybrid, guest worker), defined in terms of the mode of entry, rights of residence and status of migrants, were characteristic of European countries (Kofman et al. 2000: 46-56). The more expansive colonial regime, as in the UK, not only brought in workers but also whole families. Though attenuated, colonial links have left their imprint on migratory regimes in a number of European states, including those which in the earlier period had been countries of emigration, such as Portugal and Spain. Entry and/or access to citizenship may be facilitated for individuals with direct links to the country of origin or from former colonies. Historical and cultural attachments continue to attract students and skilled migrants from erstwhile colonies. Other states too have had privileged links and favoured access to the labour market for some migrants. The Nordic countries, and in particular Sweden as the largest economy, have since the 1950s operated as a regional unit. Germany too, though pursuing a guest worker regime premised on the rotation of single migrants unencumbered by family responsibilities, has since the end of the 1980s,

received large numbers of ethnic Germans who had immediate access to German citizenship.

However, just as the role of immigration in European societies has been marginalized, so too has an historical amnesia befallen female immigration. Yet as Hania Zlotnik (2003) points out, the percentage of female migrants in Europe (as in other developed regions) was already high (48.5%) in 1960. Indeed, amongst migrants from the Caribbean and the European periphery (Ireland and Southern Europe), many women migrated on their own or as workers with their spouses, often leaving their children behind. As with traditional societies of immigration, Europe states permitted family reunification from the 1970s, whilst entire families from former colonies also settled in states such as the UK, France, Netherlands, Belgium and Portugal.

Since 1989 the spaces of immigration have been modified as the European Union has expanded its borders and deepened integration. Those from the former periphery (Greece, Portugal and Spain) became part of the European Union in the 1980s, thereby enjoying the benefits of mobility and entitlements conferred upon EU citizens. However, as Louise Ackers (1998) has forcefully highlighted, intra-European migration remains profoundly gendered given its assumption of a male breadwinner model and derivative social rights¹. Entitlements of family members, including the spouse, are channelled through those accorded to the worker. Furthermore, the low levels of intra-European migration may

¹ Recent legislation has sought to facilitate the movement of non-workers, such as students, spouses. Directive on Rights of Residence of Community Citizens.

well partly reflect the continuing difficulty of transferring social entitlements, such as pensions.

Another round of enlargement of eight countries in Eastern Europe and two Mediterranean islands (Cyprus and Malta) took place in May 2004². Immigration from Eastern and Central Europe has been a contentious issue so that only three countries opened up labour migration routes in 2004- Ireland, Sweden and the UK. In the latter country, 427,095 workers registered between May 2004 and June 2006, of whom 62% were Polish and under 42% were women (Home Office 2006). Elsewhere a transitional period of up to 7 years for full mobility has been imposed although Finland, Greece, Portugal and Spain withdrew restrictions on 1 May 2006³. Even without the right to reside permanently or work, many migrants from Eastern Europe had developed strategies to accumulate resources from short-term and rotational stays in what Mirjana Morokvasic (2003) depicts as a pattern of 'settled in mobility'.

During the past decade, patterns of migration (countries of origin, types of migration, duration) have become more diversified and stratified in line with the general globalization of migration (Castles & Miller 2003). Diversification and accrued stratification emerged most forcefully in Europe at the beginning of the 1990s, with continuing and new geopolitical conflicts in neighbouring regions in Eastern Europe, Middle East and Africa. States responded to increasing numbers of asylum seekers by

² Following an agreement in 2002 with the EU, Switzerland too has been incorporated into the EU migratory space although various economic and social rights will only fully come into force for EU nationals in Switzerland by 2014.

generating a range of statuses, each with attendant rights (Kofman 2002; Morris 2003). From the end of the decade, some states, and especially the UK and Ireland, selectively opened up their economic routes of entry, whilst further enacting highly restrictive legislation against asylum seekers. Labour migrants too encountered differential rights and entitlements according to their utility to the economy, social esteem and supposed ability to assimilate. Hence whilst IT workers and domestics were both in short supply, the former enjoyed the rights attached to the skilled unlike those working in low status employment in the household.

And throughout Europe as elsewhere, migrant women underpin the globalisation of care and social reproduction (Kofman & Raghuram 2006; Parrenas 2001; Yeates 2004b), yet except for the most skilled in the education and health sectors, their role is undervalued. An increasing proportion of female migrants are engaged in biological and social reproduction in the household, the community, the private sector and the state. The over-representation of Third country women i.e. those with a citizenship from a state outside the European Union in devalued sectors of the economy, both as legal and undocumented migrants, has profound consequences for their entitlements compared to homestate women.

Many formal rights and entitlements are taken for granted by citizens of the European Union but for migrants, rights may be legally withheld, be subject to conditionality and discretion. Their relationship to entitlements, defined as access to resources, and covering

³ Austria, Denmark and Germany have stated they will maintain restrictions for the full transitional period of 7 years whilst Belgium, France, Italy and Luxembourg have relaxed their restrictions.

material, social and symbolic dimensions, is more problematic and constrained by lack of rights. It is therefore not just a matter of the inability to exercise rights but also involves formal exclusion, which is sanctioned by immigration, residence and employment regulations.

Some of the key areas differentiating citizens and migrants are: the right to enter, conditions of residence and unlawful presence in the territory, security from deportation, the rights and conditions of family life, employment, including access to the public sector, self-employment and the liberal professions; access to citizenship and the ability to make the transition from one legal, residence and employment status to another. Formal dependency may be sanctioned through immigration legislation, a situation which particularly affects migrant women. They are bound as family members by a probationary period in most European states and in a few cases not permitted to enter the official labour market in the first few years, for example in Germany.

For an increasing number of migrants, their lives are constrained in the present and in the future by their tenuous status and limited claims to welfare entitlements. Skill, nationality, legal status and channels of entry determine migrant women's rights, entitlements and obligations. The impoverishment of women's entitlements, their disproportionate presence in under-valued and criminalised sectors, such as prostitution, and the lack of protection within the workplace, especially within the confines of the home, limit a number of the key capabilities outlined by Martha Nussbaum (2003) – bodily integrity, control over one's environment, practical reason enabling one to plan

one's life, and affiliation⁴. The various axes of stratification (skilled/unskilled; EU/non-EU; documented/irregular) and migratory channels express the status accorded to different migrants and determine the ability to exercise the above capabilities. These will be illustrated in relation to the different gendered immigration channels, notably that of labour, family and asylum.

This chapter focuses on the livelihoods and entitlements of Third Country women, who enter on their own for work and education, as family migrants or as asylum seekers and refugees. It primarily focuses on first generation migrants, that is, those who were born in another country⁵. There is growing interest in the stratified rights and entitlements generated by immigration policies but as yet little on its gender dimensions. In particular we need to consider how immigration policies reflect a differential valuation of sectors and skills, forms of immigration, and the relationship of immigration, racialised exclusion and national identity, all of which are profoundly gendered. The distinction between statuses and their attendant entitlements has become increasingly formalised and clear-

⁴ Four of them seem to be particularly appropriate in charting degrees of autonomy and dependency experienced by migrant women:

Bodily Integrity which refers to the ability to move freely from place to place; to be secure against violent assault and domestic violence; having opportunities for sexual satisfaction and choice in matters of reproduction; *Control over One's Environment* which includes having the right to seek employment on an equal basis with others.; having the freedom from unwarranted search and seizure. In work, it means being able to work as a human being, exercising practical reason and entering into meaningful relationships of mutual recognition with other workers; *Practical reason* which involves being able to form a conception of the good life and to engage in critical reflection about the planning of one's life; *Affiliation* has two elements. Firstly that of being able to live with and toward others and to engage in various forms of social interaction. Secondly, having the social bases of self-respect and to being treated as a dignified person whose worth is equal to others.

⁵ In many European countries the term migrant is both narrower and more extensive. Narrower in the sense that too often a 'migrant' is someone from a Third World country with value systems different to prevailing European norms, ignoring those who migrate from culturally or economically similar societies. Frequently, the migrant woman, and especially if Muslim, quintessentially exemplifies the weight of tradition. At the same time, 'migrant' may, in states such as Austria, Germany and Switzerland, be applied to all non-

cut, especially in relation to the skilled and the less skilled in particular for those from non-EU, and in some cases non-OECD countries, and between refugees and asylum seekers.

