

THE STATE, LABOR IMPORT/EXPORT, AND ECONOMIC RESTRUCTURING IN  
TAIWAN

by

JOHNATHAN WALKER

(Under the direction of Andrew J. Herod)

ABSTRACT

Taiwan has welcomed laborers from Indonesia, the Philippines, Thailand, and Malaysia since 1991, and has since added Vietnam. “Imported” foreign laborers are employed in a variety of contexts from construction and domestic service to factory work, at multiple skill levels. This study employs population, political economic, globalization, and state theory in combination with survey questionnaires, interviews, and official data to decipher the movements of laborers from “exporting” states to Taiwan. Major foci include the creation of a labor import policy, the role of the state in both labor supply and demand contexts, the evolution of the policy with special consideration for economic restructuring, social constructions of workers, and forms of resistance. Findings indicate a strong role for the state through the identification of seven points of importance in which the state is involved and creates a geography of international labor migration. An additional conclusion identifies the purpose for promotion of overseas employment: the de facto development of extraterritorial income-generating space.

Key Words: International labor migration, role of the state, labor policy, economic restructuring.

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## DEDICATION

This dissertation is dedicated to the family I grew up with: my late mom Irene, my dad Bill, my sister Nancy, and my brother George; the family that grew up while I completed this study: my brother-in-law Bill, my niece Sheena, and my nephews Reed and Devin. It is also dedicated to the Hsu family within which I married: my wife Nicole (Lan-Hua), my father-in-law, Yin-kuei, my mother-in-law, Hung Tao, and my brothers-in-law Yuan-yuan, and Yuan-hwa. In the time that the idea was conceived and came to life so did my son Patrick Ming “JoJo” Walker. He has been a joyous diversion from the stresses of the research. All of the adults had a hand in helping me to see this to its fruition and I hope all the offspring in the two families can draw inspiration from this as I have drawn it from them.

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## CHAPTER 1

### INTRODUCTION

International labor migration has grown in importance throughout the 20<sup>th</sup> century. In several areas of the globe – most notably from Mexico and Central American states to the United States, from Turkey to Germany and Western European states, from North African states to France and Western European states, and from Mozambique and Zimbabwe to South Africa – mass migrations have meant the relocation of millions of people and the transformation of spaces and places at the origins and destinations of these migratory movements. In the last quarter of the 20<sup>th</sup> century labor migration destinations have expanded to include many of the Middle East states and Asia (Hugo 1997).

This study focuses upon Asia, specifically the destination of Taiwan, and concerns the short-term, temporary migration of workers from Indonesia, the Philippines, and Thailand (Figure 1-1). The purpose of the study is to elucidate the roles of the labor receiving (importing) state of Taiwan and the labor sending (exporting) states of Indonesia, the Philippines, and Thailand. Contemporary international labor migration, while still retaining elements of the former migrations earlier in the 20<sup>th</sup> century, is now often comprised of movement that is neither within a single region nor is aided by the relative propinquity of the representative states. Today, international migration for employment is more global than local and is more tied to political considerations within the economy than economics alone.



Figure 1-1: Study Area-Taiwan, Philippines, Thailand, and Indonesia

## THE RESEARCH PROBLEM

Within this dissertation I study how international contract labor migration operates and is operated within the context of the global economy. International labor migration has become far more prevalent and more widely recognized, both geographically and throughout the literature on migration. As permanent migrations and even refugee migrations become more and more limited in terms of overall numbers, temporary international migrations have boomed, whether that boom is deliberate or accidental. Temporary, contract workers, migrating internationally, have thus managed to secure overseas employment while simultaneously providing labor for capitalist production at their destinations.

Taiwan was chosen as a study location and population because it represents nearly all the critical factors involved in the decision to import labor, as well as the vending of labor from sending states. The importation of workers has been allowed only since 1989 and has only been open to industry and households since 1992. This represented a unique opportunity to study labor importing from its genesis through its adolescence and into its maturity (although, to date, foreign worker levels continue to rise, bringing into question the policy's maturity). Labor importing is of vital importance to a nation where the unemployment rates fluctuated between 1.5 and 3.0 percent during the period 1980-1995. On the other hand, in the past 10-15 years in Taiwan, production has been quite rapidly shifting away from the island (Taiwan) to the mainland (People's Republic of China). This exodus has left the remaining industries to compete for unskilled and semi-skilled labor-power for manufacturing. In recent decades Taiwan's small rate of natural

population increase (Sun and Ting 1988) and a strict policy that virtually eliminated the possibility of outsider immigration have compounded difficulties in finding local production workers in a society with high literacy rates, high levels of secondary school completion, and increasing attainment of college and advanced college degrees. It has been noted that within Taiwan progressive changes in occupational status are a result of higher educational attainment (Chang and Hsieh 1987). Such very high levels of education lead many potential employees away from traditional production employment and into higher status service employment. These factors are coupled with consistent out-migration of population to the United States, Canada, Australia, and New Zealand. Taken as a whole, absolute levels of the working-age population are low and the number of workers willing to labor in low-level jobs is decreasing.

I explore the labor migrants from three sending states: Thailand, the Philippines, and Indonesia. The choices of Thailand, the Philippines, and Indonesia as labor-sending states are simple: they are, in order of significance, the three largest exporters of labor-power to Taiwan. As of the end of May 2000, nationals from Thailand numbered nearly 138,000 workers, the Philippines had approximately 109,000 workers, and Indonesia – while having the smallest contingent – added an additional 52,000 workers, all employed temporarily in Taiwan. All three states maintain both active and passive plans to enrich the flow, increase the numbers of participants, and to make use of the by-product of those policies: monies remitted back to home countries. The Philippine state has made clear many of the motivations behind its labor export. Similarly, the Indonesian state has increased its drive to augment labor export space by focusing its effort on developing



labor export markets and collecting on this expansion. As well, the expansion of Thai labor export is predominantly for the garnering of earnings remittances and foreign exchange. In Taiwan, personal income and disposable income levels are sufficiently high to have led to an increased demand for domestic servants. Finally, Taiwan's hard currency reserves consistently total near or above \$100 billion (World Development Reports 1996-2000) and therefore attract the attention of labor-exporting states attempting to capitalize on what they perceive as available wealth. Taiwan has amounted to an unparalleled destination to which labor-exporting states can dispatch workers because of continued high demand, realized economic potential, and the likelihood that demand from labor-supplying states would remain strong.

The study investigates the different motivations of the state and the different actions of the state in countries sending and receiving international labor migrants. Skocpol reminds researchers to "bring the state back in to a prominent place in comparative and historical studies of social change, politics and policy making" (Skocpol 1985: 28) and this study attempts to achieve this goal. I will argue that states' motivations and actions are translated into policies that affect international labor migrants and therefore their geographic dispersal. The policy instituted by Taiwan is chronicled in detail as an exercise that presents the complexities and contradictions in the crafting and maintenance of a policy of foreign worker import. The purpose of the research is to ascertain the function and organization of international labor migration, and to conceptualize the role of the state nationally and internationally within international labor migration. One of the important goals is to determine how potential migrant labor is

identified, constructed, commodified, marketed, and controlled by the forces of power involved in labor migration. By the same token, labor is not always manipulated by forces of economic and political power and in some instances can resist those forces to create alternative geographies (Herod 1997b) or resist regulation to reshape regimes of control.

In order to meet these goals I have asked state officials, private recruiters, non-government organization officials, and the migrants themselves questions that probed the work conditions of laborers and the exploitation of their labor-power. I have attempted to account for gender relations during the course of the fieldwork and note the importance of contemporary changes in the gender composition of the migration and the migrants, particularly the growing numbers of female migrants originating in Southeast Asia. How labor, especially female labor, is treated throughout the process is of vital concern. By identifying gender and the different challenges faced by female migrants I attempt to disaggregate the gender-blind categories of “migrants” and “laborers” to point out the construction, commodification, marketing, and control devices that operate for female migrants and female workers. One characteristic that I can draw at the outset of this research is that, in contract labor migration, there is clearly a “politics” to being female.

A target of the completed research is to create a space within international migration theory for a critical approach. By interjecting a more critical approach into research on labor migrants I strive to reshape conventional thinking about labor migration. At the study’s conclusion I will attempt to develop a state theory of international labor migration that places the state as the locus.

## Research Questions

The major research question centers on the role of the state. Simply put, what is the role of the state in shaping the geography and process of international labor migration? In order to ascertain what this role is, the state must be broken down into several components. To realize this, I must begin with a general functioning of the state both as an importer and exporter of labor. The reason for this is that the state operates in different ways in different places and under different types of constraints. My effort is first to understand the function of the labor-importing state as it pertains to migration. This is important because labor migration is often viewed as being demand-driven. Capturing how this demand is converted into the supplying of workers explains some of the essential tenets of labor migration. Factors that will inform the demand for immigrant labor are the strength of local labor organization, local economic trends, and the impact of economic restructuring of capital production (Tsay 1994). Other factors to be considered are the designation of a minimum wage scale, political lobbying by industry, political lobbying by the general public, or the need to import labor to fill absolute shortages of workers.

The second part of the investigation of the labor-importing states identifies motivations for the importation of an alien labor force. Research concerning state motivations will concentrate strongly upon what type of reasoning leads to welcoming of immigrant labor and what motives exist to resist its employment. Attention is paid to the kinds of political and economic pressure from both factions and the outcome of those pressures. Questions regarding the degree to which the state encourages labor import and

how it attracts and obtains sufficient numbers to meet its needs are addressed. Issues surrounding the selection of specific nationalities in employment, as well as selectivity of certain nationalities for specific jobs, are identified and the reasons for those selections analyzed.

I also strive to answer several other important questions about the effect of international labor migrants and their migration. One question that I explore in the process is the prevalence of the household as a decision-making unit for international migrants. Mainstream theory (Massey 1988, Massey, et al. 1993) and recent theory (Goss and Lindquist 1995) in international migration have proposed that the household is an ideal scale from which to study migration. My research views the subjects of three different states to consider if the primacy of the household is an important unit of analysis in their migration to Taiwan. Questioning the validity of the household can create a space for a more state-centered treatment of international migration.

Finally, reasons for the import of labor can be seen as produced by indigenous labor shortages or a restructuring of industrial production (Jones 1994). In each case, cultural factors can also be seen as fueling labor import or the selection of specific nationalities as imported labor. The importance of the labor import to Taiwan, and the importance of Chinese culture in that decision-making, is considered for its impact on the labor import process (Wang 1991) and the perceptions of those involved in engineering the policy.

## **Purpose of the Research Project**

The purpose of the research is, therefore, to ascertain the function, organization, and the outcome of the state involvement in international labor migration. In a continuation of the importance of the state in migration I strove to investigate and understand the function of the labor-exporting state as it pertains to migration. Migration from labor-exporting states is frequently tied in the literature to the needs, wants, and whims of individuals, or to structural factors that exclude an important role for the political power and the effect on emigrants from sending states. These issues raise questions of function, policy, and the motivations for the exportation of indigenous laborers abroad. As such, many of the questions that pertain to the labor-exporting state are also appropriate questions for the importing state. The reasons that exist for a welcoming of “foreign” laborers are similar to the reasons for exporting such laborers, including structural factors of employment as well as political and economic pressure. I believe that one trend is clear: the recognition and deployment of labor as an asset for labor-supplying states to exploit has led to broader availability of labor power for international duty.

## **Major Research Hypotheses**

My hypothesis is that the state exercises a great amount of control over the process of migration. I believe that the inducement of (imported) labor reflects the nature of the state, especially with regard to its relations with those of capital. By using its political influence and interacting through diplomatic channels the state successfully

advertises labor-power availability to a world of potential consumers. This method of advertisement is intent on marketing labor-power as an exportable commodity in the same fashion as other commodities such as fabrics, footwear, or computer chips.

The importance of the geographical dimension of this mobility is only overshadowed by the importance of this type of migration for industrial production. Migrating contract labor continues to be summoned to fill chronic labor shortages, to keep wage rates low, and to reduce the cost of production for capital, as well as to raise productivity for industry. Contract labor pervades production in the well-developed industries in newly industrialized countries. However, the economies in these countries are now maturing into service economies (Selya 1994). As the economy continues to mature, antiquated sectors within these mature economies demand sources for labor that national economies cannot supply. Retaining industries considered key to economic health has often resulted in the need for outside employment help. Simultaneously, sending states view (or have begun to view) with encouragement the aid that international migration delivers in developmental terms through the cultivation and regulation of remittance income culled from the migration of labor-power.

Research conducted in this dissertation is significant for a number of theoretical and categorical reasons. As a contribution to theory the approach should reinvigorate international labor migration theory with a political economy perspective that takes politics and political decision-making seriously and supplies a more critical standard to current modes of thought. The research answers questions that until now have been posed (Massey 1999, Zolberg 1999) but not adequately addressed, namely concerning the

activities of state officials and their involvement in the process of labor migration.

Although previous research has focused upon multiple actor-states as labor importers, only a few contemporary efforts have been made to expose the structural links between labor migration/globalization and the state (Goss and Lindquist 1995, Ball 1997). No study has looked at contract labor import and labor export within a maturing economy. Finally, this research is of significance to maturing economies globally, especially in combination with substantial drops in population growth rates. States like South Korea and Japan are finding themselves under mounting pressure to consider and relent to the importing of labor because of reduced rates of natural increase, shifts in the type of employment nationals are trained to do, and the expediency that alien labor provides.

The study comprises library research and field research. The amount of time devoted to field study was approximately six months. Data were collected between January 1998 and April 1998, additional field data were collected in May and June 1999, and the last data were gathered in June 2000. Field research was conducted primarily in Taipei City, Taiwan, although additional fieldwork was carried out in Tainan City, Taiwan, in 1999. Taipei was selected because of the large numbers of foreign workers employed there, its function as the seat of government, its location as a site for foreign consulates for the exporting states, for its propinquity to centers of industrial production and labor organization, as well as because of its location in northern Taiwan (such that it contains more Mandarin-speaking mainland Chinese and descendants). Tainan City was selected because of the large numbers of industries sited there, as well as its ability to

represent southern Taiwan (and hence more Taiwanese-speaking Taiwan natives and descendants of Fujian province on the Chinese mainland).

I must make a special note about terminology in reference to discussions over the following pages regarding Taiwan, Taiwanese, and especially reference to Taiwan government officials. Taiwan refers to the place, i.e., province/island (depending upon your politics), Taiwanese refers to the language widely spoken in the south of the island and to people who trace their ethnicity and residence on the island to the period before 1949 and the arrival of the Nationalist government and Army. Taiwan government officials, most notably during the period of this research, represent the Nationalist Kuomintang (KMT) political party and policies that, in general, are the antithesis of those of the Taiwanese population of the island, especially those of the Democratic Progressive Party (DPP) which espouses Taiwan nationalism.

## THEORY RELEVANT TO THE RESEARCH QUESTION

Theory to be used as a foundation upon which to build the study is derived from three broad sources of literature. Theories of political economy are extremely important to the research. Marx's (1867/1967) ideas regarding labor and labor-power, and even his limited treatment of the state, are a substantial baseline upon which the relations and impacts between labor and capital can be gauged. This political economy approach provides a means by which to assess labor-power and the relationship between capital and labor. While the export of labor is not directly tied to traditional definitions of capital-labor relations, the process is tied to state activities designed to market labor for profit.



The commodification of labor (Storper and Walker 1983) is an important facet to understanding the persistence of international labor migration. Theoretical work on the nature of labor within Marxist political economy (Sassen 1988) and the global economy (Herod 1997a), as well as short-term labor specifically (Sparke 1994), will contribute greatly to an understanding of contract labor migration as a capitalistic action. The work of Harvey (1982, 1985) will strongly influence my conception of the fluidity of global capital and the importance of the structure of capitalism.

A second body of literature that will inform the proposed study is state theory. By using state theory to inform the study, the construction and operation of state government and the implementation of state edict will be elucidated. Poulantzas's (1978) theory of the state and power is significant to ordering the operation of the state as a persuasive entity that can manipulate emotion and maximize opinion in its own self-interest. Jessop (1990) built upon many of Poulantzas's ideas with regard to the state. His work will inform the study through his vision of the state and power. An important theoretical position to be applied is Gramsci's (1971) theory of hegemonic power. By viewing migration in terms of the state and its hegemonic power and authority, the simplicity of labor migrants making rational decisions can be supplanted with a more inclusive theory of control over the decision-making process.