Whilst immigration policies categorise migrants according to status, economic utility and entitlements, the nature of the welfare regime is also important in generating migrant livelihoods in particular sectors. These in turn facilitate or constrain access to entitlements and the possibility of shifting from one set of entitlements to another. Although the relationship between migratory and welfare regimes is complex, we can see that in Southern European states, the lack of voluntary sector and public care services means that there is high dependence on labour hired by and working within the household. The nature of this labour often makes it difficult to be regularized (Moreno-Fontes Chammartin 2004), a procedure that has commonly been used in recent years in Southern European states. In Northern European states, both liberal and social democratic, household labour is contractually more complex, less visible and statistically difficult to capture. Nonetheless in all European states the globalisation of social reproduction has led to the migration and employment of women from the South to the North and between developed countries.

My intention in this chapter is to outline how we might combine an analysis of migratory patterns and systems in relation to different European welfare regimes which are at the same time being restructured and increasingly dependent on female labour through

nationals, many of whom have been born and educated in the country. In this case it is difficult distinguishing those of migrant origin from recent arrivals.

different migratory channels. Family members, asylum seekers, refugees, students all contribute to the formal and informal labour force. It is however not possible to explore in detail how gendered migratory and welfare regimes intersect (but see Sciortino 2004 on Italy). In this article I will confine my discussion to outlining some of the most significant relationships in a selection of welfare regimes.

The chapter is divided into three sections. The first section outlines the gendered characteristics of different categories of immigration (labour, family, asylum), associated entitlements and obligations, and the key axes of stratification, especially between skilled and less skilled, documented and irregular. Whilst the combination of immigration and labour markets stratify migrants, they do so in specific ways in different welfare regimes. Welfare states themselves generate particular openings for migrants. Thus the second section examines in more depth the ways in which employment relating to care, a core element of social reproduction, has developed within different welfare regimes, and in particular reference to five states – Sweden, Spain, France, Germany and the UK.

GENDER AND IMMIGRATION CATEGORIES

Migrant women have entered the European Union under different immigration categories and for different purposes. Until the stoppage of mass labour migration in the mid-1970s (earlier in the UK), female migrants constituted a significant minority of labour migrants but often entered without children. In many instances, their participation rate in the labour market was higher than homestate women at a time when many of the latter did

not work. For example in Germany, migrant women, including those from Turkey, were sought after to work in manufacturing (Erdem & Mattes 2003). Following the halt to mass labour migration, family reunion became the main route of legal entry into the European Union and was predominantly female. Ever more restrictive measures have meant that a growing number of migrants in the European Union fall into the category of the undocumented. The European Union estimates that 500,000 migrants enter illegally every year whilst many more enter legally but become undocumented. By the 1990s, refugee flows with variable gender balances began to increase.

INSERT CHART 1

From the 1980s Southern European countries clearly shifted from being countries of emigration to countries of immigration, including a strong demand for female labour. Family reunification, initiated by female and male migrants, has also become more important. Since the 1990s, the opening up of Eastern Europe and its economic transformation resulted in loss of employment for women and the search for new possibilities in European Union countries. In particular new forms of transient labour migration, often based on a rotational system, have enabled women to undertake domestic work, care, cleaning and trading whilst maintaining familial responsibilities in their home countries (Morokvasic 1996). Others have gone into prostitution, of whom a number have been trafficked.

Though already high by the mid-1990s, women's presence has increased so that they now form the majority of the immigrant population in European countries. In particular, over half of migrant women have been in the European Union for less than five years, especially in Poland and Italy.

INSERT TABLE 1

Overall women predominate in migratory flows, including labour migrations, from Eastern Europe, Latin America and the Philippines. A very different gender composition with female minorities typifies migrations from the Middle East, Africa and China. At the same time, the proportion of women in a particular nationality may differ significantly between different states depending on the timing and type of flows. For example, in the early to mid-1990s, the proportion of Moroccan women in France, Belgium and the Netherlands, countries with a long history of family immigration, was around 45% compared to 11.5% in Italy and 26.0% in Germany (Ouali 2003).

The rest of this section deals with the different forms of gendered immigrations – labour, family and asylum and refugee. Each of these forms of entry engenders specific issues and policies. For example, labour migration is characterised by increasing formalisation of differences and stratified rights and entitlements between the skilled and the less skilled, the documented and irregular. Ever more states are welcoming the skilled but refusing to acknowledge the need for less skilled labour beyond the expanded EU. Family migration is characterised by more restrictive entry policies and obligations in a number

of countries, especially targeted at those from Muslim countries. In relation to asylum, although women do not fare worse amongst those who are attributed refugee status, fewer asylum seekers are obtaining a secure status and are thus the most severely disempowered from the basic capabilities in determining the course of their lives.

Labour Migration

Migrant women are generally over-represented in those sectors in which homestate women are also over-represented (see table 2), that is hotels and restaurants, education, health and households. Nevertheless foreign-born are particularly concentrated in hotels and restaurants and households. Most research on female migrant employment is even more concentrated in its concern with two sectors: the domestic sphere (cleaning and care), which has risen sharply in the 1990s, especially in Southern Europe but also in Northern countries (Cox 2006), and the sex industry where it is estimated that 80% of those trafficked are involved in sex work. The increase of sex trafficking in the 1990s, especially from Eastern and South Eastern Europe, which has to a great extent replaced flows from Latin America and Asia, is related to the globalization of the sex trade, which has become a lucrative business (Salt 2001), fuelled by the growing demand in destination countries for foreign and exotic prostitutes (IOM 1996). It is estimated that between 200,000 and 500,000 are working illegally as sex workers within the European Union, many of them having been trafficked.

Little research has been undertaken into female migrant presence in other areas such as industrial cleaning, retailing, hotel and catering and tourism, even though these employ large numbers of migrant women. The hospitality sector has traditionally depended on female labour but it has increasingly turned to migrant labour. 8.1% of migrant women were employed in hotels and restaurant sector in Europe, and is especially high in Austria and Spain. Such employment may be particularly significant in tourist areas and large cities. It was estimated that 70% of catering jobs in London were carried out by migrants (Anderson et al. 2006)

INSERT TABLES 2, 3

Women too have used their skills to develop a niche in the community and inter-cultural sector in advocacy, mediation, translation and general community tasks. Some have sought autonomy and greater satisfaction through self-employment. Finally, a significant and growing number of migrant women from First and Third World countries are filling severe shortages in skilled sectors such as health, especially nursing, and education. They are contributing to the social reproduction of individuals, families and groups in different sectors and sites (Kofman & Raghuram 2006).

Yet writing on gendered migrations treats women's lowly occupations "as exotic, subservient or victimised, or relegated to playing supporting roles" (Pratt & Yeoh 2003) as homemakers. Such a perspective precludes a more accurate analysis of the implications of diversification and gendered stratification (Kofman 2002, 2004b). The

focus on the domestic and sex work sectors arises in part from the development and interest in new and alternative global gendered circuits of servicing (Sassen 2001) and care (Ehrenreich & Hochschild 2003) to explain the transfer of female labour from poorer to richer countries. Men and women circulate differently in the new global economy. Men occupy an elite space of flows (Castells 1996) in a masculinised high-tech world of global finance, production and technology, the commanding heights of the knowledge economy, while women provide the services largely associated with a wife's traditional role – care of children and the elderly, homemaking and sex (Ehrenreich & Hochschild 2003). For Sassen (2001) migrant women fill the devalued, marginalized and flexible sectors of production and services in increasingly polarised global cities. On the other hand, Ehrenreich and Hochschild (2003) emphasise the production of care in its material and emotional dimensions, enabling the economic expansion in the First World to take place under neo-liberal conditions of welfare restrictions and flexible labour. Globalisation has led to the marketization of various services, including care, which is now brought into global care chains. These are defined (Hochschild 2000: 131) 'as a series of personal links between people across the globe based on the paid or unpaid work of caring'. The chains may vary in their number and connective strength, combining internal and international caring links. It also encompasses skilled work outside the household, such as nursing (Yeates 2004a, 2004b).

Employment opportunities have therefore opened up well beyond the narrower preoccupation with social reproduction within the household. Reproduction encompasses the whole array of biological and social activities and relationships involved in

maintaining people, whether it be undertaken by the market, the community, the state or the household or combination of them (Kofman & Raghuram 2006). It should also be noted that migrants do not only provide material and emotional care for homestate populations but also for other migrants in their own families as well as through community organisations.

In the rest of this section I shall discuss in greater detail some of the key livelihoods linked with care and welfare and which have provided much of the sources of growth in female employment within the context of the globalisation of global chains of care and social reproduction.