## METHODOLOGY AND RESEARCH DESIGN

The study is structured to identify and extract the essence of the relationships between the labor-importing state and labor-exporting states. This will be achieved by

investigating the labor-importing state and each labor-exporting state as a discrete occurrence. By looking at the relationship on a state-to-state basis I am able to clarify the process, interaction, and result of such communication. Two of the three labor-exporting study states, the Philippines and Thailand, are investigated in this way. The third labor-exporting state, Indonesia, is not primarily judged by the state-to-state relationship because of an absence of such contact. Instead, it is investigated by surveying Indonesian state policy in concert with Taiwan state policy. The concentration on the state involves a study of the discourse between the representatives of the import and each export state and the public discourse surrounding the policy. The archival, survey, and interview information and observations collected are aggregated to show: 1) how an importing state negotiates with an exporting state and how, if at all, this negotiation differs from state to state; 2) how the actions – as well as the rhetoric – of the three labor-exporting states do or do not differ in their approach toward the importing state; 3) how factors outside immediate state control influence the shape and direction of labor-importing or exporting.

A content analysis of the language of labor export will be used to show the extent to which the marketing is promoted and to show how the overall protection of workers is a prevarication. The language of labor migration often resembles the language of any export. A careful examination of the commodification of labor by representatives of the state is key to evaluating the role of the state in migration.

The sources to identify the language of labor relations from individual states – whether representing sending or receiving countries – include two English-language daily newspapers, *The China News* (renamed the *The Taiwan News* in 1999) and *The China*

*Post.* I have previously used both newspapers as sources of information on growth and change in the import of labor-power to Taiwan. They have proven an extremely valuable source of accurate and current information. My emphasis is on promotion of labor-power as a product or commodity, the language of control over labor through various means, and the language of protection of labor. All of this discourse will be compared with the actions of the states to affirm or dispute the various claims made in the name of foreign workers, in the name and security of native workers, or for Taiwan's households and families. Often, the rhetoric of labor import belies the true character of the needs or motivation behind its introduction.

## OVERVIEW OF CHAPTERS

The layout of the chapters is as follows. Chapter Two reviews the pertinent literature for the entire study. The literature concerns theoretical treatments of the state and economic development, international migration, and globalization. Included within this section is reference to empirical studies that address international migration and the uses of remittances. The chapter also includes research that involves the three labor-exporting states of Thailand, the Philippines, and Indonesia, together with that of Taiwan.

The third chapter builds a chronology of conditions and events of the migration of labor prior to the creation of a formal policy. This chapter is designed to show the progression of an illegal labor migration and the instruments by which industries circumvented immigration laws. In addition, the chapter demonstrates the action taken

and followed by Taiwan government officials to create the policy of legal labor migration to Taiwan.

Chapter Four covers the initial five years of the legal labor migration policy from 1990 through 1994. It provides a detailed chronology of the events that shaped the policy, including the decision-making process within the branches of government in Taiwan and government officials' external search for guidance in creating the policy. The chapter details the role of state officials from labor-supplying states in their attempts to entice acceptance of their laborers and promote ever expanding imports. The important issue of regulation of foreign labor, the use of a quota system and medical check-ups for control, and the conditions of employment are chronicled.

The continuation and maturity of the labor-import policy from 1995 until 2000 is the focus of Chapter Five. Of significance is evidence (in the form of interview responses from government officials) that shows the strong hand of the state from both import and export stances and in the maintenance of the contract labor migration policy to Taiwan. Also important is the role the state plays in the labor-import policy and how that policy is designed to enhance economic growth and development in Taiwan. Topics of discussion include the regulation of foreign workers in maturing labor-import policy, issues of worker treatment, working conditions, contract abuse, and changes in the methods by which workers were made and kept docile. However, forms of worker resistance are also discussed, including the practice of contract abandonment.

Chapter Six is devoted to the role of non government organizations (NGOs) in aiding foreign workers and as “watchdogs” over the activities of Taiwan government

officials and policy, labor export state officials and their actions and inactions, and the conduct of labor brokers. Included with this chapter is evidence to show that foreign workers, in spite of their temporary status, manage to engage in efforts to resist exploitation attempts and force Taiwan state officials to recognize their plight. Similarly, evidence is presented to show local resistance (by both labor advocates and politicians) to increasing numbers of foreign workers. The final part of the chapter raises issues concerning the discourse related to the social constructions of the identity of labor, both local and foreign.

Chapter Seven provides the results of the worker surveys carried out during field research trips. These results are presented as simple statistical tables often broken down by nationality and gender. In addition to the answers obtained from the surveys – demographic information, educational achievement levels, and international experience – data offer a snapshot of foreign workers and their motivations for becoming employed overseas. These data are presented to show the situation of labor migrants within the Taiwan economy and the relationships with structures in the states of origin to answer questions of the migration process and motivations. In some instances the data reinforce prevalent thought. However, in several other instances the data indicate findings that counter prevailing theory in international migration and add several important variations to the idea of why people migrate.

Analysis of the archival research and the field research is offered in Chapter Eight. First there is a focus on shifts in the demand for foreign workers and the types of employment they were being sought to do. This is supplied to reinforce the Taiwan

state's interest in foreign laborers. In consideration of the case study and theoretical material presented, inferences are made about the degree of importance of the state with regard to international contract-labor migration. Those inferences are made possible through recognition of the numerous paths chosen by state officials. The analysis concludes with an attempt at creating a theory of the state for international labor migration that revises previous theory and creates a space for the role of the state in international migration.

Chapter Nine concludes the study and assesses the importance of the findings for current literatures in migration and population geography, economic geography, political geography, and debates on globalization. The limits of the study are also set forth. Finally, issues for the future of international labor migration are discussed and suggestions for the direction of future research are offered in an effort to continue critical research on international migration and to contribute to a growing literature in labor geography.

CHAPTER 2  
ECONOMIC GEOGRAPHY AND THE INTERNATIONAL MIGRATION  
OF LABOR FROM SOUTHEAST ASIAN STATES TO TAIWAN

Literature used to provide background and inform this research has been drawn from diverse sources in order to understand the vast number of motivations involved in the international migration of labor to Taiwan. Literatures to be explored include those related to migration, labor, capitalist production, and the state. The chapter is organized as follows: the first section reviews empirical and theoretical approaches in migration. Within that section are reviews of literature that focus on individual motivations. The second section examines theoretical stances on labor, which broadly include neo-classical, Marxist, liberal, and neo-liberal treatises of labor. The third section details both empirical and theoretical work on the use of labor in production, competitiveness, and economic restructuring. The fourth section looks at issues of economic growth, with special attention paid to national issues of foreign direct investment, debt, and national balance of payments. The fifth and final section explores the literature on the theoretical role of the state, the operation of the state apparatus, motivations of the state engaging in labor migration, and the discourse of the “state.”

## MIGRATION

The first section explores literature that takes a more theoretical stance on migration to clarify the reasons for migration with or without including substantial empirical evidence in their efforts. Because of the content of my examination of labor migration from the three main “suppliers” of labor, in addition to Taiwan, my focus is primarily upon investigations of international migration. The second section surveys research that can be loosely identified as empirical. The implication is not that the works are not theoretical – some are more theoretical than others – only that the basis for such research is more concerned with placing observations on paper than solving why such migrations have occurred or continue to do so. Literature that examines the conditions in the Philippines, Thailand, and Indonesia related to international migration is also reviewed.

Theoretical treatments of migration, whether internal or international, have all begun with the theories of migration proposed by Ravenstein (1885, 1889). Theoretical work since then has attempted to account for population movements with broad structures of “pushes” and “pulls” that either drove or attracted migrants. International migration literature has essentially been divided between two basic approaches, one organized under the rubric of neo-classical economics which gives primacy to the individual (Sjaastad 1962), while the other is organized under an historical structuralist or Marxist political economy approach that gives support to the structure of capitalism in fostering migration (Sassen-Koob 1978, Portes and Walton 1981, Cohen 1987). Some have attempted to



view migration via demography (Zelinsky 1971), proposing a model of migration transition similar to demographic transition theory.

Neo-classically based theories of migration have focused on individual decision-making and theorizing movement in terms of its relative costs and benefits to those participating in migration (Sjaastad 1962). Other neo-classically based theories have concentrated on the process and identified migration in terms of the intervening opportunities for migrants between their place of departure and their destination (Lee 1966). More instrumentalist theories of migration have argued that migratory movements represent an international flow of human capital (Grubel and Scott 1966) to be employed in production by the receiving nations. These theories are often identified as “push-pull” theories, characterizing the factors at home that “push” people to migrate (DeJong et al. 1983) as well as the factors in receiving destinations that “pull” people to those places. Harris and Todaro (1970), in representing their model of migration, focused on the rationality of migrants, their recognition of opportunities elsewhere. They ascribed power to a decision-making unit that assesses costs and benefits and conquers obstacles to migration. Bohning (1984: 35), in reference to migrant moves, summarized the rationality argument as follows: “Economically speaking, they [migrants] are, as a rule, better off than they were in the migrant-sending country, otherwise rationality would impel them to cease working in the immigration country.” Contemporary theories still rise from those strong neo-classical roots with an additional “graft” of difference: a shift in the unit of analysis from individual to the household (Stark 1991), albeit retaining rationality as the motivation behind such migratory moves. Other neo-classical theories

of migration have portrayed the world as a unit that suffers imbalances of resources. Migration is, therefore, characterized as a way to bring inequalities into equilibrium. Thomas (1973) noted that migration was seen as the free movement of labor resulting in a redistribution of “redundant” labor from idle areas to active areas in need.

Historical structuralist, Marxist, or political economic approaches to migration have been carried out, many times to refute the epistemological claims made by neo-classical theorists. Historical structuralists point to the microeconomic methodology of individual decision-making, assailing the neo-classical migration paradigm for its inability to theorize underlying causes for migration and its ahistorical nature (Wood 1981). Efforts to theorize international migration within an historical-structuralist framework have improved upon previous neo-classical theories, but have not dealt with the state in any great measure. Following core-periphery models of Friedman (1966) and Frank (1967), both Portes and Walton (1981) and Petras (1981) employed Wallerstein’s world-systems theory (1974, 1974b, 1979) and theorized a world-systems approach to migration. Those using a world-system theoretical approach for explaining the patterns of international mobility have been able to cite numerous cases where reality and theory correspond. Examples of international migration between states having marked differences in economic strength have been examined in Europe by Castells (1975) and Castles and Kosack (1973), and in Africa by Burawoy (1976). Petras’s (1981) use of the world-system followed the structure of core, semi-periphery, and periphery. Her assertion was that labor migration mirrored the flows of the world economy, with core states being dominant and attracting labor from the semi-peripheral and peripheral states. Within a

world-systems framework, political power is noted broadly in terms of the influence of stronger states over weaker states and mention is made about regulation by states' policies, but a comprehensive and enduring treatment of the state policies that foster and regulate employment is absent. Petras's discussion of capital-labor interaction is without reference to the state's role in support of capital over labor, labor over capital, or its own interests in preserving its hegemony or legitimacy. Petras's (1981) consideration of state power in migration is limited to a discussion of the state's abilities to police borders.

The cases of Middle Eastern states' labor imports showed that other factors may enhance labor migration. Beginning in the mid-1970s, state involvement in the export of labor to the Middle East occurred between states that fell within the same categories of the world-system of migration. The Philippines was one of the largest contributors of labor to the Middle East nations (Serageldin et al. 1983). An inclusion of the state's role would highlight the Philippine state's labor offices that facilitated labor migration (POEA 1983-1988, POEA 1991, 1993, 1995). In his treatment of historical migrations and critique of the new international division of labor (NIDL) thesis, Cohen (1987) made a special acknowledgment of the role of the state in a "central and directing role in the structuring of a division of labor" (1987: 26) en route to proposing the most recent period of international labor mobility to be a wider version of the NIDL thesis, which he terms the transnational division of labor.

More recently a world-systems theory of migration has been supplanted by a theory of international migration systems (Kritz et al. 1992, Zlotnik 1992). In theorizing the structure and operation of international migration systems they propose that each

system involves at least two countries, and consists of a multitude of differentials, networks, policies, relations, blocks, linkages, feedback, and adjustments that are meant to factor in nearly every possible facet of migration. Although elaborate in its design, the migration system as presented is simply a collage of possible factors that can be encompassed within migration. For example, the political context is limited to exit, entry, settlement policies, and international relations only (Kritz and Zlotnik 1992). It is hardly an in-depth investigation into the function of the policies and relations and about how (or why) they are constructed.

Contemporary mainstream international migration theories propose the household as an ideal scale of investigation into migration participation. Massey et al. (1993) concentrated on the household as the locus of investigation and tied that into the networks that are built over the historical process of migration to a place. They contended that migration becomes easier and cheaper because of these networks. Goss and Lindquist (1995) also proposed the household as the ideal unit of investigation into migration, but decidedly lean toward the importance of structural forces in shaping international migration. However, what they have identified as “migrant institutions” are in most cases institutions of the state. Goss and Lindquist (1995) did not make the effort to place the important structures they witnessed within literature on the state or state power or as part of state-sponsored structure of migration.

Politically based theories of migration are less numerous than those that concentrate on individuals or households. Hammar (1992) has broadly reviewed the importance of the state in international migration in Europe. He pointed out that whether

or not there is a specific migration policy there are political ramifications: states' roles in regulation of migration and regulation of the size, composition, and direction of flows. Furthermore, and perhaps more importantly, Hammar noted that states can control the timing of such flows and the limitations that will be placed upon migrants even before their departure to the receiving state (Hammar 1992). Additional research efforts have assessed all types of international labor migration in order to predict the future flows of migrants (Salt 1992, Massey 1999).

Recent works in international labor migration have attempted to account for the growing state role in migration. Massey (1999) encouraged a greater emphasis on the state but provided little direction as to how to achieve that goal. Zolberg (1999) stated that the ignorance of the role of the state in international migration has been remarkable and continued that international migration without a role of the state perpetuates a "major flaw" in theoretical explanation. Zolberg has called for studies that take into consideration the roles (both negative and positive) of the state in migration. Ball's (1997) work concerning the Philippines provided a glimpse into what kind of role the state can have. Her work highlights four main issues: the role of the modern state, labor export as a development policy, the role of the Philippine state, and the role of the third world state in a globalized world. She has concluded that, in the case of the Philippines, the state has a significant role and has acted in response to international demand. Ball maintained that the expansion of the state's role has come about due to the "global debt crisis" (1997: 1623) and she identified international contract labor migrants as being commodified by structures of the state to legitimize and reinforce state power (Ball

1997). However, she failed to make a strong theoretical case for states' roles and the strength of those roles in other milieux.

Some efforts have been made to combine these epistemologically divergent theories (Massey 1990, Massey et al. 1993, Goss and Lindquist 1995), but all ultimately choose one base theory over the other. Massey et al. (1993), for example, simultaneously placed their work within a cumulative causation theory espoused by Myrdal (1957) while retaining a neo-classical primacy for individuals, albeit as a part of the household decision-making unit. Goss and Lindquist (1995) based their theory of international labor migration on structuration theory (Giddens 1984) while retaining neo-classically based migration networks as their key departure point. Economic and political factors influencing migration are, however, invariably tied to the state apparatus. International migration of contract labor must do so with the tacit approval of the state, if only in the form of a passport and entry visa. By giving primacy to the individual at the expense of the state, neo-classical theories severely limit their ability to comprehensively theorize international contract labor migration. None of the theories of international labor migration leave room for the inclusion of the state and the capacity differing power structures (whether patriarchal power or political power) to actively construct migration rather than simply bearing witness to it.

Empirical treatments of labor migration concern a multitude of factors. These factors can then be disaggregated into issues personal to migration, such as individual motivations to participate in international migration and the use of earnings from overseas migratory behavior (Stark 1991b). There is a rich and geographically diverse literature on

remittances that has attempted to investigate the many interest groups and potential uses of remitted income in countries of origin. Concerns for remitted income focus on the effect of remittances on income equality: whether remittances offer a positive contribution to labor originating societies (Ahlburg 1996) or if negative consequences from remittances increase income gaps between households that participate in international migration and those that do not. For example, some studies of the impact of remittances on sending areas have found negative consequences of income distributions in rural areas (Adams 1989). Other studies offer a role for the state and show how the state can benefit from external income by employing remittances into activities that enhance national development. Arnold (1992) looked at how such remittances may benefit labor-power supplying locations while others like Durand et al. (1996) illustrate how remittances can aid development directly (through investments in local production) as well as indirectly through consumer spending and multiplier effects.