Domestic Work

Traditionally domestic service was the major employer of women until after the Second World War (Sarti forthcoming) and this historical process is partially being recreated (Aguilar 2003) through the resurgence of domestic work, especially in Southern Europe where it is the main source of employment for migrant women. Nevertheless throughout Europe there has been an increase in paid employment in households (Cancedda 2001). In Spain 70% of working migrant women are to be found in this sector (Escrivà 2000). In Italy, there were 88,887 female domestic workers in 1999 from non-EU countries (Caritas 2001: 311), and on average 46.3% of domestic labour, rising to over 70% in the major cities in 1996, was performed by migrant women (Andall 2003). The participation of homestate women in the labour force is both dependent upon and creates demand for

domestic work which is heavily supplied by women of migrant origin, though in some countries by established migrants and homestate labour as in France, the UK (Anderson 2000) and Germany (Hillmann 2005). Amongst established migrant women, the importance of this sector varies substantially so for example in France only 10% of Turkish women compared to 23% of Moroccans and 40% of Portuguese were employed in it (Borrel & Boeldieu 2001).

Though patterns of employment, especially the significance of live-in-domestics, are different between Southern and Northern countries, there are also common issues and problems relating to the nature of this work. The most widespread problems are the low pay and long working hours. Their inferior position and the highly personalised relationship with their employers make it difficult for domestic workers to receive their agreed pay or get time off. Employers regularly demand unpaid overtime. The health and safety situation in the home is not satisfactory, and if domestic workers are ill, they do not get paid and may even lose their jobs. Psychological, physical and sexual abuses are common.

Domestic work is naturalised as being particularly suited to women who are deemed to innately possess the requisite skills, transferred from one private space to another. At the same time it is considered work of low social esteem, unworthy of work permits. Together with the racialization of migrant women, this reifies them in an inferior position which devalues their skills and portrays them as unskilled and only fit for domestic work. Yet so many studies of domestic work (Andall 2000; Zontini 2001) highlight the severe

degree of deskilling and disqualification that many migrant women with full high school education and even university degrees experience. This applies particularly to Filipinas, Latin Americans and Eastern Europeans. The previous closure of European labour markets to Third country migrants with professional qualifications (with a few exceptions mainly in the health sector) meant that for many women the only way of gaining access as a labour migrant was either in the domestic sector or other low level service jobs. Many entered as tourists, or in some cases as students, and became overstayers. Hence the boundaries between the legal and the illegal are often blurred. Many are not working irregularly and not covered by social security. In Spain, for example, 46.9% of those (176,000) covered by social security in 2002 were from Third countries, but of course a much larger number estimated at about 180,000 were irregular and with no coverage (Moreno-Fontes Chammartin 2004). In Italy, though 350,000 domestic workers were regularised in the 2002 amnesty⁶, it does not mean that their working conditions change enormously or that they are able to move out of the sector and meet other aspirations. Ethnicised and racialised stereotypes may restrict them to migrant niches (Sarti forthcoming).

There are of course differences between countries and nationalities. Southern European countries recognise the domestic sector as an area of employment. Spain, which recognised it as salaried work in 1985, establishes an annual quota. Each round has drawn in larger numbers with the last one in Italy in 2002 receiving 700,000 of whom 350,000 were from those in domestic work (SOPEMI 2004). In some Northern countries, for

⁶ They were seen to be less threatening and of strategic importance for the Italian economy (Fasano and Zucchini, 2002)

example Germany, it has become possible since February 2002 for citizens of accession countries to work legally for up to three years in households that are taking care of a relative i.e. elderly care and are receiving benefits from the statutory long-term care insurance system (European Industrial Relations Observatory 2002; Menz 2002). Though legally employed and paid at German rates, the state has in effect sanctioned deskilling in stipulating that these carers cannot compete against German-trained nurses and home care employees and must be given a household assistant work permit so that ‘untrained foreign workers’ do not put those they care for at risk. This represents a somewhat different resolution of labour shortages compared to IT workers who are to be employed at the same grades as Germans. In the UK domestic workers quotas were phased out in 1979 and only retained as a concession to foreign employers; workers did not have their own permit or the right to change employers. Over the years numerous cases of abuse and exploitation were reported, and after years of campaigning by Kalayaan, led to a change in immigration regulations in 1997 and the special right of regularisation for those who remained in the country undocumented (Anderson 2000). However the UK Government announced on 10 March 2006 that it was intending to change the conditions of their presence in the UK and restrict migrant domestic workers to a 6 months business visa without any right to change employers. It will represent a totally retrograde step encouraging exploitation⁷.

⁷ Migrant domestic workers who enter the UK accompanying their employer can leave that employer if they are abused or exploited and receive basic protection under UK employment law, and they are entitled to the national minimum wage, statutory holiday pay and a notice period. As a worker, their visa is renewed annually, and renewal is dependent on the migrant domestic worker being in full-time employment as a domestic worker in a private household. There is also a right to apply for settlement and for family reunification. In the new proposals they will lose rights to settlement and will not have the time or the

Stratification by nationality, religion, race and language skills, leads to different conditions and pay. Filipinas are generally viewed as the most valuable domestic workers, being Christian, English-speaking and well educated. On the other hand, Albanians in Greece or Moroccans in Spain are considered less valuable and have less negotiating power with their employers, often doing less rewarding work and receiving lower wages (Anthias & Lazardis 2000). Since the 1990s Eastern European women have joined the stock of domestic workers, especially in Austria and Germany. They have been predominantly pendular migrants (Morokvasic 1996; Ungerson 2005), often rotating a job between several people. They have rights of residence for up to 3 months, while others from Latin America and South East Asia are likely to be undocumented. What seems to be also emerging is a differential valuation between tasks which can be seen in the way that the care of the elderly is more likely to result in work permits (Germany) and regularisation (Italy) than for child care.

Au pairs, treated in official discourse as cultural exchange, started as a scheme between European countries (1969) that has been extended since 2003 to more Eastern European countries and those in the former Soviet Union. Though guidelines about remuneration and hours of work exist, the representation of au pairs as ‘members of the family’ makes it difficult to enforce. Thus it has actually become a form of hidden and cheap live-in domestic labour, often making up for the shortfalls in childcare provision (Cox 2006; Hesse & Pukhaber 2004). The contracts last between a year (Germany) and two years (UK). Au pairs from other EU countries may move freely and reside in the country

ability to appeal against non-fulfilment of rights or abuse. This is all being done on grounds that UK should obtain all its less skilled labour from within the EU

beyond the period of their contract while those from beyond the EU are more restricted. The opening up of labour markets to the accession countries is likely to mean a fall in au pairs from these countries (Anderson et al. 2006). Many from Eastern Europe have managed to prolong their stay using tourist visas and the contracts they made whilst au pairs, as has been the case in Germany (Hesse & Pukhaber 2004).

Community and Inter-cultural

Encompassing a range of activities such as advocacy, mediation, interpreting and general community work, this is an area which has enabled migrant women to break out of manufacturing and low level service employment and deploy other skills. There is no systematic study of employment across this sector which is often providing welfare for other migrants and refugees, settled and new. Mediation between individuals and families of migrant origin and public authorities and agencies, especially welfare and legal services, has become common in European states (Kofman et al. 2000). Initially, migrant women did it on a voluntary basis and were not salaried. Nowadays, many women migrants and refugees, who are unable to work in the area of their qualification, have found employment in this sector, though this is not to say that voluntary work has disappeared (Institute of Working Lives 2005). One of the demands has been the recognition of mediators and inter-cultural specialists as a career (Delacroix 1997) and accreditation of training. Accreditation is after all applied to employment in caring services in France (Ungerson 2005). This could also facilitate movement into the public and paid voluntary sectors and offer a stepping stone into relevant professions. Whilst

this sector could potentially open up more rewarding employment, it might at the same time leave migrants trapped in services for migrants, as has been noted in social work and teaching in Germany and the Netherlands (Lutz 1993). The expansion of integration programmes in the future may well only generate fixed-term and insecure employment dependent on funding for specific projects, as has happened in Sweden and the UK.

There has been interest in utilising the inter-cultural, defined as communication between cultures, as a resource that could be translated into professional competence in a range of fields such as trading, tourism, IT and media, and not exclusively in mediation and advocacy for migrant communities (Federal Institute for Vocational Training 2000). As with mediation, it should be viewed as a professional qualification and not just a personal feature of female migrants or something they are predisposed to. There is also potential for employment in the creation and management of cultural diversity and tourism for women in professional and entrepreneurial positions, and interfacing with the growth of the knowledge economy, rather than the precarious and seasonal employment usually associated with leisure and tourism.

Skilled labour in feminized sectors

Whilst the majority of female migrants fill less skilled jobs upon entry, they are not absent from the ranks of the skilled. Skilled migration is heterogeneous (Iredale 2001) in its gender divisions, occupations and conditions of work. Men overwhelmingly form the mass of those moving within transnational corporations and in the Information

Technology and Scientific sectors (HRST), upon which the notion of the highly skilled and the knowledge society has been constructed (Mahroum 2001; OECD 2002), and for whom movement was facilitated until the IT bubble burst. Within national workforces fewer women have been entering IT sectors but for migrant women, work problems are often compounded by the demand for constant physical mobility and flexibility between different places amongst software specialists (Raghuram 2004). 88% of the Green card permits in Germany in 2000 were taken up by men (SOPEMI 2001). The vast majority of scientists from Eastern European in the early 1990s were men, reflecting an uneven gender distribution in Germany rather than an imbalance in the sending countries (Morokvasic 2002).

INSERT TABLE 5

Women, in contrast, have tended to go into what can be broadly classified as the welfare and social professions (education, health, social work), the public face of the global chain of care (Yeates 2004a, 2004b) and social reproduction (Kofman & Raghuram 2006). Until recently, these sectors have been largely closed (with the partial exception of the UK) to migrant labour (Kofman 2000) which, at best, was forced to accept subordinate and less secure employment. In the UK, for the period January 2004 to August 2005, 47% of work permits were for healthcare with 24.4% for nurses and 4.6% for doctors and 4.6% for teachers (Institute for Public Policy Research 2005).

Recourse to foreign nurses in response to the crisis in nursing has constituted a truly global labour market, especially in the UK and Ireland (Yeates 2004a). Other countries have recruited primarily in neighbouring regions (Buchan et al. 2003; Kingma 2001). Global patterns may change rapidly. For example the UK has in 2006 taken off nurses, except those in certain for specialist areas from the list of shortage areas able to apply for a work permit⁸. Above all, it is the Philippines which supplies the overwhelming number but large numbers have been recruited from India, South Africa and other African countries. Though qualified nurses were recruited, a study of international nurse recruits in the UK, mainly from Europe, Australia, Africa and Philippines (Allan & Aggergaard Larsen 2003) found that many felt that their skills were not appreciated or respected and that they confronted racism and xenophobia. They also experienced a considerable degree of downgrading. Furthermore experiences varied considerably between the National Health Service, judged in more positive terms, and the private independent sector where they were frequently used as care assistants.

Whilst the most publicised, nurses are not the only area of shortages. Overseas doctors (non European Economic Area [EEA] qualified) form a large percentage of the UK medical labour market; in 2000 they constituted 26% of the hospital medical workforce. Most women had come to obtain further qualifications and training, and were, as with male doctors, in the lower and middle grades. In an increasingly feminised occupation, women form a significant proportion of migrant doctors with over half of those seeking

⁸ Financial problems in the National Health and the inability of new British-trained nurses to find a job, have led to the severe restrictions on the recruitment of overseas nurses. However it is very likely that trained nurses will be recruited into the care sector, possibly as care assistants rather than as nurses.

registration with the General Medical Council in 1998 being female (Raghuram & Kofman 2002)⁹.

Home language instruction, which local authorities have had to provide since the 1970s, has also presented women with more professional opportunities and has, for example in Sweden, put teaching tenth on the list of jobs done by migrant women (Knocke 1999). Teaching languages, both privately and in language schools has been a major source of employment, especially for educated women. A survey¹⁰ by TOWER (Thessaloniki Organisation of Women's Employment and Resources) in Greece, largely representing repatriates and women from economically advantaged countries found that many had earned income from private English-language classes (Lukey-Coutsocostas cited in Rosewarne & Groutsis 2003). One of the major problems encountered by a number of women, many of whom had settled as a result of marriage or cohabitation, has been the recognition of foreign credentials. This issue will be taken up more fully in the section on family migration.

Care

This is a category (for a discussion of the concept see section on Welfare regimes, livelihoods and migration), though receiving considerable attention in recent years in the

⁹ As with nurses major changes have occurred in relation to overseas doctors whose postgraduate training scheme has been ended, due in part to the expansion of British-trained doctors, the availability of EU doctors and the financial crisis in the NHS.

¹⁰ Of the 116 women surveyed, 61% had come from EU countries with 45% having a Greek spouse or life partner. 78% had a university degree of which a third were at a post-graduate level. About 10% were repatriates who had been born in Greece and had returned after a period of study or work abroad and had encountered problems in reintegrating.

discussion of the transfer of labour from South to North, is very difficult to pin down and capture statistically. Care can be located within different sectors in official statistics, encompassing both households and health and social services; in the list of occupations, it may be placed in professional categories as well as personal services. It can require very different formal skill levels from nurses to nursing assistants, care assistants to those who have the aptitude as women. It can occur in a variety of sites in public and private spaces, and with different employment contracts and degrees of regulation and commodification (Ungerson 2005). Nordic countries have relatively high levels of care workers, for example 9% in Sweden, compared to 5% in the UK and only 3% in Spain (Lethbridge 2005). Care labour can be filled by established as well as new migrants, and those entering as labour migrants, through family migrations and asylum. There is evidence that some of the new forms of payment, such as direct cash for care and especially when it is not monitored or regulated, encourages the employment of undocumented women without residence status in Italy and rotational labour from Eastern Europe in Austria (Ungerson 2005). The interplay of these aspects vary by welfare regimes and lead, as we shall see, to very different recognition of its significance in immigration policies. I will discuss it more fully in a subsequent section on livelihoods, entitlements and welfare regimes.

Immigration Status and Entitlements

Some of the crucial axes demarcating the bundle of entitlements are those related to the valuation of human capital and skills in the labour market which are in turn assumed to

be correlated with propensity to assimilate. As the previous discussion of specific sectors has highlighted, these skills have a strong gender dimension. The key dichotomies are between the skilled and the lesser skilled, and the legal compared to the undocumented. The two are connected since the lesser skilled are far more likely to enter illegally and become undocumented. In turn a migrant's position in relation to these axes influences access to the entitlement of family reunification, which though in principle stems from the right to family life, is in reality limited by a series of conditionalities.

The pattern that has generally emerged in European states is, on the one hand, an improvement of entitlements for the legally settled, in exchange for the acceptance of obligations and responsibilities, and, on the other hand, the withdrawal of basic economic and social rights for the most precarious, that is asylum seekers and the undocumented, who are more than ever at risk of deportation.

Skilled migrants are welcomed; they are represented as unproblematic, easily assimilated and, of course, beneficial to the economy. So in order to attract them, many countries have offered easier entry, the right to be accompanied by one's family and for them to work; permanent residence permit and eventual citizenship (Kofman 2002; Morris 2002). For example, the new German Immigration Law, in force since 2005 only grants immediate permanent residence to skilled migrants. The main shortages they are seeking to fill are in IT and engineering, both very masculine sectors. The UK eased entry for the skilled in September 2000. The Highly Skilled Migrants Programme (January 2002),

based on points whose criteria of income, status in employment, educational level, are likely to favour men (Kofman et al. 2005)¹¹.

A distinguishing characteristic of skilled migration is its possibility of settlement and family reunification. Nurses in the UK are able to decide whether they want to bring in family members or not (Allan & Aggergaard Larsen 2003). Many do not because work commitments preclude it. It may also be easier for the skilled to bring in family members other than spouses or dependent children such as parents which is largely discretionary. Furthermore, female spouses of the skilled migrants are allowed to work, though not in sectors reserved for nationals or EU-citizens.

Even if many do not intend settling, skilled labour migrants have the possibility of renewing their contracts, of settling and eventually acquiring citizenship and bringing their families, entitlements that are not available to the lesser skilled. So although fewer in numbers than the less skilled, the expansion of skilled opportunities for female migrants highlights the diversity of migratory circuits, potential entitlements and the ability to exercise significant capabilities, such as ability to control one's environment, practical reason in defining one's life (Nussbaum 2003).

¹¹ Data obtained from Work Permits UK show that about 29% of applicants from 2002 to September 2004 were female. A large number of points in the UK system come from having a PhD or a high status position in an organisation. It is difficult as yet to make any comparisons since Canada only dispensed with an occupational grid in 2002, while Australia's retains a strong occupational element. Both UK and Canada lowered their level of points for entry, in the UK from 75 to 65 in November 2003. A new system of managed migration integrating the Highly Skilled category as tier 1 is gradually being implemented.

The lesser skilled generally enter as contract labour, or a revived guest worker system, without the possibility of transition to a more secure settlement status or the right to bring in family members. Gender of course structures the entry of the lesser skilled for although, as we have seen in the section on labour migration, opportunities for female labour have expanded throughout Europe, it is in sectors that are socially devalued and often unrecognised for purposes of official work permits. Even where quotas for domestic labour have been agreed, they are insufficient to meet the demand and are forcing female migrants to reside as undocumented migrants.