States that are active in monitoring international labor migration can also benefit from remittances through taxation or “remittance bonds” (Ahlburg 1996, Druckerman 1998). Underlying much of the work with remittances is the effort to discover exactly how remittances broadly aid or hinder development or how remitted monies affect specific issues like the state’s balance of payments (Glytsos 1993). Alternatively, the efforts and interests of state officials may be confounded by the consumer needs of those intimately connected with overseas migration and remittance savings (Athukorala 1990). Because of the focus of this research on international labor migration, worker remittances must be included as one part of a matrix of policies that are a strong source of incoming

funds to national economies and which are, as a result, an important issue of motivation for representatives in national government from labor sending states. Indeed, Salvadoran officials in the U.S. have been known to offer assistance to Salvadoran immigrants applying for asylum on the grounds that it was not safe for their return (Hamilton and Stoltz Chinchilla 1996). The motivation for this type of behavior has been identified as keeping the current of remitted money flowing back to El Salvador and supporting the state through receipt of hard currency. Keeping such a flow going is the method by which a de facto construction of labor export is carried out by the state.

Numerous studies have tried to solve theoretical difficulties with the impact of remittances and their effect on labor “exporting” states, that is whether labor migration and returned remittances are a positive or negative effect on development (Stahl 1982, Keely and Tran, 1988). One of the difficulties of investigating the extent, role, and impact of remittance is acquiring data that are reasonably accurate reflections of reality. The use of data recorded as “unrequited transfers” can be misleading because of the aggregate nature of the category: remittances are thrown in with all types of un-demanded transfers of cash. Russell and Teitelbaum noted that although various definitions of remittances are used, none reflect genuine remittances (Russell and Teitelbaum 1992). The other difficulty comes as a result of transfers through unofficial channels: friends, family, and other designated couriers. Regardless of how they are measured or how they arrive, remittances are important to receiving areas. Several influential research studies are less concerned with remittances directly. Rather, their interests are in how households use migration as a method of risk avoidance for the collective family income (Lucas and



Stark 1985, Stark 1991), whether migrants intend on returning home and how that shapes their savings (Galor and Stark 1990), or whether remittances sent home represent repayment of informal “social contract” with family members (Ihahi and Jafarey 1999). Others have taken the alternative view that participation in labor migration is not such a calculated “social contract” to engage in earnings remittance, but is instead an altruistic gesture of sacrifice to support those left behind (Amery and Anderson 1995) or represents loyalty and commitment to family (Lianos 1997).

From the standpoint of the individual worker participating in international labor migration, the level of control that she/he has over her/his conditions of work is a different matter. The migration of *gastarbeiter* or guest-workers into European economies to places such as England, France, Denmark, The Netherlands, Germany, and Switzerland represents one of the largest migrations of the 20<sup>th</sup> century (Castles 1986, Leitner 1986, 1995). In the western hemisphere, the massive, long-term Mexican migration to the United States – a flow that continued throughout the 20<sup>th</sup> century – is the North American corollary to the European *gastarbeiter* phenomenon. The experiences of labor migrants are also important to understand, especially when one views the impact of the migration on settlement in the receiving countries and the social impact of said foreign workers both in Europe and in the United States. The migration of workers to western European countries was viewed as a solution to an economic problem of worker shortages, but in time that solution spurred greater social and economic upheaval that removed any illusion that such migration was simple or temporary (Leitner 1986). Overlapping to some extent, but continuing into the 21<sup>st</sup> century, is the migration of

contract workers to oil-producing states of the Middle East, albeit under significantly different circumstances as to how the receiving states sought out and came into contact with workers and how foreign workers are regulated in their countries (Serageldin, et al. 1983, Ling 1984).

### **The Participants**

Studies concerning the conditions existing in the countries that ultimately supply workers to the Taiwan economy are extremely important because they can shed light on how local workers become international contract laborers and how the local conditions can be affected by laborers' temporary emigration and return. There are general overviews of international labor migration and the movement of workers to and from various labor importing and exporting countries (see Stalker 1994). Research work tying international labor migration and gender (Tyner 1994) illustrates the uneven treatment of female overseas workers and the regulations, social constructions (Tyner 1996a), and the types of expectations placed upon female labor migrants (Lim and Oishi 1996).

Additional issues include how social constructions (Jackson and Penrose 1994) dictate the attraction, employment, and use of foreign workers, and the regulation and discipline (Foucault 1977) measures used to reshape foreign workers into the Chinese image of a worker. That image itself is further transformed by social constructions of race and class held by the Taiwanese over the poorer neighboring countries from where they draw their foreign laborers. Such constructions of identity of foreign laborers are not limited to Taiwan. Debates in Japan over the employment of foreign workers continue (Shimada

1994, Mori 1997, Freeman and Mo 1996), while South Korea had long employed large numbers of foreign worker “trainees” prior to the Asian economic crisis (*China News*, March 13, 1996b). The political organization of the economies of the various actor-states involved in labor migration to Taiwan is important to detail.

### *Taiwan*

Taiwan is one of the four “Tiger” economies that, along with the others (Singapore, Hong Kong, and South Korea), have been singled out as some of the most dynamic, rapidly growing economies over the past twenty-five years. All share the distinction of having strong political input into the process of capital accumulation. Taiwan’s form of government is a market-based democracy, although historically the country was run as a virtual dictatorship under the late Chiang Kai-shek. Chiang’s Nationalist (Kuomintang) Party was in power from 1949, when the Nationalists fled the Chinese mainland, until 1998, when they lost the presidential election to the opposition Democratic Progressive Party (Asia Pacific Foundation of Canada 2000c).

Taiwan’s economic development from a dominant agrarian society to today’s service dominated economy developed out of policies that altered land rights in the 1950s, guided import substitution industrialization in the early 1960s, has pushed aggressively for manufacturing for the purpose of export since the late 1960s (government ownership and control), and has shepherded private sector industrial production in the 1990s (Tsang 1993). In the minds of some, economic success in Taiwan has been tied to cultural characteristics of hard work, entrepreneurial strength,

and frugality (Li 1995), the depoliticization of the economy (Ranis 1992), the impact of U.S. aid (which ended in 1965), or devotion by the working population to the rhetoric of Sun Yat-sen's Three Principles of the People (Li 1995).<sup>1</sup> Others would point to "Asian Values" in which workers sacrifice their human rights in a democracy for development gains (Kyne 1998b). Through their strong state ties "Asian Tigers" like Taiwan have become known as developmental states (Johnson 1982) or those practicing state-directed capitalist economies. Subsequent work has attempted to account for variations of state-directed capitalism that differentiate the roles and vehicles of state involvement (Wade 1990). Wade (1990) asserted that Taiwan's approach to capitalism amounts to a governed market highlighted by the involvement of the state through units such as the Ministry of Economic Affairs, the Council for Economic Planning and Development, and the China External Trade Development Council.

The migration of foreign workers to Taiwan represents a migration that is in some respects similar to, and in other respects vastly different from, the recent history of migration in Europe, in North America, to the Middle East, and to other parts of Asia. While Taiwan's attraction as a destination for laborers began as an illegal flow (Selya 1992), realization that illegal flows were in need of formalization was a catalyst for officials to seek guidance from Singapore, a place with a long history of labor import (Fong and Lim 1982). However, because large, well-documented and publicly scrutinized migrations elsewhere in the world predated the movement of workers to

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<sup>1</sup>Sun Yat-sen's three principles of the people are: (1) principles of nationalism, (2) principles of democracy, and (3) principles of economic livelihood, the last of which is understood to mean a market-orientated economy.

Taiwan (under both the illegal and legal frameworks), labor migration to the island has been constructed by those histories. As a result, the identity of labor migrants socially constructed by Taiwan residents creates fear and heightens worries about the social repercussions of migrant laborers, whether legal or illegal. While Taiwan could be seen as simply representing the latest destination for labor migration, it has stamped those migrant workers entering its economy with its own brand of regulation. Tsay (1994) has explained the use of foreign workers within the Taiwan economy both in terms of the industries employing such workers and the importance of a shift among Taiwan producers from subcontracting production networks to a strategy of wage depression. Working conditions in such industries have never been considered good. The conditions under which foreign laborers continue to work in Taiwan are only recently being exposed by international journalists and presented to an audience outside Taiwan (Ni 2000).

### *Thailand*

Thailand has in recent decades enjoyed strong economic growth that has enabled it to distance itself from many other poor states in Southeast Asia. Thailand is a constitutional monarchy, in place uninterrupted since 1932 (Asia Pacific Foundation of Canada 2000d). However, from the 1930s through the 1970s the powers governing the country vacillated between dictatorships and coups d'état. Since 1992 Thailand has been governed by a democratically elected, civilian government (Asia Pacific Foundation of Canada 2000d).

Research on labor migration originating from Thailand is scant. Rigg (1989) demonstrated the situation of the main sending region of Thailand and how local difficulties are remedied by participation in overseas contract labor migration. As seen in the following chapters, his research findings and the persistence of labor migrants from Thailand's northeast ring true ten years later in Taiwan. Singhanetra-Renard (1992) has chronicled the migration of Thai laborers by emphasizing the destinations of Middle Eastern states and concentrating on the migrants' networks and how those networks are used to locate labor recruiters to facilitate and expand participation. For example, research work has been carried out to detail the impact of labor migration from rural Thailand and to show that migration is a strategy for supporting one's life (Jones and Pardthaisong 1998). Motivations for migrant labor to participate as potential international workers are generally encompassed in the potential for higher earnings returns abroad. Jones and Pardthaisong (1998) noted the economic and environmental conditions that contribute to Thai farmers becoming migrants. While their research found that Thai migrants' positive motivations to migrate were borne out in advantages upon return, they also concluded that the benefits of such migration were limited. Athukorala et al., (2000) described the decline of agricultural employment and the move toward higher wage sectors within the Thai economy as well as international contract work abroad, with these agricultural labor requirements being met by workers migrating from the surrounding states of Myanmar, Laos, and Cambodia. They recognized that labor migration from Thailand came from poorer regions of the country, most notably the Northeast. Other studies have investigated the rural-urban migration of women workers

within Thailand and their role as part of an ever-growing national emphasis on economic development, economic expansion, and economic accumulation (Mills 1999). Jones and Pardthaisong's (1999) investigation arrived at the conclusion and recognition of a complex system of labor agents and community leaders that operate in tandem to commodify contract laborers from Thailand.

### *Philippines*

The Philippines has become, in the period beginning in 1974 to the present, the world's largest supplier of laborers (Walker 1991). The Philippines is a republic similar in organization to the United States, but with a highly centralized governing structure. Although a democratic country with direct election of a president, the Philippines has had to endure Ferdinand Marcos's failure to relinquish power, and numerous coup attempts on elected officials since (Asia Pacific Foundation of Canada 2000b). Instability at the level of President remains a lingering problem.

The Philippines is perhaps both the locus of the world's largest supply of international contract labor migrants and likely the most frequently studied origin for international contract laborers (Martin 1991, 1993). The labor export program and the results of the state's efforts have been documented by employing economic theory, feminist theory, globalization theory, and migration theory. Much of the literature contributed by feminist theory has focused on the employment and exploitation of nurses (Ball 1990), entertainers (Tyner 1996a), and most numerous the study of domestic servants (Licuanan 1994), maids and domestic workers (Tolentino 1996, Chin 1997,

England and Stiell 1997), or they have viewed the export of female workers in its entirety as a commodification carried out to benefit the exporting state's economy (Fernandez 1997).

The migration of Filipino laborers can be traced all the way back to Spanish colonial control and the trade between the Philippines and colonial New Spain (Schurz 1939). Filipino labor had been important in Hawaii and California during the early 20<sup>th</sup> century when migrations of Filipino labor included large numbers of workers employed in sugar and pineapple plantations in Hawaii and service occupations in California (Lasker 1931, Sharma 1984). This was the most significant involvement of Filipino labor in the world economy except for employment of laborers on military bases in the Pacific and U.S. administered trust territories and possessions. Government involvement in employment abroad is marked by former President Ferdinand Marcos's issuance of a 1974 presidential decree that created the Overseas Employment Development Board (OEDB) and the Seaman's Employment Service (SES) (OEDB 1979), the forerunners to the Philippines Overseas Employment Administration (POEA), the current state body promoting and regulating overseas workers and labor migration (Walker 1991). Since 1975, however, the influence of the Philippine government has changed the scope and breadth of Filipino involvement in international labor migration. The efforts of representatives of the Philippine government and the POEA have ushered in a period of internationalization of Filipino labor that has increased the breadth of international mobility of Filipino laborers in the world economy. Beginning in the middle 1970s,



Filipino laborers were increasingly being recruited and marketed to states of the Middle East (Ling 1984).

Gibson and Graham (1986) have attempted to place Filipino labor migrants into the frameworks of migration and development theory by employing a world-systems approach. However, inserting the Filipino experience into the world-system framework poses theoretical problems, especially with respect to why Philippine nationals are so prevalent in the world supply of labor. While some aspects of a world-system approach have merit with regard to the persistent use of Filipino labor in wealthier and more powerful states globally, the simultaneous dispatch of workers to other semi-peripheral and peripheral states dispels the notion that exchanges must gravitate on a centrifugal path to core states and core economies. Political power groups have made efforts to turn disaster into a political advantage. After the Mount Pinatubo eruption in 1991 and its displacement of thousands of families, the Philippine government made an effort to reserve jobs in the newly opening Taiwan labor market to aid the victims of the eruption. The offer of overseas employment was thought to be an effective strategy to defuse the problems of displaced poor farmers living in tent camps (Philippine Overseas Employment Administration 1993). Heyzer et al. (1994) noted that the state's identification of overseas jobs provides opportunities for college-educated nationals to migrate abroad and increase their earnings, thus enabling migrants to contribute to households and reduce their own dissatisfaction over the low wages paid even at the professional levels of employment in the Philippines (Heyzer et al. 1994).

## *Indonesia*

Possessing the world's fourth largest population, Indonesia has sufficient labor surpluses to make it a force in labor migration. The government made formal recognition of the value of surplus laborers beginning in the late 1970s. Indonesia is a constitutional democracy in which the executive branch has strong powers of governance. The strong centralized power of the regimes of President Suharto saw increases in both economic growth and international labor migration (Asia Pacific Foundation of Canada 2000a). Until the impact of the Asian crisis in September 1997, the Indonesian economy was the recipient of substantial foreign investment.

Sufficient documentation of Indonesian labor migration exists for both domestic and international destinations (Hugo 1995). Documentation of international labor migration of Indonesians also exists for the regional movements of their labor power (Guinness 1990, Chin 1997). Spaan's (1994) important research emphasized issues of class in Indonesian international migration. Increasingly, gender has been an important focus of research in Indonesian labor migration (Robinson 1991, Chin 1997) and that is becoming more relevant as greater numbers of Indonesian females participate in overseas work (see Table 7-5). Nayar (1997) has focused on Indonesian migration as a whole, paying attention to population issues and the efforts by individuals – through the Indonesian Department of Manpower – to work abroad. Graeme Hugo's research, which focused upon migration of Indonesians both internally and internationally, dominates the literature (Hugo 1995, 1997, 1998, 2000, 2000b, Hugo and Stahl 1997). His work has provided general insight into the challenges of migration during the last quarter of the 20<sup>th</sup>

century (Hugo 1997) and into the theoretical debates about international migration (Massey et al. 1993). Arnold and Shah (1986) noted that international labor migration is so prevalent that in Indonesia monetary targets are built into their Five-Year Development Plans (*Repelita*) like other income-earning activities. Hugo has detailed the rise of Indonesian labor migration and labor export with a focus on the structural involvement of the Indonesian state (Hugo 1995). He has illustrated the attempts by the Indonesian state to facilitate and broaden the size and geographic scope of labor export originating from Indonesia (Hugo 2000), as well as the risks to which such workers are exposed while participating in such international migration (Hugo 2000b). Chin's (1997) research on Indonesian female servants in Malaysia reinforces the significant roles of state officials from both sending and receiving states, in concert with employers and employment agencies. Hugo (1998) has thoroughly covered the breadth of international migration in Asia, noting the growth of Indonesia's labor policy and results, in addition to the gender issues and the championing of international migration by Indonesia and other states.

## LABOR

Marx professed that "he [the owner of labor-power] and the owner of money meet in the market, and deal with each other on the basis of equal rights. . ." (1867/1967: 165). Clearly he was ridiculing classical economic theory that presumes two opposites of power and class would meet and bargain equally. However, the ideas that place labor on equal footing with capital persist in the literature (Kritz et al. 1992). Marx later countered with his critical assessment of such an harmonic convergence between capitalist and laborer,

quipping that the entire discussion was for the benefit of those classical economy “Free-trader Vulgaris” who see the concept of “free labor” only from the standpoint of the capitalist. For Marx such a harmony is impossible, the laborer is not free to market her/his labor-power for its worth and in most cases must literally give half of what they produce to the capitalist (Marx 1867/1967).

Marx’s treatment of how the capitalist creates surplus-value through the circulation of commodities sets the stage for the identification of the source of all surplus-value produced: through labor-power. His conception of labor-power is the capacity for labor, “the mental and physical capabilities existing in a human being, which he exercises whenever he produces a use-value of any description” (1867/1967: 164). In Marx’s view, the individual owner of her/his labor-power sells that labor-power to produce commodities that are later converted to the money-form. However, Marx does not accept that laborers are constantly idle and simply waiting for the opportunity to sell their labor. He cites that labor-power is not a natural commodity but that “labor-power can appear upon the market as a commodity only if . . . the individual whose labor-power it is, offers it for sale, or sells it, as a commodity” (1867/1967: 165).

In his discussion on state forms and accumulation, Jessop (1990: 197) has reminded us of capital’s role vis-a-vis labor in capitalist production: that the “value-form is embodied in the organization of the labor process as a process of valorization (value adding)” and that “in relation to the work force the value-form is associated with the commodification of labor-power, its subordination to capitalist control in the labor process, and its remuneration and reproduction through the wage-form.” Labor has also

been viewed by industrial location theorists who seek to clarify movement of industry in contemporary capitalism (Walker and Storper 1981). Within the context of developing a theory of location, Storper and Walker (1983: 4) identify labor as a key component of the location process because of its spatial differentiation and because of its (labor-power) unique status as a “factor of production” as embodied in human beings. In discussing labor, Storper and Walker distinguish between classical and neo-classical views of labor as a “true” commodity defined by wage-price and quality, and the Marxist view of labor as a commodity unlike any other because humans are conscious subjects in production (Marx, 1867/1967). Storper and Walker (1983) have submitted the notions that labor is not a true commodity, but a “pseudo-commodity,”<sup>2</sup> pointing out that true commodities are produced and owned outright, thereby allowing complete control in production. Labor, they argue, acts as a pseudo-commodity because – even though part of the production process – the human contribution to the production process involves social relations and social life which are not attributes of commodities (like machines). Storper and Walker asserted that acceptance of labor as a true commodity forces acceptance of a range of erroneous assumptions: the strict definition of labor as a factor of production, that labor is an object of work and therefore subservient to capital, and that the purchase of labor means virtual ownership of labor. In addition, they stated that, unlike human labor, true commodities can be assessed by performance versus cost (Storper and Walker 1983). Boyer and Drache unambiguously pointed out that labor “is not produced as a commodity

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<sup>2</sup>Jessop (1990) describes labor as a fictitious commodity.

since demographic reproduction is not governed at all by profit mechanisms” (Boyer and Drache 1996: 6).

World-system theorists accept certain ideas about labor as given. One of these is the notion that labor is siphoned off from a pool of reserve labor within states of the world economy. Petras (1981), as well as Portes (1978) and Portes and Walton (1981), made the claim that workers within the international labor migration are part of the global surplus of labor. Sassen-Koob (1978), however, maintained that there are complexities that continue beyond a simple notion of labor surplus. She noted that surplus labor can be drawn from essentially different sectors of the labor force. Sassen-Koob has viewed surpluses of labor as being either of an “apparent” nature or of a “hard core” nature, with an apparent surplus being characterised as one that “...would become a necessary labor supply in the case of significantly expanded industrialization” (Sassen-Koob, 1978: 531). Conversely, she saw a “hard core” surplus as being a supply that cannot be absorbed by the state, even in the event of expanded industrialization. Sassen-Koob (1978) stated that migrant laborers will primarily originate in urban and more developed rural areas, and therefore become extracted from the apparent, rather than hard core, surplus. The distinctions presented are important because labor migration theorists often viewed such migrations as surplus labor. Research by Ball (1990) and Fernandez et al. (1987) refuted suggestions that labor migrants are idle prior to engaging in international migration.

In conducting research on international labor migration to Taiwan, several significant labor issues must be investigated in order to set the stage for the arrival and use of expatriate labor. Wade (1990) noted that the long-standing status of Taiwan as a

location of labor surplus had ended by 1970. One of these issues is the role of labor in Taiwan that pre-existed the introduction of foreign workers, whether illegal or legal. As such, labor in Taiwan has been cultivated by the state under unique circumstances. With the Nationalist (i.e., Kuomintang) party's escape to the island and the long-term institution of martial law (1949-1987), the development of Taiwan became based on a notion of nationalism and eventual return to the Chinese mainland. Palan et al. (1996) have reminded us that the nationalists on Taiwan were involved in an ongoing civil war during which they sought out and competed for international recognition. Workers were, therefore, a large part of that KMT push to forge a nation that would reject communism and seditious organizational forms such as unions. These two issues continue today: Taiwan's need for international political recognition, and the structure of labor laws and regulations that negate many common forms of labor organizing created in the West.

Issues of labor flexibility, labor strength, labor organization, and regulation are important to the characterization of the Taiwan labor environment. Lauridsen (1996) demonstrated that a number of factors have affected Taiwan labor and have contributed to a milieu of flexible capitalism. He noted that a wage flexibility (low basic wages plus overtime and incentives) has historically been used to discipline workers. Additionally, Lauridsen (1996) pointed out that the ineffective nature of Taiwan's union membership, the absence of labor law enforcement by the state, and the resulting ignorance of labor law by firms has led to a situation that is decidedly anti-labor. Deyo (1989) pointed out that in Taiwan the structure of capital-labor relations encompasses a contract of mutual obligation – what he terms as a communal paternalist labor system – in larger firms and a

patriarchal system in smaller firms. Both of these systems dissuade worker confrontation and protest. In addition, these structures in place for Taiwan workers place female workers in inferior work and status (Lauridsen 1996) positions that became the same type of structures within which foreign workers were introduced and must operate.

## ECONOMIC RESTRUCTURING AND LABOR EXPORT

Issues of economic growth are at the heart of the Taiwan government's policy to invite foreign laborers to work in Taiwan. Foreign workers have been a key component in the restructuring of production in selected industries as part of an overall restructuring of the Taiwan economy (Tsay 1994). The use of expatriate labor within the capitalist mode of production can occur for varying reasons. Using location as an identifying criterion, Sassen (1988: 29-31) finds four types of situations that have generated labor imports. These involve an international transfer of value from areas of the third world to those of the first world, i.e., the basic expansion of capitalist production into areas that are in a stage of immature capitalism; labor imports associated with *in situ* capital accumulation in less-developed countries; labor imports as a tool for capital intensification in already mature economies; and, lastly, those associated with capital's domination over labor in the form of ensuring high profit rates and as "anti-cyclical mechanism" that allows the repatriation of redundant labor when the situation arises. While historically labor migration had associations with colonization and forced migration, contemporary movements take place within a global economic framework that is differentiated by the political control of territory by politically independent [nation]



states. It is this control by the state that regulates the legal flow of labor across international boundaries.

Restructuring is a term that is often thrown about, but is frequently not well defined. Restructuring can be used to define basic economic, social, or political change. For Soja (1989: 159), “restructuring is not a mechanical or automatic process, restructuring must be seen as originating in and responding to severe shocks in pre-existing social conditions and practices.” In his conception, restructuring can span revolutionary change or “piecemeal reform,” however, it amounts to some measure of change (Soja 1989). Tsay, on the other hand, discussed the idea of “triggers” of industrial restructuring, describing conditions such as: a shortage of labor, rising domestic real wages, the appreciation of currency rates, increasing costs for raw materials, and changes in labor productivity (1994: 584). Clearly, these factors of economic restructuring are more in line with the majority’s conception of restructuring.

Herod (1997b), in a critique of neoclassical and Marxist approaches to what he terms a “geography of labor,” argued that while workers are commonly characterized as a unit of production under capitalism or theories based on the power of the firm, they are also active in shaping economic places. His argument provides the framework for an alternative to studies of capitalism that have viewed workers passively and quantitatively as factors of production (Herod 1997b). As Harvey (1982: 381) noted, labor has been viewed as “*variable capital*, an aspect of capital itself” (emphasis in original) rather than as human beings who can, if necessary, vote with their feet. In addition to exploring workers as geographical agents who are active in the creation of geographies, it is

important to look at the labor qualitatively and investigate issues of social regulation, workplace discipline, and worker resistance. Peck (1996) has shown how labor cannot be seen as part of a competitive world labor market. He argued the need to view labor in its social context and noted that, in the case of migrant labor (in California), it “wrenches workers from the communities in which they live and constructs them for a time as *commoditized, placeless labor*” (Peck 1996: 9, italics in original). Peck (1996: 10) has submitted that “the key to understanding real-world labor markets is to grasp the social nature of labor and institutional means by which it is reproduced.”

The work of Foucault (1977) enables us to assess the regulation of workers in the workplace by theorizing the way that labor is disciplined by the management practices of the owners of capital in production. Examples of this type of disciplining, especially effective on foreign contract workers, are in evidence in later chapters. Labor’s resistance to attempts at regulation and discipline is important to note because foreign labor is often employed because it is perceived to act in a docile manner in relation to management. Foreign workers lack any union articulation between workplace and regional and national levels of labor organization (which is itself weak). Waddington (1999) noted that where a lack of articulation exists, workplace resistance is ineffective. For labor to have an effective voice, the issue is whether the numbers of workers can be assembled to achieve and maintain pressure on institutions so as to be influential as a group. It should be noted that the following chapters chronicle how individuals are involved in resistance efforts.

Motivations for the use of migrant labor or the participation of potential workers in international labor migration are generally explained within categories of cost and

availability in the former and potential higher earnings returns in the latter. These are the motivations of those involved in international migration in the abstract. Changing the scale of those motivations from the global to the regional, national, sub-national, and the local can reveal much more about the process. Local conditions are vitally important.

## STATE THEORY

Theories of the state include the efforts of neo-Marxists to come to grips with the state as an actor. Miliband (1969) emphasized that the power of the state is central whether as playing “. . . an ever-greater role by way of regulation, control, coordination, planning and so forth” (Miliband 1969: 9) or as the “coercive instrument of a ruling class” (Marx and Engels, quoted in Miliband, 1969: 5). He strongly urged a return to the theorization of the state as the central pole of concern. Key to his approach was the identification of the state both for its institutions “. . . which together constitute its reality, and which interact as parts of what may be called the state system” (Miliband 1969: 49) and for his recognition that “. . . people who are professionally concerned with the actual running of the state, either as politicians, or civil servants, judges and military men . . . [are] of crucial importance in the analysis of the relation of the state to society” (Miliband 1969: 19). In Miliband’s view, the state has power but that power is highly diffuse, spread amongst many representatives and at many different levels of operation. He also characterized the state as “interpos[ing] itself between the two sides of industry – not, however, as a neutral but as a partisan” (Miliband 1969: 81). Miliband argued that the dominant interests of capitalists get support from the servants of the state, those who, in

the name of the “national interest,” ensure state dominance. He strongly suggested that the state is an instrument of the capitalist class, although he adds that capitalists, even with such advantages, must still exert pressure on the state to achieve their goals.

Miliband’s argument was that the state persists in employing many different points of view from different backgrounds, but with a common sentiment: representing the “national interest.” He argued that, inherently, that national interest is the interest of the capitalist class. The national interest was said by Miliband to be political socialization which fosters capitalist order or, more bluntly stated by him, “massive indoctrination” (Miliband: 1969: 182). The operation of the state in preserving “national interest” is therefore de facto preservation of the interests of business and the capitalist class. Philippine President Fidel Ramos, president from 1992-1998, in inheriting the labor export program with his successful election, remained true to the operation of “the state” by continuing the status quo of labor export in the “national interest,” but also combined the spirit of military service with the individual dedication of overseas workers to develop a military-style rhetoric, which proclaimed workers as “patriots” and “national heroes” (Shenon 1995).

Poulantzas (1978) identified the role of the state as a global role connected to its political role, and he conceived of the state from the point of view of power. He contended that “Institutions...can be related only to social classes which hold power” (Poulantzas 1978: 115). The power of social classes is then said to be organized into power centers with the state characterized as the “. . . centre of the exercise of political power” (Poulantzas 1978: 115). In a protracted debate, Poulantzas strongly differed with,

and condemned the theory of, political elites or “power elites” espoused by Miliband, charging that in so doing he in essence created a state within a state (Poulantzas 1978: 326).

Poulantzas (1978: 235) characterized personnel and structures of two party government as inter-party networks whereby “. . . there crystallizes a web of circuits which so to speak, functions as a single-party centre lodged in the central state apparatus and goes far beyond mere personal relations among members of a single ‘power elite’.” He asserted that “. . . all power (and not just class power) can exist only insofar as it is materialized in certain apparatuses (not just state apparatuses)” (Poulantzas 1978: 44-45). For Poulantzas the class struggle is most important and, in fact, characterizes the power (struggle) versus apparatus dichotomy. He maintained that “it is struggles that make up the primary field of power relations and which invariably have primacy over the State” (Poulantzas 1978: 45) and extended this thesis beyond economic “struggles” to include both political and ideological struggles.

Hirsch (1978) attempted to construct a theory of the state by reviewing and critiquing the bourgeois state and reviewing state apparatuses. In doing so he criticized the failure to define the social character of the state apparatus, arguing “. . . a theory of the bourgeois state must be developed from the analysis of the basic structure of capitalist society in its entirety by defining the bourgeois state...as an historical form of class rule...” (Hirsch 1978: 63). He used “empirical complexes” to explain state apparatuses. Hirsch argued that: “historically, the gradual and partial success in safeguarding and improving their conditions of labor and reproduction with the help of the state

apparatus...have shown themselves to be at the same time an essential moment in social pacification and in keeping class struggles latent” (Hirsch 1978: 84). The state intervention that Hirsch spoke about is the extension of welfare state intervention. He also recognized state intervention as a mediator between capitals and between capital and labor (Hirsch 1978). According to Hirsch it was important to note that state apparatuses needed to “. . . pursue a policy of growth which would ensure a continuous process of accumulation” (Hirsch 1978: 90). Such growth policies can cover a number of activities and Hirsch cited infrastructural policies that include education, expansion of information services, research, health, and transportation. In less-advanced capitalist societies – like those that contribute labor to Taiwan – the investment in education is (certainly for the Philippines and to some extent in Indonesia and Thailand) perhaps one of the prime reasons for an alternative growth policy aimed at labor export. Investment in education without the accompanying production of jobs to complement such education is seen by some as a social time bomb set to explode amongst the lower classes. Diffusion of such a situation is accomplished through a growth policy achieved via worker export.

Recent research work on the capitalist state is most closely identified with Jessop (1982, 1990). He has carried out an exhaustive review and critique of state theory in an attempt to take so-called “state form arguments” past the contentious Miliband-Poulantzas debate (Jessop 1982). Jessop argued that limiting the state theory derivation to an instrument of capitalist production (as debated by Miliband and Poulantzas) provided little in the way of future explanation of the state’s important role in capitalist economic production. Jessop (1990) established a more holistic approach to the state that

incorporated Marxist works and supplemented them by adding states' hegemonic tendencies and structures. He emphasized the necessity for "the dominant bloc to secure the support of the dominated classes (the peasantry, the urban petty bourgeoisie, and sections of the working class), of social classes (such as the military, officials and intellectuals) and of the significant social forces (such as ethnic minorities religious movements)" for hegemony to exist (Jessop 1990: 42). Jessop (1990) added that such support is "rooted in the incorporation of certain interests and aspirations of the 'people' into the dominant ideology" (Jessop 1990: 42).

Jessop (1990) contended that because of its complex institutional system and the dependency of social classes upon the state for organization, the argument that the state exists as an instrument of the capitalist class must be rejected. Instead he argued that state power "must be considered as a complex, contradictory effect of class (and popular-democratic) struggles mediated through and conditioned by the institutional system of the state" (Jessop 1990: 45). He further clarified the role of the state as "one economic agent among others" and/or as "a political agent whose actions may promote or hinder economic performance" (Jessop 1990: 45).

By discussing economic growth models and capitalist accumulation, Jessop (1990) highlighted the concept of economic hegemony: economic leadership that integrates the circuit of capital to "advance the immediate interests of other fractions" and "secure the long-term interests of the hegemonic fraction controlling the allocation of money capital to different areas of investment advantageous to itself" (Jessop 1990: 199).