Being undocumented not only leaves one without access to basic entitlements (education, health), a right of citizens incorporated in many constitutions, but also renders eventual acquisition of citizenship difficult. Acquiring resident permits through regularization programmes, and hence being able to return to one's home country, and become eligible for family reunification, and access welfare services and benefits, have often proved more difficult for women than men. The frequent regularisation exercises in Southern European states too may be more difficult for those in informal work and domestic labour who have to supply proof of employment (Anderson 2000). It is virtually impossible for those in the sex trade (Lazaridis 2001).

Family-linked migration

The 'family' in the context of family migration into the European Union is defined by the state; migrants cannot determine for themselves the persons who constitute their family.

It includes spouses and dependent children usually under the age of 18 years. Though ways of living together have altered radically in European states, migrants must still conform to traditional marriage patterns as the basis of entry into most European states. Only a few countries, for example in Scandinavia, the Netherlands, and more recently the UK (Home Office 2002), allow the entry of cohabiting or same-sex couples if they form 'relationships akin to a family' in the receiving society (Simmons 2004). The 'family of choice' is still some way off (Weeks *et al.* 2001). Parents are generally only permitted to join their families if they are dependent (Denmark, Spain and over 65 years in the UK), for humanitarian reasons (Germany), or if they are in serious difficulties (Netherlands). Thus the generally limited conceptualisation of the family leaves little consideration for problems generated by caring at a distance (Ackers 1998; Baldassar & Baldock 2000), cultural differences in familial relationships, and the role of grandparents or other collateral relations in providing nurturing and support for different members of the family.

Separated families are not a new phenomenon. In the earlier decades of post-war European immigrant, many couples, especially amongst the Portuguese, Spanish and Yugoslavs, left their children behind with kin in the country of origin (Charbit et Bertrand 1985). Today, the survival of the household in the country of origin increasingly depends on the livelihood of migrant women (Sassen 2000) who are creating a nexus between the formal and the informal sectors in circuits of counter-globalisation. Separated families, transnational mothering and parenting, and care at a distance, have once again become more important due to the nature of employment that is available for

female migrants, often in personal services and initially without a residence permit. Women migrating from Eastern and Central Europe within a rotational system (Morokvasic 2003) and those moving independently, for example from the Philippines, often leave their families behind for many years, sometimes leading to difficult long distance intimate relations (Parrenas 2005). At the same time family members in the receiving countries, may not be permitted recourse to public expenditure at least for the first few years.

In effect family migration encompasses a wide range of situations, each with a different gender composition. The classic family reunification of primary migrants is only one form; marriage migration of second and subsequent generations who bring in partners from their homeland, international marriages by citizens and non-citizens due to tourism, education and business and professional activities, and finally the movement of entire families, all add to the complexity (Kofman 2004). Family-linked migration remains the main source of permanent migration (estimated at about 65% of permanent immigration in the European Union), and has been particularly dominant in France and Sweden, which have low levels of labour migration (see Chart 1). In France, adding together family reunification and formation and the private and family life visa entries introduced in 1998, 73.3% of long-term entries (140, 142) were for family reasons (Regnard 2006). Only a quarter of family migration is from the traditional family reunification route, far more significant entry is of those joining French citizens, who are frequently the children of migrants. Whilst women dominate the various forms of family migrations, the percentage varies between 64% for family reunification to just over 50% involving a

French citizen. In countries with large-scale labour migrants, many of whom have the right to be accompanied by their family, there is a substantial flow of accompanying members, for example 94,690 workers were accompanied by 52,520 family members in the UK (SOPEMI 2006). In Southern European states, family reunification immigration is on the increase. In Italy, for example, 26.4% or 366,122 of residence permits in 2000 were for family reunification (Caritas 2001). By 2004, 55.4% of Italian immigration was generated by family reunification and formation (SOPEMI 2006).

Yet despite the significance of this form of migration in Europe, it receives virtually no attention. In part this is due to its association with female migration and dependency rather than work and autonomy. The assumption is that (female) family migrants do not enter the labour force or are not concerned about employment (Kofman et al. 2000); it is merely a secondary issue. Virtually nothing is known of the professional aspirations of female family migrants, whether they enter under family reunification and formation regulations or as partners of skilled spouses. However, with the expansion in skilled migration and marriage migration (Ackers 1998; Riano 2003), there are an increasing number of educated women who are blocked in their career paths. Though immigration and employment regulations have been increasingly relaxed for spouses of skilled migrants, skilled women entering through marriage often still encounter immense difficulties in getting their qualifications recognised in regulated professions. This blockage is compounded in corporatist states with highly protectionist legislation circumscribing public sector employment, such as Germany and Switzerland. A study of Latin American women, who had married Swiss men and were living in Switzerland

(Riano 2003), revealed three situations: no professional integration where women who had worked in their home countries had become inactive; professional integration below their qualifications where two-thirds worked in occupations such as language teachers or work in areas where they have been trained but at a lower level e.g. as an assistant; equivalent professional integration which was achieved by two women whose qualifications (PhD) had been obtained in North America and so were able to escape the de-qualification of many women from the Third World. The spouses of personnel in transnational corporations (TNCs) may also face difficult conditions and have little control over their professional life as trailing spouses constantly on the move (Hardill & MacDonald 1998).

INSERT TABLE 6

Family migration, though underpinned by human rights conventions enshrining the right to family life, has in reality been closely regulated by a set of criteria based on resources (income, housing, ability to maintain members without recourse to public funds). However, success in applying for family reunification may be lower for migrant women due to their labour market position, difficulty in obtaining work permits as domestic workers, and ability to accumulate the necessary resources (income and access to housing). Their work as live-in domestics in Southern European countries presents an obstacle for female migrants to bring in male spouses and children. So what offers advantages for women in the beginning may present obstacles once they are more established. Becoming regularised and obtaining citizenship enables family reunification

to become a reality (Escriva 2005). And of course for the skilled, it is much easier to meet the requirements for bringing in family members, whether spouses or parents.

The dependency and autonomy of spouses (Kofman et al. 2000), whose residence permits are linked to those of the primary migrant and the continuation of their marriage, are particular concerns. Although some countries have reduced the probationary period, as in Germany where it was decreased from four to two years in 2001, others have lengthened it from one to two years in the UK, on grounds of the need to deter marriages of convenience, and in France from two to three years. Women marrying men from third World countries are often viewed with suspicion (de Hart 1999). There have been some improvements in the interpretation of the probationary period in that domestic violence, if reported to public authorities, has increasingly been taken into account in deciding the right of the spouse to retain a residence permit in the event of a marriage breakdown.

The conditionality has been applied not just to the right to live a family life in the receiving country but also the obligations that new members must comply with in a number of European states, especially those with high proportions of family reunification migrants, compulsory integration programmes have also been implemented (Denmark, France, Germany). Failure to comply with such schemes, which are directed not just at those applying for citizenship but also long-term residence permits, may have serious consequences. Success may be rewarded with a reduction in years required for naturalisation, as in Denmark (European Industrial Relations Observatory 2003).

Entitlements may be tied to obligations of linguistic knowledge, shared values and general good behaviour i.e. the deserving migrant. As with entitlements, so too are obligations gendered as can be seen in the new 'integration contracts'. There is evidence that ability to participate and complete them successfully varies according to gender. In France, the percentage of women signing it has been lower by men, especially amongst those with little knowledge of French. Unsurprisingly some of the reasons women gave for not signing, such as spouses or community's refusal and child care, applied far more to them than men (Haut Conseil à l'Intégration 2006: 256-9). A French study of refusal rates for citizenship also found that two-thirds of those rejected on grounds of insufficient linguistic knowledge were women (FASILD 2003).

The assumptions behind these contracts have often been constructed on the basis of a gendered representation of problematic immigrant communities, composed of unruly young men and traditional females (generally Muslim), brought in from distant countries and unfamiliar with prevailing social and cultural values of the country in question. Hence the exhortation by Jack Straw, the British Home Office Minister, that marriage, if they be arranged, should be concluded with people close by rather than afar (Home office 2002).

In the context of crises over national identity and hostility over increased levels of immigration, family migrations have been targeted. As a result, the conditions of entry and residence have been tightened and the obligation to integrate made mandatory amidst concerns over belonging, cultural values and threats to national identity.