## State and Economic Development

Literature discussing the state is broad and highlights its many facets. Issues of the state in this research can be broken down into theories of the state, the role of the state in economic development, and the state and globalization. State theory has dealt with such things as the formation of the state, its function, the role of the state, issues of state and territory, the relationships between the state and the economy, and accumulation and regulation. The state is vitally important because it controls or attempts to control the passage of migrants into and out of the borders and territory that it governs. Frequently, the policy of the state toward migration is critical to understanding the flow itself.

Germany's policy of labor import has been characterized as a market-orientated method of supplying much needed labor power (Leitner 1986). As a result, those economic interests that desired workers most ardently had been the motivational force pushing governments to relax restrictions on immigrant labor and to allow entrance of labor migrants. Jones (1994) recognized that capitalists' desire to participate in an economic restructuring was the motivation behind the employment of foreign workers in Germany. In addition to a call to relax rules, there were also requests for the state to become active and to recruit foreign workers.

Hugo (2000) detailed the role of state and non-state entities in the dissemination of information about overseas work and the institutionalization of an overseas worker policy within Indonesia's national development plan, both past and future. He noted that within Indonesia's *Repelita* series of five-year development plans, beginning with the target figure of 100,000 overseas workers in *Repelita III* in 1979, the state had



institutionalized international labor migration as a facet of national development (Hugo 2000). Hugo also pointed out the acceleration of labor export in subsequent *Repelita: IV, V, and VI* (Hugo 1995) and the prominence of state-established numerical targets for overseas contract workers (Hugo 1995, 2000). State policies detailed within such long-term development plans were not limited to Indonesia. Jones and Pardthaisong (1999) revealed that Thailand also strongly promoted temporary labor in a series of five-year development plans drafted in the 1970s and 1980s.

State policies on labor import, its regulation and use, as well as the economic benefits of these imported workers to host countries, have been elaborated on by Fong and Lim (1982) for Singapore. It is important to note that Taiwan's labor import policy makers looked to Singapore's experience with foreign workers to craft their own policy. Recent work by Massey (1999) acknowledged the state and noted its previous exclusion from international migration. Massey also cited the necessity to incorporate the state by recognizing its growing importance in the future of labor migration. Ball identified a role for the state which increasingly involves economic functions linking international migration with economic globalization (Ball 1997). Sassen (1998) argued that economic globalization has reduced the role of the state in specific ways, most dramatically through supranational agreements such as the North American Free Trade Agreement (NAFTA), the European Union (EU), the General Agreement on Trade and Tariffs (GATT), and the World Trade Organization (WTO), because these agreements override national jurisdiction over immigrant policy as well as exerting pressure from beyond national borders in the form of human rights recognition.

## State and Capitalism

In conditions of crisis and labor surplus the state can export labor as its own spatial fix. Although this represents a half-hearted and temporary effect, in the short run it has been a lucrative strategy. Activities of this type affirm the idea that regions can exploit regions (Soja, 1989) as the labor-rich exploit the collective labor-power of their nationals, who are then exploited by the capital-rich in their employment destinations.

The state, in essence, follows what Smith saw for capitalists: “the capitalist no longer simply sets to work a number of laboring individuals, but rather the *collective labourer* whose productive power exceeds that of the sum of the individual laborers” (Smith 1990: 120, italics in original). The image of the diaspora of international workers as a collective worker fits perfectly with contract workers’ relationship to the state: a collective commodity, earning exchange for the state. States possessing large labor surpluses are in a position to throw their lot into the global arena because even short-term spatial fixes of the surplus labor will prove worthwhile. Harvey reminded us of the core features of the circulation of capital, the first being predicated on “continuous expansion.” He stated that this is the “ideology of growth [that] ‘growth is good’ no matter what the environmental, human, or geopolitical consequences” (1985: 129). Harvey summed up the uncertainty of the duration of the spatial fix: “although we can continue to assert that crises cannot, in the long run be avoided, we have to countenance the possibility that the long run might be very long” (1985: 156). That is seemingly what labor export states are banking on.

The impact of the Asian economic crisis that so severely crippled Thailand and Indonesia's economies (with a lag effect on the Philippines) was initially less of an issue for foreign workers in Taiwan (Lee 1998). Reports on the impact of the Asian economic crisis on international migration from Indonesia point to an increase in migrants to Asia-Pacific countries in general and to Taiwan specifically, although the cause-effect argument is not formally presented (Ananta et al. 1998). Hugo (2000b) provided details of the impact of the crisis on Indonesia, the related and increased volume of Indonesian international labor migrants, and a heightening of state appreciation and interest in the national benefits derived from the international migration of Indonesian laborers. Chamalwong (1998) has noted the impact of the Asian crisis on Thailand and the ability of Thai workers to go abroad. The Philippines also suffered impacts of the crisis locally, with the potential to affect overseas employment (Böhning 1998).

### *Confucianism*

Comments made by Malaysian Prime Minister Mohammad Mahathir added to and stoked old debates over the distinctiveness of an Asian style of development. This blossomed into discussions of "Asian values" and the success of East Asian economies based on a philosophy loosely based on Confucian values. Those values are professed to include an emphasis on education, order, and family with employment ties to the company being viewed a style similar to that of family (Kahn 1979). Hartfield (1989) emphasized the significance of Confucian culture in the economic development of East Asian states, but reminded us that Confucianism is but one factor that must be blended

within issues of foreign trade and foreign investment. Wong (1989) suggested that social discipline and group identity, thrift and frugality, and a commitment to society that are tenets of Confucianism have spurred the economic developmental success in all the Asian “Tiger” economies.

Peng (1997) argued that Confucianism does indeed matter in East Asian countries, as is demonstrated by the success of economies that have been capable of integrating of Confucian virtues into Western-style capitalism. Douglass (1995), in recognition of the increase in linkages between what he called neo-Confucianism and East Asian development, acknowledged that it “presents a starting point for the reconsideration of the role of culture in the political economy of global-local interaction,” (1995: iv). He cautioned, however, against the use of Confucianism as an explanatory tool (Douglass 1995). In many cases Confucianism is suggested as an alternative to western-style capitalism (Tai 1989). As revealed in later chapters, Taiwan government officials made decisions on approval of the four labor import states based in part upon the perception of similar Confucian values present in these labor supplying states. The impact of Confucian values must, however, be viewed with some caution, as success stories of the Asian “Tiger” economies are also intertwined with authoritarian rule that has dictated such cultural characteristics as labor docility.

### *Globalization*

Globalization is a topic that has attracted much interest and has generated a great deal of literature. The globalization thesis is also an issue of much debate. In

consideration of this migration to Taiwan, it is necessary to examine concepts of globalization. Taiwan as a labor importer and the participating labor exporters are functioning with an ideology that traditional political limits and boundaries are surmountable. Both importers and exporters of labor have recognized that regional, international, and, increasingly, global opportunities are available.

While globalization theorists such as Ohmae (1990, 1993, 1995) and Reich (1991) cited the globalization process as resulting from the expanding presence and importance of transnational corporations (TNCs) and a simultaneous decline or “retreat” of the power of the state, they are challenged by those who note that globalization is neither new nor thoroughly global (Amin 1999, Hirst and Thompson 1996, 1999). Some consider globalization as a process that is expanding economic interdependence, but with a broad unevenness (Dunning 2000). Dunning (2000) contended that in spite of this expanded interdependence, the world economy is not globalized.

Hirst and Thompson (1996, 1999) are among the strongest dissenters against the globalization thesis. Their challenge to the ideas that the so-called current “globalization” is occurring rested on several observations about the contemporary world economy, one of which is that the period of economic activity between 1870 and 1914 was more open and integrated than the present (Hirst and Thompson 1999). Hirst and Thompson pointed out that even as current international investment occurs at a rapid rate most of the world’s investment occurs between the U.S., the E.U., Japan and the Asian NICs at the expense of the rest of the world. These statistics countered the notion that investment had truly gone global. In addition, they argued that statistical evidence points

to multinational corporations (MNCs) as being heavily nationally embedded. In so citing, they proposed that the type of extreme globalization advocated by Ohmae (1990, 1993, 1995) and Reich (1991) is a myth. They argued for defining the flows of the contemporary world economy as internationalization rather than globalization.<sup>3</sup> Under the type of globalization regime envisioned by Ohmae, Hirst and Thompson contended that: “national policies are futile, since economic outcomes are determined wholly by world market forces and by internal decisions of transnational companies” (Hirst and Thompson 1999: 270). Internationalization, they explain, is the case where “national policies remain viable, indeed essential in order to preserve the styles and strengths of the national economic base and companies trading from it” (Hirst and Thompson 1999: 270). Hirst and Thompson (1999) did not deny that the world economy has “a high and growing amount of international trade and investments” but they contended that the state – through its strength providing governance and regulation – holds a basic function within the world economy.

The positions taken by others on the globalization debate suggest an uneasiness with the rigidity of Hirst and Thompson, but take similar positions against the idea of a placeless world dominated by footloose capital. Jessop (1999) viewed globalization as a chaotic concept that is difficult to define. While not accepting the term outright, Jessop did not take the tact of Hirst and Thompson, instead he argued that contemporary changes

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<sup>3</sup>Generally, internationalization is TNC productive activity carried out outside of their country of origin, while globalization is autonomous global production occurring at a speed, scope, and scale that renders national economic planning and management irrelevant.

in the world economy can not be compared with pre-1914 international exchanges. He claimed that many activities have come under commodification since then – different forms and dynamics of competition, and the rise of new hegemons (the United States) and new trading economies (East Asia) – that make capitalism more multicentric. He submitted that “globalisation is generally better interpreted as the complex resultant of many different processes rather than a distinctive causal process in its own right” (Jessop 1999: 19). While Jessop conceded that the tendencies of the world economy are toward globalization, but noted that the trend suffers from unevenness of the type that can be found among autonomous regimes in coherent regions or among local resistance, both of which can offer counter-tendencies toward globalization. As a result, he viewed use of the term globalization as a poor explanatory tool for describing the process of a broader (global) geography of capitalism.

Cox (1997) recognized that the spatiality of the globalization thesis describes an expanded range of potential locations for capital (via improved transport and communication technologies) and a simultaneous immobility of labor. As such, Cox (1997: 117) related that globalization views the labor issue as one in which “in order to retain industrial employment it may be necessary to reduce labor costs and to offer various inducements – changes in the labor law, tax abatements – to persuade firms to continue investing there.” He contended that cost-cutting is of primary concern, something that is already occurring in some Asian NICs (like Taiwan). Issues that the globalization thesis cites as inducing locational movements are, Cox (1997) maintained, highly overgeneralized due to the unevenness of their distribution. He argued that while

capital can be mobile it can also become embedded locally, a stipulation that runs counter to globalization's capital fluidity. He further claimed that such capital embeddedness can change the bargaining strength for labor. This is a strong possibility in an organized labor market, but with respect to international contract labor those potential gains are negated by the temporary nature and mobility of expatriate laborers.

Many of the critiques of globalization center on its abandonment of the state as a viable entity. Although challenges to the globalization thesis have been levied from many directions, defense of the state's continuing strong role make up a large body of literature. For example, Boyer and Drache (1996) contended that even with a growing globalization of finance there are multiple factors involved beyond that of money capital. States, they argued, are important because of their critical role in such issues as monetary regime and the degree of international openness, as well as in social policy issues. Boyer and Drache (1996) saw the state organizing political power for the purpose of maintaining social solidarity, and not something to be subsumed by a rapidly encroaching wave of global finance. With regard to the decline of the state via globalization, Cox (1997) submitted that such a belief has meaning for macroeconomic aggregates, but failed to take into account state involvement in regulation, labor training, and industrial capital relations.

Gertler (1997), arguing for the continuing role of the state and against a globalization thesis, asserted that capital, for example in the form of high-tech machinery, loses its effectiveness over long distances because they serve as an impediment to effective deployment, social relations lack portability, and the success of investments in



the form of technologies is hampered by its application outside the area/culture in which it has been developed. Thus, he claimed the nation-state remains critical to the world economy and that “the continuing role of nation-state institutions has been very much underplayed” (Gertler 1997: 59).

Political theorists such as Cerny (2000) focused on the impact that the discourse of globalization has had upon nation-states, especially the creation of “competition state” policies to counteract or enhance the perceived onslaught of globalization. In this sense Cerny asserted that in the competition states “state actors and institutions are promoting new forms of complex globalization in the attempt to adapt state action to cope more effectively with apparent global ‘realities’” (Cerny 2000: 117). He argued that the fear of globalization itself can foster policies that create an environment more conducive to political and economic globalization.

Of those writing on globalization, acceptance of the idea that globalization is devouring the state is minimal. For example, while Cerny accepts that globalization itself is a process, he also contradicted the idea of an eroding state role by contending that “in a globalizing world states play a crucial role as stabilizers and enforcers of the rules of *global* society; indeed, state actors are probably the most important single category of agent in the globalization process” (Cerny 2000: 121, italics in original). Sassen (1999) pointed out that globalization and the power of the state are not locked in a zero-sum game whereby the gains of globalization are a product of states’ lost power. Palan (2000) viewed the relationship between state and globalization as “mutually restructuring agents”

in which the forces of globalization that shape the state are countered by activities by the state that mold globalization.

Sassen has researched and published often on globalization (1988, 1996, 1998) or topics that were the precursors to what is often encompassed by globalization (Sassen-Koob 1978, 1980, 1982). Her examination of globalization (Sassen 1998) focused upon the complexities of the overall process. In commenting on the relationship between the global and the local, she noted that the contestation of a globalization regime pits extreme positions of the strength of the global against the strength of the national, arguing instead that the “line separating the national from the global – or nonnational – is actually a zone where old institutions are modified [and] new institutions are created” (Sassen 1999: 159). Sassen contended that globalization involves both a conversion of issues of the national (public) to the transnational (private), but also the “development inside national states – through legislative acts, court rulings, executive orders – of the mechanisms necessary to accommodate the rights of global capital in what are still national territories” (Sassen 1999: 159). Clearly, Sassen rejected the notion of globalization that bypasses the state, instead she highlighted that the state – even in light of the increased fluidity of capital worldwide – maintains its basic strength by way of laws and policies that maintain the rights of capital. However, she also argued that “precisely because global processes materialise to a large extent in national territories, many national states have had to become involved, even if at times peripherally, in the implementation of the global economic system and have, in this process, experienced transformations of various aspects of their institutional structure” (Sassen 1999: 152).

Those writing on topics that link labor migration with globalization are few. Cox (1997) pointed out that, unlike what is projected under globalization, wage laborers are not immobile. He commented that the complexities of labor immobility are many, including the differentiation of workers and the scale at which labor mobility occurs. However, his focus is on the national rather than the international. Samers (1998) tackled international labor migration from within political economy and comments that literature on globalization has “a marked tendency to focus on changes in international finance, production, and trade and their effects on national sovereignty...at the expense of an emphasis on migration” (Samers 1998: 197). He focused on the flexibility of international laborers and the idea of a spatial vent for migration (both legal and illegal) in a globalized movement of labor-power that is more or less regulated by the national state. In his examination of legal migration to France he noted that the French state’s ability to control the flow of laborers has not been hampered by any globalization process (Samers 1998). The state therefore persists as an active participant which often directs employment opportunities at the international and (one could argue) global scale.

Ball (1997) also approached issues of globalization from within international migration. Unlike other researchers working on globalization, and following the rhetoric of McMichael (1996), she is more accepting of an Ohmae-style globalization consisting of TNCs and global managers. Ball (1997) has argued for the state’s role in the creation of a global labor market citing the role of intermediate institutions. As covered in later chapters, the state’s role in a globalization of labor has perhaps more credence than it may have in discussions of the globalization of finance, investment, and capital.

## SUMMARY

The literature reviewed above traverses a broad group of topics and theories. The necessity of this breadth will become more clear as the investigation of Taiwan's labor shortage, illegal migration, infant legal labor migration, and maturing labor migration unfolds. In this investigation of labor export to Taiwan, population issues (migration) cannot be viewed independently from development issues (production). Additionally, those population and development issues cannot be divorced from issues of political stability (economic strength being so key to Taiwan's international influence). Simultaneously, for labor export states, the migration of laborers must be reviewed for its large and immediate economic impact, rather than its attributes of size and distribution. In both cases of labor importer and labor exporters, an enduring incentive is continued legitimacy. Throughout the text below an attempt is made to preserve continuity of the progress of the policy while offering critical assessments of how the program was created, regulated, and manipulated by representative officials of the respective states.