Asylum Seekers and Refugees

Although men remain in the majority amongst asylum seekers, the gender balance has become more equitable since 1990. It is often difficult to obtain information on the demographic characteristics of asylum seekers. The Home Office in the UK has only published statistics on gender, age and nationality since 2001. 30% of principal applicants and 53% of dependants in 2004 were women (ICAR 2006). Gender ratios vary also according to different categories. In Norway for example, in terms of principal applicants in 2000, women formed 34% of asylum seekers, 38% of resettlement refugees pre-selected from camps, and 50% of those from the war zones of former Yugoslavia (Hauge Byberg 2002).

One of the key subjects of debate is the extent to which women have access as asylum seekers to West European countries and are subsequently able to gain recognition either as Geneva Convention refugees, a secondary status or even less secure humanitarian protection. In relation to access it is clear that women are less able to reach European countries as principal applicants due to their lesser resources. In the UK, the vast majority of asylum applicants able to make claims were men (78%) in 2002 but in 2003 this had dropped to 71.6%.

However, recognition as a refugee raises quite complex issues concerning whether their political activities and specific forms of gender persecution, such as sexual violence or

behaviour and dress in public, are recognised in the asylum determination process (Wetten et al. 2001). Some argue that women's political activities, which are often located in the private sphere or involve sustaining dissidents, do not conform to the prototypical male refugee (Crawley 2001); others contend that women do not fare worse in the determination process (Bhabha 2002). In the UK more women (9%) obtained refugee status compared to men (5%) in 2003 (Home Office Asylum Statistics). Although Dutch analysis of the asylum determination process was not conclusive about gender bias, few of the asylum applications by women in the Netherlands were based on gender persecution grounds. Some European states (Denmark, Germany, Ireland, Norway, Sweden and the UK), have developed guidelines for gender persecution in their asylum determination process, along the lines implemented in Australia, Canada and the USA (Crawley 2001). Resettlement schemes to take the most vulnerable in the UK, as occurs in Norway and Sweden, may help women since they do not have to find the resources to travel, and selection criteria may include vulnerability rather than the narrower grounds of political persecution, interpreted in male terms.

Another set of problems relating to settlement and integration confront those granted some degree of protection. Though shared by other migrant women, refugee women face particularly severe problems in accessing entitlements to training, employment and language classes, especially those with children (Kofman, Lloyd & Sales 2002). Refugee women find it particularly difficult to enter the labour market as Norwegian data shows and fewer women participate in labour market schemes than men (Hauge Byberg 2002). In many countries asylum seekers are barred from employment until they acquire a

recognised status (humanitarian or refugee). Being the non-principal asylum applicant for asylum can also make it more difficult to obtain the right to work. In general, refugees confront enormous cultural and language barriers, racism, prejudice and lack of recognition of qualifications (Westin & Dingu-Kyrklund 2000), but women refugees have additional burdens of child care and gender stereotyping in terms of suitable jobs, as well as for some, opposition from men to their participation in the labour markets (ECRE 2001; Sargeant et al. 1999). Refugee women with childcare responsibilities find it almost impossible to work. Qualified refugees in the UK are beginning to receive greater support to retrain, especially those with health qualifications.

Thus some of the most severe disentanglements (employment, welfare, family reunification, security) occur amongst asylum seekers and refugees. Increasingly asylum seekers have been criminalized, withdrawn from mainstream society and entitlements and deprived of the right to work. Nor do they have the right to choose where they live for many states impose policies of dispersal. Failed asylum seekers or those who have exhausted their ration of welfare, and do not officially have the right to work¹², can be compared to the diminishing number of Geneva Convention refugees who have full rights¹³ Only Convention refugees are able to bring their families in immediately without meeting the usual criteria of income and housing.

¹² France had already withdrawn the right to work in 1991 but in the UK it was permitted for the principal applicant after 6 months but discretionary for other members. Inevitably the outcome was unfavourable to women. However since July 2003 this right has been withdrawn for everyone in an attempt to further dissuade asylum seekers.

¹³ In the UK even the status of Convention refugees has been made precarious since they will not be given an automatic right to settlement for five and can therefore still be sent back if within the first years the situation of the country of origin is deemed to have sufficiently improved (Home Office, 2005: 22).

The analysis so far has focused on entitlements related to different forms of immigration flows and policies. An understanding of stratified rights needs to take account of more than formal entitlements based on entry and residence and legal statuses. Actual access to rights and the exercise of them are deeply affected by processes of racialisation and differential representation of groups. September 11, 2001 served to reinforce suspicion of Muslim populations depicted as inimical to Western values, especially in their views of gender relations and oppressive treatment of women. The current targeting of Muslim women raises a number of human rights challenges. Anti-discrimination legislation will have to counter the heightened racism against Muslims since September 11 2001 and the various bombings in European cities, especially against those who visibly affirm their religious affiliation, as with veiled women in the workplace and in schools (Ahmad 2003). France, for example, has banned, since September 2004, the wearing of religious symbols in state public spaces, especially in schools (Freeman 2004). In Germany, several right-wing states have prohibited the employment of Muslim women wearing headscarves as teachers in schools. Thus the strengthening of Islamophobia (Runnymede Trust 1997) and emphasis on cultural practices (head scarf, arranged marriages, honour killings) associated with Islam focuses attention more than ever on Muslim women oppressed by patriarchal systems (Dietz & El-Shohoumi 2002). Even before the Gulf War, the link of Islam with terrorism and the oppression and expulsion of women from the public sphere in Afghanistan and the headscarf affair in France in 1989 had propelled Muslim girls into the limelight (Dayan-Herzbrun 2000). Apart from the veiling of Muslim women in public places, two extreme practices, that of forced marriages and

honour killings, have captured much media attention which has often portrayed Muslim women as unrelentingly oppressed by dogma and without any religious autonomy.

WELFARE REGIMES, LIVELIHOODS AND MIGRATION

There is a growing literature on migrants and welfare states, relating to welfare rights (Bommes & Geddes 2000; Sainsbury 2004), civic stratification (Kofman 2002; Morris 2003) and racialised exclusion (Schierup et al. 2006), defined as a social hierarchy or stratification based on a combination of racialised ethnicity, gender and class. However there is little sustained or comparative analysis of migrants as providers of welfare, rather than as recipients of welfare entitlements. As noted in the discussion of labour migration, the livelihoods available to female migrants in Europe vary between welfare regimes. Yet, there has been little examination of gender, livelihoods and welfare regimes with the exception of domestic labour (Hillmann 2005; Schierup et al. 2006; Sciortino 2004; Williams 2005).

During the 1990s, Esping-Andersen's (1990) influential work on comparative welfare regimes generated a copious literature on its conceptualisation and classification into social democratic, conservative and liberal regimes. His model highlighted de-commodification, employment and stratification generated by the welfare state. The concept of decommodification commanded the most attention. It refers to 'the degree to which, individuals or families, can uphold a socially acceptable standard of living independently of market participation' (Esping-Andersen 1990: 37) which the transfer of

social security and benefits (pensions, sickness, unemployment) enables¹⁴ Although his typology has been criticised by feminists for its emphasis on cash transfers, it provides a useful framework with which to examine how immigration policies and welfare regimes interact, as long as we recognise that the regimes have changed. In the rest of this section I briefly explore the relationships between welfare regimes, degree of participation of homestate women in the labour market, demand and supply of caring labour and the use of female migrant labour. I do this through five different welfare regimes and immigration systems.

INSERT TABLE 7

* Sweden has a social democratic welfare regime where the benefit system is based on universalism and a high degree of de-commodification and socialization of family responsibilities with well-developed and publicly funded facilities. Though still with a high level of universal coverage and de-commodification, more liberal economic and social measures have been implemented since the early 1990s (Schierup et al. 2006) Model Family migrants and large numbers of asylum seekers have dominated immigration flows since the stoppage of labour migration in 1972. Whilst getting refugee status has become much more difficult in the past few years, Sweden opened up to labour migration from the new accession countries in 2004.

¹⁴ Feminists pointed out the inadequacy of his theorisation of familial relations and the conceptualisation of de-commodification in terms of income maintenance (pensions, sickness, unemployment) which enables the individual to be less dependent on market forces. Instead Lewis (1993) proposed an alternative male breadwinner typology (high, medium, low) based on the extent to which social policy maintains women's dependence on men.

* Germany is a conservative corporatist welfare regime with high levels of benefits and stratified earnings-related systems. It promotes family values and a strict differentiation between men as breadwinners and women as wives and mothers. Care is provided by the family and the Church. It originally drew its migrants from the Mediterranean as guest workers based on an ethnic and exclusionary model of incorporation. Following the end of the bipolar world, its migrants have increasingly come from Eastern Europe while the numbers applying for asylum have been high

* France, though also classified as a conservative corporatist welfare regime, does not follow a strong breadwinner model. The state has had responsibility for social care, especially child care (Fagnani & Letablier 2005). Women participate to a high degree in the labour market and have access to child care. The country has a long history of waves of immigration, both from neighbouring states and its former colonies in North and West Africa and South East Asia. Since the 1970s family migrations has dominated and in recent years asylum demands have risen sharply. Its limited official labour migration may be set to change as it seeks to move towards selective migration of the skilled and relaxes some of the restrictions against labour migration from accession countries.