## CHAPTER 3

### LABOR IMPORTATION TO TAIWAN: THE ILLEGAL PERIOD, 1985-1990

The history of Taiwan's contemporary labor migration begins in approximately 1985 and continues to the present. Although this labor migration has occurred for more than fifteen years, there is a significant difference between the period from 1985 to 1990, which marks the era of undocumented migration, and the period from 1991 through the end of 1999,<sup>1</sup> which represents the period of authorized and documented labor migration. As a result, many of the issues that dominated the discourse before the legal labor importation were supplanted by new issues that are a product of, and a reaction to, labor importation. To make this distinction clear, this chapter presents the first segment of the two distinct periods that characterize labor migration to Taiwan.

#### BEGINNINGS OF LABOR IMPORT

Taiwan's labor import began long before any formal policy existed. The first evidence of migration in numbers that made an impact was in the mid-1980s. At that time, police crackdowns in Taipei were carried out in an effort to arrest illegal workers (*China Post*, March 7, 1985). Filipino workers began arriving in the capital Taipei sometime in 1984, taking jobs in the high-class hotels in the city (*China News*, April 26,

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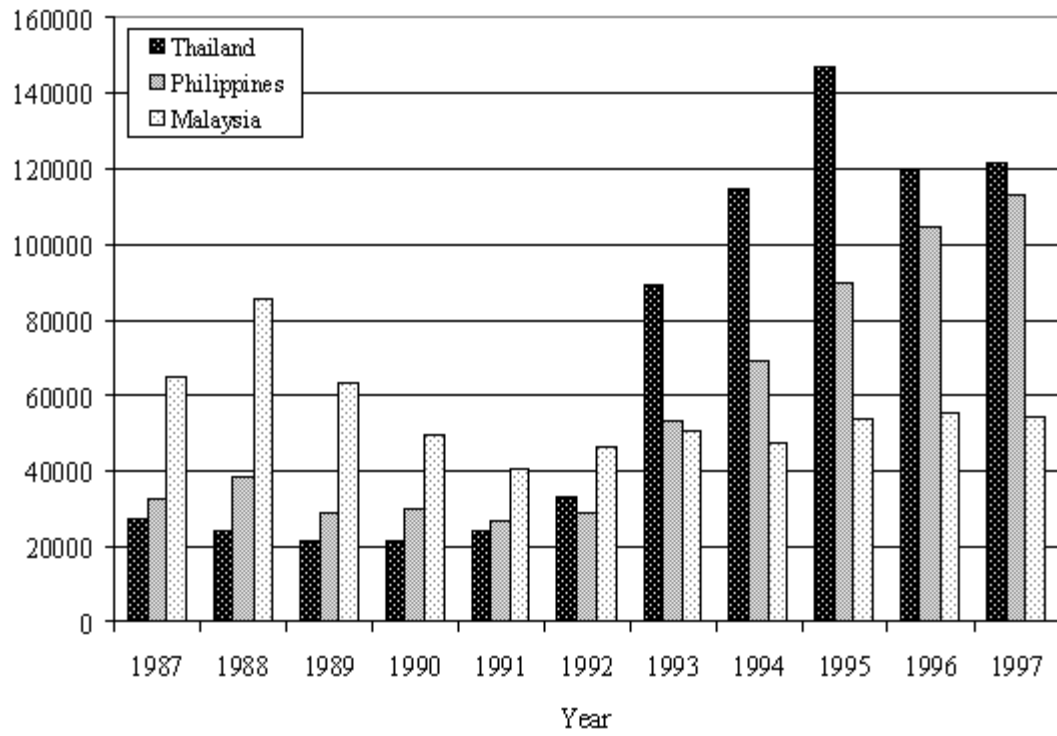
<sup>1</sup>Although this study came to a halt at the end of 1999, the labor import policy has continued beyond this date.

1987). The earliest Filipinos working in Taiwan were described as being found mostly in large cities such as Taipei (*China Post*, March 7, 1985). Subsequent to the first groups of Filipino workers, other Filipino workers arrived and continued to work in international hotels, though subsequent migrants did expand the employment base into restaurants, discotheques, and clubs. Many Filipina women found job opportunities as domestic helpers in private homes. Recognizing this, police raids targeted households and hotels to reduce the number of Filipinos working illegally (*China Post*, March 7, 1985). Efforts were made at “precinct wide” checks for Filipina maids in households and for Filipino musicians at hotels.

Filipino workers, however, were not the only nationality targeted for more vigorous enforcement. Thai workers also migrated to Taiwan to work, but came later than the Filipinos. Reports of the detainment of Thai workers emerge in 1986 (*China Post*, October 17, 1986). Nine Thai workers were arrested for overstaying their visas and for engaging in unauthorized employment at an appliance factory in Sanchung, a city neighboring Taipei. Their employment had been arranged via recruitment from Thailand by the factory owner’s son. Direct recruitment of illegal foreign workers was organized in advance and employment was often waiting for illegal laborers who arrived officially as “tourists” (Figure 3-1). Because illegal workers arrived as tourists, quantification is made possible by viewing foreign visitor data. Evidence of the illegal flow is seen in the numbers of Malaysian visitors: overseas Chinese were the first waves of illegal laborers.<sup>2</sup>

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<sup>2</sup>Although the evidence presented is debatable, the entry of illegal workers and shift to legal workers coincides with a ballooning of Malaysian foreign visitor arrivals in the period 1987-1989, and a re-stabilization of annual arrivals at 40,000-50,000 since.



**Figure 3-1: Taiwan Visitor Arrivals, 1987-1997**

Source: Taiwan Statistical Data Book, 1999

The numerous factories in metropolitan Taipei provided a fertile environment for employment and concealment of illegal foreign workers. They could enter at the international airport in metropolitan Taipei and be dispersed locally. Thai workers were much more geographically scattered than Filipinos, with many dispatched to locations (Figure 3-2) in Northern Taiwan (Taipei and Taoyuan), Central Taiwan (Miaoli, Taichung, and Changhua), and Southern Taiwan (Nantou). Employment for Thai workers was almost exclusively located in factories (*China News*, April 26, 1987).

One area of prominent employment by undocumented workers was the area near the international airport in the city of Taoyuan, 25km outside the city of Taipei. This area was cited as having numerous foreign workers four years before the first legal foreign worker came to Taiwan. Taoyuan City and the surrounding Taoyuan County area accommodated many factories and also served as a convenient location for the receipt of foreign workers because of its propinquity to the airport where all international visitors entered. Illegal foreign workers from Thailand, Indonesia, and the Philippines were said to represent the majority of those entering Taiwan to engage in illegal employment (*China Post*, December 18, 1986). The region of employment of illegal foreign workers was not limited strictly to the capital area or the international airport. Apprehension of illegal foreign workers also occurred in the central Taiwan cities of Taichung and Changhua. The geographic spread of illegal foreign labor continued to the southern city of Tainan where police raids located laborers from Malaysia, the Philippines, and Sri Lanka working in the area's abundant factories (*China Post*, April 13, 1989). Reports, even at this early stage of labor "importation," pointed to the operation of "middlemen"



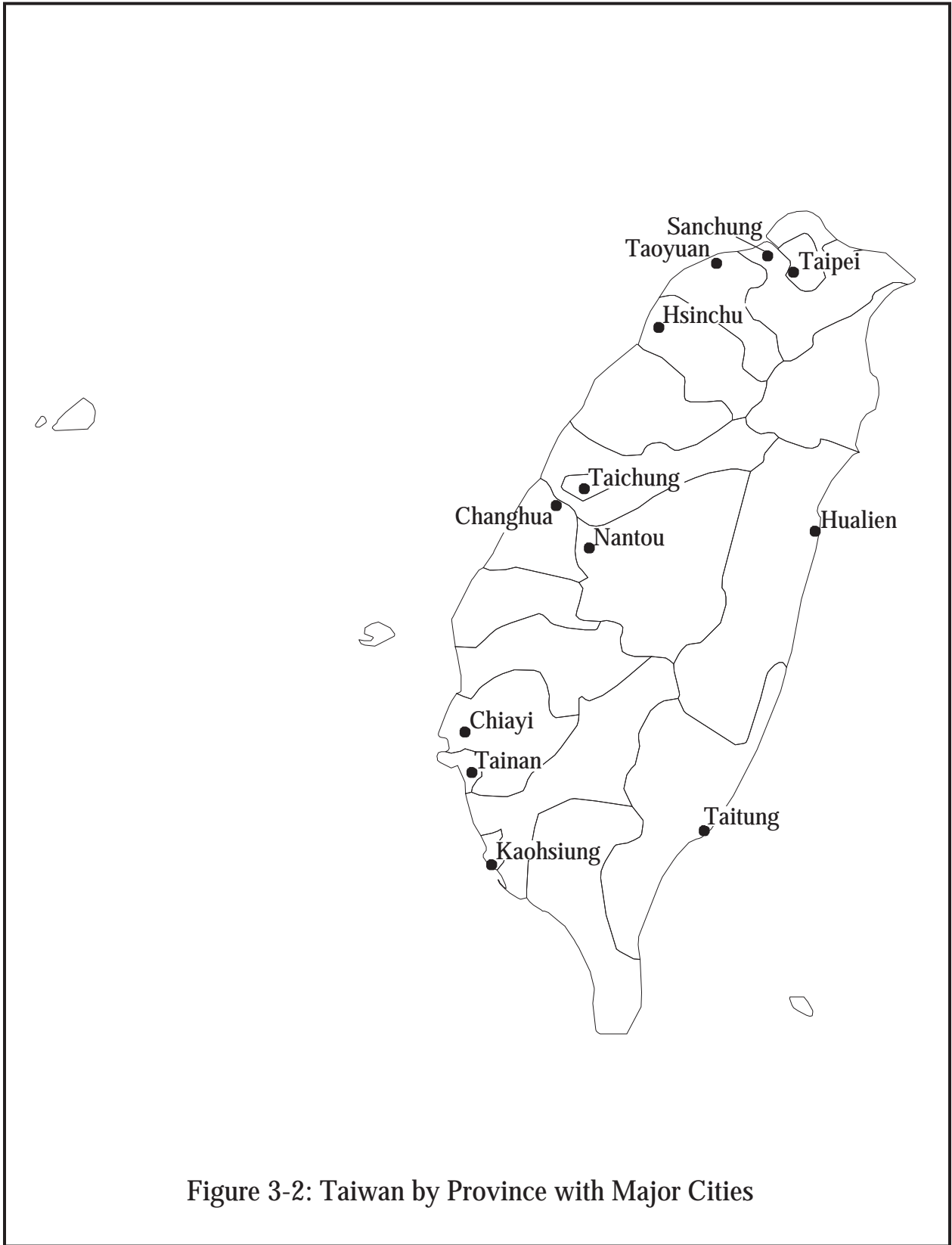


Figure 3-2: Taiwan by Province with Major Cities

who introduced willing foreigners to factory owners eager to make use of their labor (*China Post*, February 5, 1987).

### **Work Contracts for Foreign Workers**

Thai workers were brought in after paying NT\$15,000 [US\$505.05, NT\$29.7 = US\$1] for travel papers and airfare, plus another NT\$50,000 [US\$1,683.50] for “orientation courses” (*China News*, August 8, 1987: 8). Recruitment was carried out via a Taiwan travel agent who acted as a liaison for a Thai firm. Workers were brought in via Seoul (to distract immigration authorities) on the pretext that they would receive high wages and that they would be allowed to stay for up to five years. Jobs were located in factories in Central and Southern Taiwan in low paying, poorly safeguarded working environments. For each worker hired, the employer paid NT\$1000 (US\$35.59, NT\$28.1 = US\$1) to the agent. One labor broker, granting an interview to a local newspaper reporter, provided information about how he managed his import operation (*China News*, December 9, 1988b). Details of this broker’s illegal importation of labor became public knowledge and exposed some of the methods that import agents used to invite and dispatch foreign workers in Taiwan in the scheme’s infancy. The broker/travel agent told of how he specialized in the import of Filipino men and women recruited via contact with brokers in the Philippines. The Taiwan broker paid the equivalent of approximately US\$2000 for each worker and charged the Taiwan employers who sought out his services the equivalent of US\$3300. The labor broker went on to claim that during good times he was able to bring in as many as 300-500 workers a month. When asked how he was able

to get foreign workers into the country, he answered that either “we bribe our commercial representatives, empowered to issue visas” (*China News*, December 9, 1988b: 11) or that he created an illusion of the wealth of the visa applicant, which reduced the suspicion that they would become illegal workers. Workers, on the other hand, were often misled into believing that jobs were higher paid and with more fringe benefits than was actually the case. Average wages for workers were then approximately US\$250 per month and, as illegal workers, few fringe benefits were tendered.

### **Development of a Labor Policy**

Although government awareness of the illegal importation occurred early, response to the influx of illegal workers only began in earnest in early 1987. Estimates made then of the number of Thai workers employed illegally in Taiwan placed the figure at “at least 10,000 workers” (*China News*, March 30, 1987). The makings of an economic restructuring at the level of the firm were clearly evident. Thai workers were welcomed by local factory owners because of their contribution of hard work and their acceptance of low wages. Low wages by Taiwan standards still represented high wages by Thai standards, especially since my data revealed that many workers were poor farmers from Thailand’s dry northeast provinces.

Even in early 1987 a significant pipeline of information had begun to be established to circumvent immigration rules and work restrictions, thereby easing foreign workers’ entrance into the Taiwanese economy. Entrance to Taiwan was facilitated by local travel agencies who acted as agents for local factories by traveling to Thailand and

recruiting Thai workers. Initially, workers were recruited via advanced payment of salaries for work in Taiwan. Workers arrived in Taiwan and were arranged employment. Workers could not leave the factories of their employment or the country, a practice achieved through the confiscation of workers' passports. While the work "contract" was carried out in employment at local factories, all wages, both basic and overtime, were given to the travel agents who operated as primitive labor agents in the fledgling labor import business. In this system travel/labor agents also collected fees from factory owners, one, upon initial delivery of the illegal foreign worker to the employer (a commission of 10% of each worker's monthly income) and another monthly stipend from the employer until each worker returned to his/her native country.

Calls from local media warned that demand for such illegal workers would continue unless changes were implemented in local labor conditions (*China Post*, March 31, 1987). This call was soon being echoed by legislators in Taiwan's Executive Yuan, Taiwan's equivalent of the U.S. Cabinet. From the beginning, strong dissent against the importation of labor existed. While some turned a blind eye to its illegal operation, others voiced contempt for its operation and even more toward any suggestion of its legal continuation. The arguments for dissolution of any labor import hinged on the same issues of contention: protection of Taiwan workers and maintenance of the social order. The worries of Taiwan officials included potential hostility between local residents and foreign workers, as well as fears that a mass importation of foreign workers could "breed discontent" among local residents – an indirect reference to a society that was, at that time, still controlled under martial law (*China Post*, April 3, 1987). Fears like this were

confirmed by published reports of malevolence by factions intent on continuing the flow of external laborers into Taiwan. An example was a case where 52 Thai nationals arrived from Seoul, South Korea and were detained at Taipei's international airport until a local leather company vouched for the Thais' tourist status and promised that they would not overstay their visas nor seek employment in Taiwan. One week later all 52 had evaded immigration authorities with the aid of the leather company and had been dispersed to factory locations island-wide (*China Post*, April 6, 1987). All 52 Thai nationals had arrived in Taipei with a return ticket to Bangkok, exactly US\$300 in cash and sightseeing trips pre-arranged for them. Later verification of the address of the factory offices revealed that the leather factory had closed in 1985, two years prior.

Calls from legislators to end illegal immigration were met by employers who called upon the Taiwan government to issue work permits to foreign laborers to fill what was being claimed was a shortage of available workers (*China Post*, April 8, 1987). Taiwan industrialists claimed that they "could not help but hire foreign workers" because of the rejection of blue collar jobs by local workers. Local employers even suggested the government look to Singapore as an example of how to administer a labor import program (*China Post*, April 8, 1987). While these suggestions were not immediately acted upon, Taiwan's government did turn to Singapore as a blueprint for the later creation of its own labor import strategy (*China Post*, May 9, 1989).