* Spain has also been classified as a conservative of the Southern rim variety with stratified benefits, protected public sector employment and strong familialism. Its immigration history is more recent and diversified than countries in Northern Europe. Colonial links too play a part in migratory patterns, though its proximity to North Africa and the opening up of Eastern Europe have shaped its recent migratory patterns.

* The UK is usually typified as a liberal welfare regime, based on means-testing and welfare payments only adequate to maintain very modest living standards. Esping-

Andersen considered it a combination of social democratic and liberal elements for the post-war period until the 1980s, but in the past 20 years it has been the vanguard of liberalising welfare states. Its migratory patterns and policies have been profoundly marked by its colonial ties. The implementation of neo-liberal policies in the 1980s contributed to the reduction of investment in professional training, eventually resulting in severe shortages, not just in information technology but also in many social and welfare occupations. Additionally, the UK sees itself positioned as a global player eager to compete in the market for skilled labour (speech by Barbara Roche, the Minister for Immigration on 11 September 2000). Its deregulated labour markets have fostered the employment of migrant labour.

In the past decade a wide-ranging analysis (Daly & Lewis 2000; Sainsbury 1999; Koninklijke Nederlandse Akademie van Wetenschappen 2001) on care and shifting welfare regimes across gender and generations has taken place. Daly and Lewis (2000: 285) defined social care “as the activities and relations involved in meeting the physical and emotional requirements of dependent adults and children, and the normative, economic and social frameworks within which these are assigned and carried out. In analysing the changing context (demographic, economic, and social) of care in different welfare states, they raise issues of the division and infrastructure (cash, services) of care between state, market, family and community and the trajectories of change between them. The boundaries between sectors of care and individuals and families have shifted as welfare states have experienced crises of care arising from decreasing supply and increasing demand. They point out that much existing work on care has concentrated on

the complexity of the everyday and neglected its role in the dynamic political economy of the welfare state.

The discussion about gendered welfare states and the crisis of care seems to have almost entirely ignored migrant women, despite the crucial role they have played in providing services and maintaining welfare states. Part of the reason is that the analysis of the globalisation of social reproduction (Anderson 2000; Maher 2004) has been conducted separately from studies of comparative welfare states. Similarly the social reproduction literature tends to assume that transnationalism is primarily due to the combination of women's formal employment and relatively unchanging gender relations in the household. Within this framework, market forces bring First and Third World women together. Only a few authors (Kofman et al. 2000; Williams 2003, 2005) have considered the extent to which migrant women have supplied the care underpinning welfare provision in the home, the community, the private sector and the state. Not only are migrant women "partial citizens" (Parrenas 2001), but through their labour they enable citizen women to access child and elderly care, both in and outside the home, to combine care and work, participate more fully in the labour force, and have time for other activities. And in addition, migrant labour leaves undisturbed prevailing gender norms in the household (Williams 2003). Of course the dependence of particular welfare configurations on migrant women's employment varies substantially between states. It is a complex issue which will be explored in relation to a number of developments: homestate women's employment, the relationship between the state, market, community

and family in the provision of services, and the extent to which migrant labour is being used in care.

The increased *labour force participation* of homestate women in the past decade has characterised all EU countries except for Finland and Sweden where it has decreased and in Denmark a very slight increase. The breadwinner model has been replaced with an adult worker model where both partners work. In Scandinavian countries and in France female participation is very high or high with medium to low levels of part-time work. What distinguishes this group is the high full-time participation rate of women with young children, reflecting the provision of services either through the public sector, as in Sweden, or a combination of public and household (registered child minders) services as in France. The market plays a much bigger role in the provision of care for the elderly. Intensified domestication of these caring services has led to the employment of migrant women in France, particularly of more recent arrivals. In a second group of countries, female employment, though substantially expanded in the past two decades, has occurred through women working part-time, often for a relatively short number of hours. In the absence of public or affordable market services a low percentage of women with young children are able to work full-time. This applies both to the continental corporate countries such as Germany as well as the more liberal system in the UK. The high percentage of part-time employment means that the use of migrant women (established and recent) for care remained low but is rising. The third grouping covers the southern rim, with the exception of Portugal, where the employment rate of women, including part-time, is low, as too is the proportion of women with young children working full-

time. Thus in Southern countries the proportion of migrants employed in households to make good the deficiencies of public, community or market services is high and represents the major source of employment for female migrants.

INSERT TABLE 8

The second aspect to be considered is the *relationship between the state, the market and the family in the provision of care and the reconfiguration of welfare delivery*. This needs to take account of services for children, the elderly and the disabled. Whilst feminists addressed the patchwork quilt of caring, particularly of child care in the early 1990s, they devoted less attention to care for the elderly and those with special needs, where public intervention had been much more limited in most European states. Trends in child care across European Union states are more coherent than for the elderly and are moving towards the acceptance of public subsidization of private (parental) caring (Daly & Lewis 2000: 293). For the elderly, changes are particularly complex and shaped by different sources and forms of privatization (Trydegard 2003). Deinstitutionalization, application of management and market principles (separation of the purchaser and provider and the creation of internal markets), de-professionalisation and more systematic targeting of recipients of care have all played their part in shaping a more privatized, managerial and informalized economy of care.

Leira's typology (2001), based on provision of services for young children under three and the elderly is useful, but was developed before the implications of the reconfiguration

of welfare services (Daly & Lewis 2000: 286) during the latter half of the 1990s had become apparent. Hence to apply it to the current provision of service one has to include the shift from the direct provision by states as well as the application of market principles to public provision. We also have to take into account the blurring of the division between formal and informal work and the recent development of informal work which encompasses new forms of informal care work and inclusion based on care work (Geissler & Pfau-Effinger 2005). These processes have resulted firstly in semi-formal family-based care work where caring tasks undertaken by families and social networks are paid for, and secondly, informal care employment, based on the employment of paid workers (nearly all women) in the household, and in which the household acts as the employer.

It is clear that these economic and social changes have implications for the involvement of migrant labour in the provision of care within and beyond the household. The initial discussion of care provision outlines the level of provision for children and elderly in different welfare regimes before drawing out implications for the use of female migrant labour. Due to the absence of comparative studies of care and social reproductive labour which includes more skilled work, the analysis is limited to the less skilled sectors of migrant employment.

Abundant services for both young and old (Sweden)

Universal coverage for publicly funded municipal child care for all working parents and students remains an objective in these countries. Nonetheless, in Sweden 40% of municipalities withdraw places where at least one parent has lost their employment (Letablier 2003). Although Swedish policy for the elderly (publicly financed and supplied according to need and not ability to pay) seems to remain constant in general terms, it has undergone considerable change in practice. The impact of market principles on public policy has been particularly marked in Sweden. To meet the expansion of the elderly population and demand for services, municipalities have evaluated needs more strictly, prioritising medical and social above household (cleaning, washing, and shopping). These services are largely provided by profit-making companies, for the most part large international ones. The four largest ones held 50% of the contracts. Private Swedish recruitment agencies are also supplying low-wage cleaning and domestic labour. Employment of carers has increased by 13% in the second half of the 1990s, especially those employed by the private sector (Trydegard 2003). These developments have created a gendered and racialised informal and casualised labour force using Eastern European, undocumented migrants who are on the increase and non-EU migrants (Schierup et al. 2006). And in targeting the frail elderly and reducing basic household services, social stratification has been deepened such that the better educated buy the deficit from the market while the lesser educated have turned to family and neighbours for care which is usually undertaken by older married and single women (Theobald 2005).

Abundant services for children but limited for the elderly (France)

The state has not necessarily sought to reduce expenditure but to change the way in which services are provided i.e. privatised and in the home. In France, although there are a large number of publicly financed crèches, there has been a shift in the 1990s to private forms of care supported by the state such as allowances for registered childminders and tax deductions for families who hire an employee to take care of a small child (Tobio 2001)¹⁵. Unlike childcare, legislation to help the dependent elderly in France (1994, 1996) was slow to develop. About 6% of the population over 65 years in 1996 were living in institutions and the new policies were attuned to employment objectives encouraging the employment of home help or even unemployed relatives.