Pressure upon Taiwan government officials to allow the legal entry of foreign workers was swiftly embraced and reinforced by positive comments from several high-level Taiwan government officials. The earliest announcement regarding the legalization

of foreign workers came in April 1987 when the Ministry of the Interior of Taiwan announced that work permits would be issued to aliens to work as manual laborers in Taiwan after the formation of a national labor administration (*China Post*, April 17, 1987), which later became known as the Council of Labor Affairs. Regulation of foreign laborers was continually imposed by the National Police Administration, which unwaveringly deported any foreign laborers discovered working in Taiwan without proper documentation. The National Police Administration also instituted plans to arrest those travel/labor agents to stem the influx of foreign workers. By late April 1987 Taiwan's Ministry of Interior had developed initial plans, quickly presenting them for review amongst other pertinent government agencies. At that time the estimated number of illegal foreign workers in Taiwan totaled only 4,000, with two-thirds of them originating in Thailand and with the others being comprised of Filipino and Indonesian nationals (*China News*, April 26, 1987). The mounting number of illegal immigrants was a key to the idea to legalize the immigration of foreign workers to Taiwan. Even though island-wide only 2,179 illegal alien workers had been apprehended since the beginning of 1984, approximately one-third of that total had been captured during the first three months of 1987. Increased arrests and deportations of illegal foreign workers signaled a rising tide of illegal labor migration and hence the need to act.

In light of the original decision by the Ministry of Interior (the ministry that controls issues of immigration) to legalize foreign workers, other Taiwan government ministries began to craft their respective regulatory policy toward the process of legalization of foreign laborers. This process was carried out by each Taiwan government

ministry with any connection to future policy. The Ministry of Economic Affairs followed the decision by the Ministry of Interior by announcing its decision to legalize the status of foreign workers as a method of increasing competitiveness of Taiwan manufacturers in the international market (*China News*, May 6, 1987). Lower labor costs, they calculated, would translate into lower production costs and increased market share.

Early construction of the labor import policy suggested limits on the types of jobs in which foreign workers could engage and on the number of workers to be admitted at any one time. Entry approval of foreign workers was, at first, designed to create more effective regulation of the then-prevailing flow of laborers to Taiwan (*China News*, May 6, 1987). The early plan sought to reduce the social impact of foreign workers on the Taiwan resident population and to prevent a massive influx of potential laborers into Taiwan's labor market.

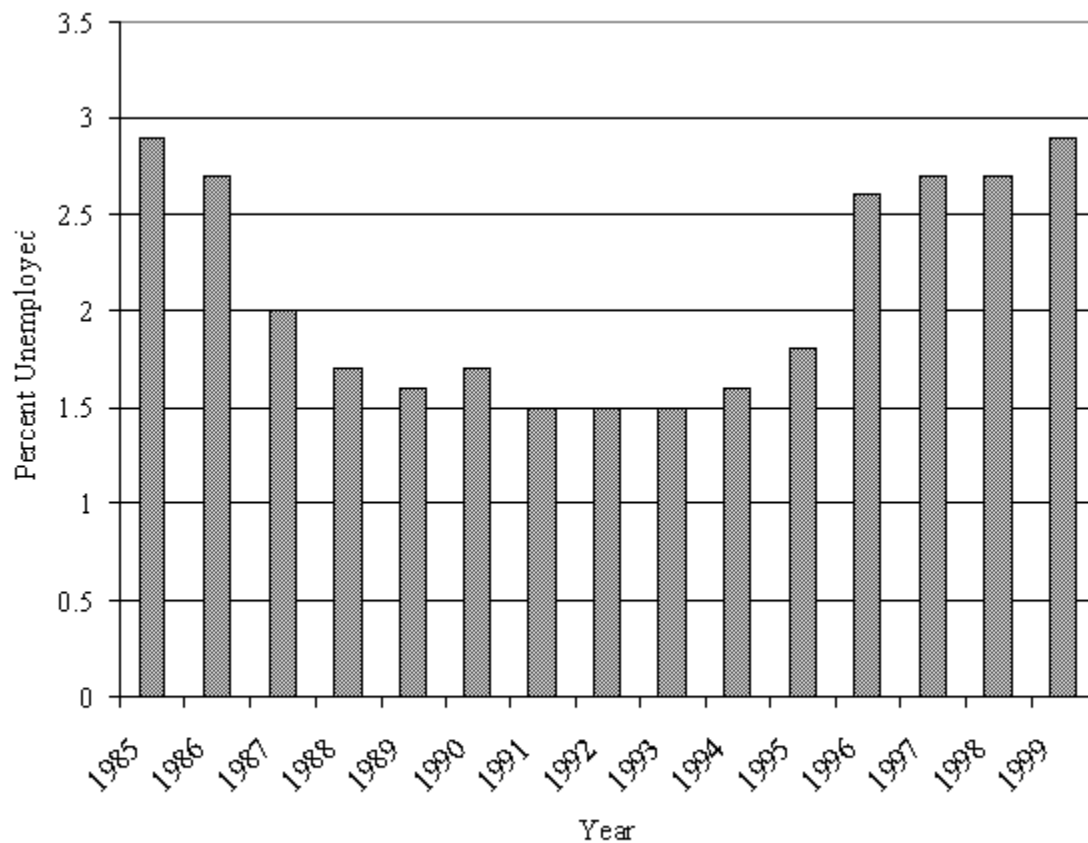
Although the legalization plan had been approved in principle by both the Ministry of Interior and the Ministry of Economic Affairs, resistance to the proposal delayed its further creation. The Executive Yuan scoffed at the proposal to open the labor market, opting instead for the legalization of foreign workers based on class. Job categories involving "special skills" were accepted and were allowed to work in Taiwan. These class-based jobs included show business people, professors, technicians, managers, doctors, and nurses. The Executive Yuan cited the potential for increased unemployment and the belief that foreign workers would bring security problems with them as reasons to continue restrictions against formal issuance of work permits and the creation of an official labor importation policy (*China Post*, May 29, 1987). The resistance of others in

the Executive Yuan later forced the Interior Minister to rescind approval for the legalization of foreign workers, citing the protection of local laborers' employment and noting that the unemployment rate of 2.6% (Figure 3-3) represented workers with low education levels, the type of workers who would be most affected by an influx of foreign labor (*China News*, July 11, 1987). The Interior Minister also cited Taiwan's export-orientated economy and heavy reliance on the world economy as the key to any future demand and legalization of foreign workers.

As the policy development process wore on, criticism of the plan to document foreign laborers continued to mount. Chinese newspapers criticized the existence of illegal foreign workers engaged in factory work, citing the belief that foreign workers had taken jobs away from locals and had also contributed to increased crime. Criticism was also levied against the Taiwan government for a policy that was soft on employers of illegal labor, imposed what they viewed as weak penalties on foreign workers (deportation) that were not a sufficient deterrent, and that failed to give the police adequate information to enforce interdiction (*China Post*, August 8, 1987). Conversely, pressure to open Taiwan's labor market to foreign workers was persistently applied to the government by manufacturers.

Local manufacturers proposed that foreign workers be employed for fear that labor disputes and wage increases would be the by-product of a closed labor market (*China Post*, August 27, 1987). Clearly, manufacturers were in opposition to a closed labor market because it placed pressure on them to raise salaries or encounter walkouts of current employees already faced with low salaries and poor working conditions.





**Figure 3-3: Taiwan Unemployment: 1985-1999**

Sources: Monthly Bulletin of Statistics, R.O.C., October 2001  
 Taiwan Statistical Data Book, 1997

Despite this type of pressure, Taiwan's Vice Economics Minister Hsu Kuo-an rejected cries for a relaxation of labor laws by alluding to local labor's job requirements and concerns of increased unemployment.

The propaganda against the entrance and legalization of foreign workers continued simultaneous to the efforts of local employers to attract them. No official statistics existed to account for the number of illegal workers who were in Taiwan, but the escalating numbers reported by the Chinese-language press, combined with reports that foreign workers would hurt local workers, encumbered the process of legalization. Estimates of the number of foreign workers jumped from "over 10,000 workers" in May, 1987 (*China Post*, May 29, 1987: 12), to "70,000 foreign laborers" by September 1987 (*China Post*, September 1, 1987: 12). The conflict between capital, the state, and local labor was being played out geographically in the factories, philosophically in the government-controlled newspapers, and economically in the employment and wages rates. The call by manufacturers began to be joined by contractors working on construction sites. Similar to the complaints of manufacturers, construction interests cited an acute shortage of workers (*China News*, September 18, 1987). In spite of this, Council of Labor Affairs officials rejected any suggestion that the local labor market be opened to foreign workers.

Requests to the government to create legitimate labor import were met with increasing opposition by Taiwan officials. The government's reaction to such pleas was an announcement of stepped-up enforcement of regulation against employers aimed at punishing the beneficiaries of foreign labor, in an effort to reduce the demand for illegal

foreign workers (*China Post*, December 8, 1988). Those caught employing foreign laborers were to be fined heavily as a deterrent to employing them in the future. Adding to the above arguments against hiring foreign workers, government economists were reported as stating that the importation of foreign workers would hamper the upgrading of work standards, potentially damaging the economy (*China Post*, December 8, 1988).

### **The Council of Labor Affairs and Regulation**

The Council of Labor Affairs, formed in mid-1987, began taking a pro-active stance against illegal foreign labor in 1988, attacking demand at its source while continuing an established program of capture and deportation. When a Philippine labor organizer proclaimed an intention to organize illegal foreign laborers into a coherent group and demand basic rights and recognition, the Taiwan authorities had no sympathy for them. On the subject of organizing illegal workers, one Council of Labor Affairs official quipped “that’s great... we can catch them all with one net” (*China Post*, December 8, 1988: 12). These actions reflect the labor arm of the Taiwan state’s public position against any compromise with employers over the labor importation issue. However, the next day at an economic affairs meeting, Vice Economics Minister Hsu Kuo-an – who had previously rejected the idea of legalizing foreign labor – blinked, allowing that foreign workers could be approved to enter the country to participate in major government construction projects (*China News*, December 9, 1988a).

The labor importation streams organized by production capitalists for employment in manufacturing continued – seemingly unabated – throughout 1988. Illicit labor

importation thus began to create a de facto practice in the absence of a de jure policy. Increasing numbers of illegally landed foreign workers in effect forced the Taiwan government to either mount a massive police effort that they were ill-prepared to carry out, or acquiesce to the reality of capitalist declarations of worker shortages and begin a process of regulating the already occurring flow. By late 1988, government acceptance that a policy of labor import and control was necessary was being expressed by high-level leaders and legislators (*China News*, December 9, 1988a).

While in the period prior to 1989 word of the development and implementation of a plan to import workers was limited to vague statements of how the government was considering allowing foreign workers in one area of shortage (construction), by early 1989 “policy making bodies” of the government had confirmed that they were indeed – and in stark contradiction to comments made only three months earlier – going to embark on a policy of labor importation (*China Post*, February 25, 1989). Initially, the announcement of work permits for foreign workers was for specific industries: construction, electronics, rubber, shoemaking, iron and steel, textiles, machinery, tools, and furniture. The Taiwan government claimed they would create “Regulations for the Management of Alien Workers” (*China Post*, February 25, 1989: 12) which were to be implemented in early Summer 1989. In contrast, regulations were already in place for illegal laborers. Foreign workers found to be employed illegally in Taiwan factories were deported without any judicial hearing. Factory owners discovered employing illegal foreign workers were increasingly made to shoulder the costs of deportation, as well as redress fines to the government.

The relative success that factory owners had with the use of foreign workers pointed the way for Taiwan government officials to view imported labor as a remedy for their own labor woes. State-owned firms are numerous in Taiwan and required laborers to aid in completion of projects. Shortages of construction workers kept government officials thinking about how to solve labor shortfalls while enabling timely completion of infrastructure projects. Such solutions were found in labor import. In March 1989, the chairman of the Council for Economic Planning and Development, Fredrick Chien, head of the top government economic think-tank, reported to the Taiwan Congress the desire for the government to recruit alien workers for construction projects (*China News*, March 24, 1989). Official statistics on the labor shortage in the construction industry at that time placed deficits at an enormous 120,000 workers nationwide (*China Post*, March 24, 1989). The state's development plan had been put into serious jeopardy as infrastructure projects won by low-bid contractors could not be built on time or within budget, therefore forcing it to choose between an alien workforce or long delays in public construction and social works projects. The latter was an undesirable idea, as it was understood that such projects would appease the public's appetite for quality-of-life improvements that paralleled their individual prosperity (Figure 3-4).

Calls to recruit foreign laborers were countered by the reluctance of the first chairman of the Council of Labor Affairs, Chao Shou-po, to unilaterally open the labor market, citing fears of an adverse effect on the local labor market, the aforementioned potential for social problems, and an unwillingness to have labor imports impede Taiwan's drive to upgrade its economic structure (*China Post*, March 27, 1989). Chao



Figure 3-4: New public housing units in Taipei's TaChih district. This high density housing was built to replace antiquated Japanese-occupation era single-story dwellings that housed many veterans of the military who served under Chiang Kai-shek. These residences were built by Filipino contract workers who lived in dormitories on site while the housing was constructed.

and others' concern about social problems was shared in nearby Japan, which was also experiencing mild labor shortages in smaller-sized businesses and acute shortages in construction, machinery, and manufacturing. One factor in the creation and regulation of labor import in Taiwan was recognition that states such as Japan (Shimada 1994, Mori 1997) and the United States have had serious and long-standing problems with illegal labor immigration, even in the presence of strict immigration laws (*China Post*, December 8, 1988). Most important to Taiwan officials was a recognition of Japan's difficulties in dealing with a large number of illegal workers in their homogenous society, which forced them to agonize over the idea of legalization (*China Post*, October 10, 1989). In attempting to put a labor import plan into place, Taiwan officials studied the weaknesses in other labor-import schemes (whether legal or illegal) and aimed to improve upon them. Pressure was also supplied from the other side as the concept of legalization was debated. Philippine congressmen were reported to have asked that Taiwan officials permit legal importation of workers as soon as possible to aid in reducing their unemployment rate, which was above 10 %.

The debate over foreign labor increased in intensity in April 1989 amid reports that Taiwan's Interior Ministry, which houses the National Police Administration, was arranging a large-scale eviction of illegal foreign labor from Taiwan (*China News*, April 1, 1989). Foreign governments sought ways to suspend any action (*China Post*, April 6, 1989), and Taiwan's government officials at the Foreign Ministry noted the vast differences in policy and motivations among the different Taiwan government ministries thrown into the process. Contradictory statements confused the government's stance on

labor importation. For example, the Economics Ministry suggested that labor importation would speed government construction projects, while simultaneously the National Police Administration investigated the illegal employment of foreign workers. Concurrently, the Council of Labor Affairs devised plans to protect local workers from legally imported foreign competition while a coinciding deportation of illegal foreign workers was carried out. Council of Labor Affairs Chairman Chao Shou-po was placed in a contradictory position that dictated he create a set of regulations for labor import while reiterating the Executive Yuan's stance against such labor importation (*China News*, April 11, 1989). Chao stated that the consideration of a labor import policy by the Council of Labor Affairs would only occur after all other efforts were exhausted, including vocational training of local workers and use of military engineering corps.

Evidence of Chao's ongoing development of a labor importation policy surfaced in earnest in May 1989. A Council of Labor Affairs official confirmed the existence of a strategy for opening Taiwan's labor opportunities to foreign workers by providing a verbal sketch of the emerging plan. The plan was said to be conducted in stages, the initial stage being the approval of labor importation for a few industries and for construction contractors so that major projects could be sped up and completed (*China Post*, May 9, 1989). Council of Labor Affairs Chairman Chao, along with other officials of the Council of Labor Affairs, visited the Philippines and Singapore, ostensibly to inquire about foreign labor recruitment and management respectively. Singapore's already established labor import policy thus provided him with a template from which to



craft Taiwan's policy (interview with Chen Hsiao-zhou<sup>3</sup>, former Council of Labor Affairs Chairman, March 9, 1998). The selection of Singapore was deliberate both with respect to the type of labor imported (unskilled) and the cultural philosophies toward employment (Chinese) shared by both governments. Speculation of a program of labor importation became comprehensive in late May 1989 with an announcement that the government had decided "in principle" to open major construction projects to international companies, thus paving the way for the introduction of a limited number of unskilled foreign laborers (*China Post*, May 25, 1989).

In the months that followed, potential regulations for the control of foreign laborers in Taiwan were floated to the public through piecemeal announcements of "suggestions" for control. Each news story covering the potential for an opening of the labor market included a new rule or revision to the growing plan to regulate workers. A suggestion that the Taiwan government would allow foreign laborers to work on the national government's 14 major infrastructure construction projects was floated first (*China Post*, January 4, 1989), followed by indications that foreign workers could take positions in industries with severe shortages of workers such as electronics, rubber, and shoemaking (*China Post*, February 25, 1989). Statements by Council for Economic Planning and Development Chairman Fredrick Chien, who suggested that the government would consider employing alien workers to satisfy demand in the construction industry, served to soften the public to the idea of importing labor (*China Post*, March 24, 1989).