Abundant services for elderly but poor public provision for young children
(UK)

Childcare has been expanded with the help of state subsidies to the private and associational sectors as part of a general strategy of shifting from welfare to workfare by increasing female participation in the labour force. In the UK, the National Childcare Strategy fits well into what some have called the social investment state where social expenditure is to provide an investment that sustains the nation's ability to compete in the global economy (Lister 2003). For the elderly, the restructuring of public services since

¹⁵ This system exists for those who are legally employed and registered which means they have rights like any other employee. Many do not use it because it involves employers and employees in high rates of social security payments.

1980s can be seen clearly in the current dominance of the voluntary sector and private companies -64% of contact hours in 2002 compared to only 2% in 1992. At the same time, fewer households were eligible for care to help them function independently due to the threshold at which people become eligible for care (Deol 2004), thus forcing more of the population to purchase services from the market.

Limited services for young and old (Germany, Spain)

The privatization of services means very different things in Germany compared to the Southern Rim countries. In Germany there is a relatively large voluntary, quasi-statutory welfare sector funded by the state which provides a range of services for children and the elderly (Daly & Lewis 2000). Young children are still seen as the responsibility of the mother but since the late 1990s, there is a legal right to kindergarten provision for children between 3 and 6 years. For the elderly considerable change has ensued from the implementation of home-based (1995) and institutional care (1996) allowances which have resulted in an expansion of private home-based care agencies (Behning 2005).

In the southern rim countries, the state contributes little to support family life with Spain spending the lowest percentage on childcare and the family in Europe (Tobio 2001). Thus, working women with children call upon family members, while 6% of those employed used paid domestic help (survey conducted in 1998). Making family and employment compatible has begun to appear on the political agenda (Law for the Reconciliation of Work and Family Life 1999) and some initiatives for public child care

have been taken at a regional level as in Catalunya. However, the norm for care of the dependent elderly remains a family issue; the proportion of the elderly living in institutions is low, 3% compared to the European average of 5%. What is also largely absent are complementary services, such as home help, meals on wheels, and day centres, which are just beginning to appear (Tobio 2001).

Employment of Migrant Labour

Whilst the employment of female migrants in states with low levels of subsidy for family and care may be clear and shows up statistically (see table 3), there are a whole series of changes which are likely to make the presence of migrant women in the household more significant as a result of the new mixed economy of care in other welfare regimes. In a highly labour intensive sector, this shift to a more diversified supply in effect produces an intensification of the domestic economy in which services are supplied by a plurality of providers: international and national companies, the voluntary sector (secular and religious), local authorities, national agencies, and individuals hired by households. The attempt by the state to balance demand and supply and by companies to work within low profit margins encourages the expansion of low paid, part-time and flexible employment (Lethbridge 2005). In addition, the introduction of cash for care policies, as in elder care in a number of countries, such as the Netherlands, Italy, France, UK and Austria, has commodified to varying degrees, previously informal and unpaid care arrangements with which households are able to employ domestic workers (migrant and a member of their own family) privately (Yeandle & Ungerson 2002).

The extent of domestification is not picked up statistically through the category of household services since those employed by companies will not be treated as employees of the private household. Hence in Sweden, the percentage of migrants employed in the household is insignificant. Yet at the same time, the number of migrants employed in the health and other community sector (covering all skill levels) is substantial and at 18.6% in 2003-4 and is the highest in Europe after Norway (see table 4). Furthermore, the focus on the domestic sector by many researchers misses out the substantial use of new and established migrant labour in social reproduction in other sites such as schools, hospitals, and residential homes.

It is only recently that research on care has begun to take up the issue of employment as opposed to the gendered redistributive implications of welfare regimes (Cameron 2003; European Foundation for the Improvement of Living and Working Conditions 2003; Yeandle & Ungerson 2002; Lethbridge 2005). However, this is not the only key dimension impacting on gendered welfare regimes that has been under-researched. The stratification generated by welfare regime is also of considerable relevance for understanding employment patterns. Conservative regimes have been defined in terms of their stratified rights, especially the secure tenure and generous benefits enjoyed by civil servants. This partly explains the exclusion of non-nationals from public employment, but which has since the mid-1990s been permitted for EU citizens. Furthermore, the boundaries of the civil service are drawn very broadly to include professions such as teachers. Liberal professions too operate in an exclusionary corporatist manner. Hence in

France it has been estimated that a third of public employment and a wide range of liberal professions (doctors, lawyers, vets) are barred to non-EU citizens (CERC 1999). Non-EU citizens are more likely to be employed in these occupations as assistants on less secure and generous contracts. On the other hand, liberal/social democratic states tend to have much lower barriers to public employment, usually demanding legal residence as the pre-requisite for employment in most areas. In addition, in these regimes the older regional and colonial links continue to influence the sources of skilled labour. In Sweden, three out of the four main female nationalities in the labour market are from the Nordic region (Finland, Norway, Denmark), constituting in total 42% of the stock of foreign labour (SOPEMI 2004:370). In the UK, female Commonwealth citizens are prominent in professions of social reproduction, both as permanent and temporary labour. At the skilled end, employment is eased through the recognition of professional training as in medical diplomas (Raghuram & Kofman 2002).

Thus the Scandinavian countries and the UK have the highest percentages of migrant women employed in social and welfare sectors of education and health (see table 3). In Sweden these two sectors accounted for 29.4% of migrant employment in 2003-4 and in the UK 22.9%. In continental corporate regimes, especially those in Southern rim, the percentages are far lower - 8.3% in France, 9.7% in Germany 5.1% in Spain.

CONCLUSION

The proliferation and polarisation of statuses affects both men and women migrants and refugees but its impact on women is different to that of men due to the channels through which they enter and the gendered division of labour. One of the key divisions is that between the skilled and the lesser skilled. Fewer women are to be found in the more privileged groups (skilled migrants, Geneva Convention refugees). Amongst skilled migrants, whose entry, rights and access to citizenship is being facilitated the areas of shortage still operate in men's favour. Caring, healing and educating people are undertaken by highly regulated professions (doctors, nurses, teachers, social workers) unlike IT, a new and far less regulated occupation. A points-based system, even if it does not privilege certain occupations, operates on criteria favouring men, for example, high level salaries or positions. And for skilled female spouses, the barriers to professional integration remain very strong due to problems of accreditation, lack of local experience and closure of public sector employment to non-citizens. The latter hits women hardest since the feminized professions in many European countries fall under the umbrella of civil service employment. National variations in the size of the civil service public sector are considerable e.g. between the low levels of the UK and the high levels in France. Conservative welfare regimes are thus likely to present the most difficult barriers to entry. As a result, many women, who have entered as family migrants, or who marry after entering as students or tourists, find their careers and professional aspirations blocked. The control over their environment and right to seek employment on an equal basis is thus severely compromised.

At the less skilled end of the employment spectrum, women face great difficulties in maintaining a legal status. Failure to acknowledge the economic and social value of women's work means that although their labour is in demand, it is not matched by official recognition in the form of work permits and proper employment contracts. Both women who enter as labour migrants and family members are thus more likely to be forced into the informal sector and undertake poorly paid and undervalued work with little social protection. Whilst domestic labour has captured much of the attention, numerous other sectors employ less skilled labour on flexible contracts or informally – industrial cleaning, hospitality and tourism, care outside the home.

As the analysis of different welfare regimes demonstrates the opportunities for migrant women vary according to the nature of the regime and the stratification they create, especially through the closure around certain occupations. Absence of detailed studies of migrant women and men in key sectors of the welfare state, and the difficulty of statistically capturing what are often complex and contested notions of care, mean that we cannot ascertain more clearly the nature of migrant stratification in different regimes and the interplay between migration system and welfare regimes. One of the differences between regimes is the differential presence of migrant women in the public, voluntary, private and household domains. It is clear that in Southern European familial welfare regimes generate employment in the household and that migrant women are stereotyped as being suitable for such employment. This is then reinforced by immigration policies which creates quotas for them in this sector. Escaping from this sector and pursuing other aspirations becomes very difficult. Yet elsewhere, including in social democratic

regimes, there has also been shift in provision of and payment for care which is leading to the creation of employment for migrant women in public and private spaces with a variety of contracts and employers (public, welfare agencies, voluntary organizations, private firms and individual households. It has been argued that in Sweden many of these new forms of employment have generated a racialised casualisation of the labour market and reinforced an ethnicised class stratification (Schjerup et al. 2006). And at the same time, opportunities for skilled female migrants have expanded in several countries (Ireland, UK), especially in sectors of social reproduction. In studying gendered migrations in Europe, we need to examine the complex interplay of migratory policy and changing welfare regimes and acknowledge the role that migrant women play in sustaining welfare provision.

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