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<sup>3</sup>Chen Hsiao-zhou is a pseudonym used to protect the identity of the interviewee.

In fact, statements like these virtually guaranteed that foreign laborers would be allowed to work in Taiwan.

Any public fears that the importation of foreign laborers was going to happen quickly were assuaged by Council of Labor Affairs Chairman Chao's repeated statements that the labor market would not be opened in the near future (*China Post*, April 13, 1989). Statements like this from Chairman Chao indicate how competing factions within the state struggled to import or exclude labor, and his own personal stance against the idea of a labor import policy. News reports claiming that a labor import policy was approved continued to surface, but were never directly confirmed until late May 1989. The creation of labor policy did, however, continue to be publicized without being made public. For example, a Thai labor consulting firm suggested withholding one-third of workers' monthly wages, which would then be forfeited if the worker violated local regulations (*China Post*, May 25, 1989). The report of a decision in principle was followed by a caution by Council of Labor Affairs Chairman Chao that any imports would not be allowed until the pertinent changes had been made in Taiwan's labor law, an inference that the illegal migration would not be tolerated and a warning that if labor was imported it would be at a heavy price: high taxes to protect local labor from competition (*China Post*, May 29, 1989b).

Once the Taiwan government had finally dropped its official stance against the importation of labor, their efforts were redirected toward the job of regulating the eventual entrance of foreign workers. Many of the ideas previously introduced to the public as potential components of the labor import plan became the foundation of the

actual plan. By mid-year 1989, the fledgling plan needed more than a foundation, it needed a structure. Another regulation designed to tease out public opinion was the numbers of foreign workers to be approved. Chao and the Council of Labor Affairs announced that two of the regulations under review were a limit of 33% foreign labor to each company's workforce and the proposal that no spouses be allowed to migrate with those workers. These regulatory suggestions were designed to alleviate questions of citizenship and evade any responsibility for the provision of social services and education to dependents in Taiwan (*China News*, June 1, 1989). A skeleton proposal made public the next day included suggestions that only males 20 years of age and above be approved for entrance, a stipulation that foreign workers could not marry, a reiteration of the 33% rule (which was later dropped for government construction projects, but retained for other industries), and a commitment that foreign laborers would not work under different (i.e., lesser) labor laws or different labor standards (*China News*, June 2, 1989). Details on the regulation were released daily as a method of testing public and media opinions. A day after the above regulations were made public, other regulations – for example, one-year labor contracts (with a one-time extension of one year) and limits as to who could employ foreign workers – were also introduced to judge public reaction.

Pressure from manufacturing interests continued to be placed at the feet of Taiwan government officials, especially the Council of Labor Affairs officials. Officials representing the China External Trade Development Association were informed of shortages that factory owners blamed on sector shifts of employment and individuals' speculation in stocks. Regardless of the reasons, the discourse communicated to Taiwan

officials was that in the future traditional manufacturing industries would be jeopardized by the lack of workers and that the problem was a serious one (*China News*, July 28, 1989). Only weeks later the Council of Labor Affairs announced the approval of a proposal to admit unskilled foreign laborers to work on short-term temporary contracts in Taiwan. The proposal was presented in the form of a new “national employment law” that made the hiring of foreign workers legal. The Council of Labor Affairs approved what has been called by cabinet officials a Singapore-style of foreign worker regulation which included the assessment of a “social stability tax” on employers and a “vocational stability tax” on workers, both of which were intended to soften the social costs to Taiwan and to boost funds for job training in an effort to foster a larger home-grown labor force (*China Post*, August 11, 1989). The decision to import foreign workers in principle was met with “[an] enthusiastic response from the industrial community” (*China Post*, August 12, 1989: 6). In fact, that enthusiasm was translated into a call from other sectors of the economy (most notably shipowners) to request approval for the importation of labor to their own industries. Taiwan officials recognized that the decision to approve foreign workers had been made, in essence, by popular demand. On October 20, 1989 the Executive Yuan formally approved the first limited plan to legally employ foreign workers (*China Post*, October 21, 1989)

One aspect of the plan that was not directly cited as a reason for labor import was the use of foreign labor as a stabilizing factor. There was some proof of this included in statements by Council of Labor Affairs Chairman Chao professing that the importation of the labor saved jobs. In my interview with Chen Hsiao-zhou, former Council of Labor

Affairs Chairman, he responded to the question of whether the labor import scheme was a success or a failure by noting the success of the program. He stated that “in a sense, the importation of foreign workers also helps our local workers retain their jobs because I used to say that if this employer needs 100 workers in order to [run his] company...but he can only find 60 workers, [then] without the other 40 workers he would not be able to keep his company running, so that means 60 workers lose their jobs” (interview with Chen Hsiao-zhou, March 9, 1998). Well before then, however, Taiwan government officials recognized the potential benefit of labor import for economic growth. A survey by the Ministry of Economic Affairs’s medium and small business administration found that over half of those surveyed wanted foreign laborers to be approved for small firms (*China News*, July 23, 1990). Although foreign laborers were not approved for employment in small factories at the time of the survey, the Ministry of Economic Affairs used the survey as ammunition for such permission in an effort to “boost the low willingness of entrepreneurs to invest” (*China News*, July 23, 1990: 3). The survey indicated that managers in the plastics sector and the machine sector were most interested, with their motivation being the ability to pay less for labor and to reduce perceived high turnover.

Even before the first laborers had arrived in Taiwan, moves like those above were being made to provide foreign workers for other industries – outside of construction – which were not originally part of the approved groups. After meeting with representatives of Taiwan’s textile industries, Economics Minister Vincent Siew made a series of promises to help the garment industry, including the approval of foreign laborers

to reduce labor shortages plaguing local producers (*China Post*, September 28, 1990b). Such lobbying efforts proved successful a few months later when the Council of Labor Affairs unleashed private firms' capacity to hire foreign workers. This release allowed the employment of foreign workers in 15 types of work within six industries (*China Post*, February 23, 1991). The jobs opened to foreign labor were dyeing and finishing (textiles industry), forging and welding (basic metals industry), plating and metal grinding (metal manufacturing industry, machinery industry, and electronic parts industry), and masonry, repairing, welding, molding, and scaffolding (construction industry). Council of Labor Affairs Chairman Chao stated that most of these jobs were in line with the Six-Year National Development Plan. This move, however, in essence, provided a shift of focus from the early plan's purpose of making up for labor shortfalls in construction of infrastructure to one that imported labor for use by private capital in production (*China Post*, February 23, 1991).

While nearly all the discussions surrounding the importation of labor to Taiwan centered around immediate needs, others used the debate to note the breadth of potential help available to Taiwan. Within the Legislative Yuan's discussion of the bill that allowed foreign workers into Taiwan for the first time, one of the more innovative calls for the use of foreign workers arose. One legislator suggested that Taiwan also import foreign mercenaries, citing the Defense Minister's admission that Taiwan's undermanned army would be severely outnumbered by mainland Chinese forces (*China News*, November 20, 1990). The suggestion was never acted upon.

## **Social Construction of Identity of Local and Foreign Workers**

Attitudes toward local workers were a strong reason to hire foreign workers. One construction company owner was quoted in 1990 as saying “the past two years have resulted in a body of locals that are used to working an average of three out of five days.” A beauty shop owner bemoaned that “Taiwan’s youths will not work in traditional jobs, that’s why we hire foreigners,” adding that “any Filipina or Thai girl will do a better job than the locals” (Tsai 1990: 2). Employers had already begun active recruitment of foreign workers, citing a deteriorating dedication among local workers as the prime motivation for the recruitment and acceptance of foreign workers. In commenting on the state of local workers’ initiative in factory jobs, one employer was of the opinion that “local workers are becoming lazier and more pleasure seeking” (*China News*, March 30, 1987: 8).

Council of Labor Affairs Chairman Chao Shou-po remained a strong critic of local labor. He proposed that Taiwan workers needed to be re-educated, saying “too many people prefer sitting in an office... but right now, the development of our construction and manufacturing industries is more important” (*China Post*, September 28, 1990: 12). What is evident from the events that led up to the legalization of foreign labor for import is the role of different ministries in the construction of policy. These ministries represent the state and indicate the role the state plays in labor migration. The role of the state in allowing labor imports, in cooperating with sending states, and the role of officials from sending states is fundamental to understanding the construction of labor flows by forces outside individual choice.

The image of foreign workers – even early in the importation of labor in 1989 – was being constructed socially through comparisons to local workers. Local workers were often chastised in the press for habitually switching jobs, having a disdain for unskilled labor, and (as noted above) for being pleasure-seeking. Conversely, foreign workers were characterized as hard workers who complained little. The main difference was that social constructions of foreign workers divided them by ethnicity and perception of their respective talents.

Social construction of identity of foreign workers by nationality became more common. Foreign workers were seen as representing the former work ethics and values of Taiwan-born workers (*China News*, March 30, 1987). For example, Thai workers, the first group of legal foreign workers, were employed by the state-run BES Engineering and were brought in from Thailand even though the Philippines had been awarded “first priority” status by Taiwan’s Ministry of Foreign Affairs. BES officials explained their opting for Thai workers as being a result of the nature of work to be performed. It was reported that one BES official described Thai workers as better suited to road construction work, while Filipino workers were better at electrical and plumbing work (*China Post*, December 22, 1990). A Taiwan government official with the Communications Ministry portrayed Thai workers as “very industrious” and that they “usually work well at jobs that Taiwan laborers do not want to do”, while a BES chief engineer was quoted as saying “Thai workers had worked very well for us in the Middle East” (Jao 1991). Thai workers were described by their Taiwan employers as treating their factories “as their homes” and being “grateful for the simple kindness shown to



them by their employers”, in stark contrast to Taiwanese workers who sought upward mobility in the job market (*China Post*, March 31, 1987).

Filipino workers had already earned an international reputation for excellence, a reputation strongly broadcast by Philippine government officials through the Philippine Department of Labor’s overseas employment arm: the Philippine Overseas Employment Administration. In addition, as described above, Filipino workers had also successfully penetrated the local labor market in several categories of service jobs.

### **The Role of the State**

While there is little evidence for a type of overt state involvement or any great effort to export labor to Taiwan before 1989, the large flows of Thai, Filipinos, and Indonesians did not go unnoticed by their governments. The Labor Department in Thailand lodged a protest with the Taiwan government for what it cited as “mistreatment and discrimination” against Thai workers employed illegally in factories in Taiwan (*China Post*, March 16, 1989: 12). The protest took the form of a warning by Thai officials that work permits would be suspended for Taiwan nationals – working in connection with Taiwanese investment in Thailand – out of “sole concern for Thai workers” working under adverse conditions in Taiwan. The Thai official, Wattana Assawahem, the Deputy Interior Minister, justified the threat by saying “Why should we allow ourselves to be taken advantage of? If Taiwan does not give us cooperation, we would respond in kind” (*China Post*, March 16, 1989: 12). Such a threat had some teeth to it as Taiwan’s investment in Thailand in 1989 ranked as the third largest after the

United States and Japan. Thus, tacit approval by both states and active diplomatic maneuvering to ensure equitable treatment of workers mark the early establishment of dialogue aimed at preserving employment abroad for Thai workers in Taiwan and preserving investment abroad for Taiwanese business interests.

This type of action by Thai government officials was not an isolated incident. In late 1990, after the approval of Thai nationals for legal employment in Taiwan, Thai government officials heeded a Taiwan government warning of an impending crackdown on illegal workers by urging their workers to return home to avoid being jailed (*China Post*, December 14, 1990). Thai officials were reportedly asked to convince illegal workers to go home. Implicit in this plea is the cooperation between Thai and Taiwan government officials to end illegal immigration in favor of legal labor migration, a legal migration that would best serve the interests of both governments. Such government cooperation was not without resistance. The above mentioned Thai Deputy Interior Minister Assawahem again responded defiantly: “If Thai workers are mistreated, then I might consider stopping issuing work permits for thousands of Taiwanese [businessmen] currently working here” (*China Post*, December 21, 1990: 16). His defiance was, however, tempered with reality when he commented that “I believe and hope that Taiwan will not use drastic measures with Thais [during the crackdown on illegal workers]. Although we don’t have diplomatic ties we have strong trade relations” (*China Post*, December 21, 1990: 16). The news that the first group of legal Thai workers would arrive the following month (*China Post*, December 22, 1990) is likely to have had some influence on his more diplomatic approach to the activities of the Taiwan state. These

factors effectively rendered his threat powerless in the face of the impact of Taiwanese investment in Thailand and the economic potential of future Thai workers in Taiwan. Thai officials were not the only government representatives involved in calls for illegal workers to return home. Malaysian officials echoed the appeal to illegal workers to go home (*China Post*, January 17, 1991b). These actions would seem counterintuitive, but reflected both a push by Taiwan officials and the realization that a few thousand illegal workers could hamper Taiwanese investments in the countries or exclude their states from supplying laborers under legal guidelines and at the larger scales.

The response of Thai government officials to the flow of labor abroad was not an isolated incident. In March 1989, Philippine officials took the first step in an active approach to ensure the uninterrupted flow of Filipino labor to Taiwan (*China News*, March 25, 1989). On the same day that officials of the Taiwan government's labor department, the Council of Labor Affairs, were denying that a decision on the importation of foreign had been made, an eight-member congressional delegation from the Philippines visited the Council of Labor Affairs and its chairman Chao Shou-po to discuss labor problems in the Philippines with the hope of convincing Taiwanese officials to allow laborers to work legally in Taiwan and alleviate unemployment stress at home. The delegation reportedly also asked that Filipinos be given priority under any quotas limiting the number of foreign workers in Taiwan. Representatives from the Philippines even went as far as to link their influence in negotiating work for Filipinos abroad to favorable passage of pending legislation in the Philippine Congress which would affect the two countries (*China News*, March 25, 1989). The congressmen were reported to

have asked local authorities to permit the importation of Filipinos because of the incidence of high unemployment at home (*China Post*, March 27, 1989). One and a half years later, when the Council of Labor Affairs had acquiesced to the demands of other state agencies and private capital, it was announced that the Philippines, along with Thailand and Indonesia, were the states approved to provide legal foreign workers to Taiwan (*China News*, November 17, 1990). This demonstrates two things: the aggressiveness exercised by representatives of the state to affect employment opportunities for their nationals abroad, and the role of political association and political legitimacy in the migration process. There is also evidence that these tactics met with success.

Concessions to Philippine legislators were offered by Council of Labor Affairs Chairman Chao in the form of local vocational training programs for Filipinos, a common vehicle for overseas employment (*China Post*, April 17, 1989). Another response by Chao indicated that if foreign labor were to be imported, Taiwan would import from “friendly countries first,” a direct reference to Taiwan’s precarious diplomatic status (*China Post*, March 27, 1989: 6). The efforts of representatives of the Philippine state were not limited to the lobbying of Taiwan officials by members of Congress. A state-run Philippine television station was also involved by reporting – and clearly embellishing – the number of Filipinos working illegally in Taiwan. The state-run television station broadcast a special report describing salaries of U.S. \$1,000 or more per month for three to four hours’ work per day (*China Post*, October 20, 1989), dollar figures and work hours that ran counter to the reports within the Taiwan press and thus

were likely to be false. However, such claims can resonate among Filipinos who have already constructed a vision of Taiwan as a wealthy and modern society. State-run television, therefore, served as a source of information that became an effective advertising vehicle to attract Filipino workers to migrate to Taiwan, if not in 1989 then in the future.

A demonstration of the state's role in influencing migration flows occurred in April 1989, in the wake of reports that Taiwan's Interior Ministry was on the verge of launching a mass ouster of foreign workers. In response to the report of impending government action, Taiwanese legislators and state officials from those nations with illegal workers lobbied the Taiwan government to refrain from any such plan, as it would damage relations with those countries (*China News*, April 1, 1989). Reaction from those countries whose expatriate workers were to be expelled was swift. Malaysian, Thai, and Indonesian officials pressured Taiwanese investors in their respective countries to lobby Republic of China (Taiwan) government officials against repatriation of illegal workers. This was an unsubtle hint to Taiwan that their overseas investments would be in peril. Further pressure was applied to Taiwan trade representatives in the form of threats of reciprocal retaliation against any effort to deport their nationals working illegally in Taiwan (*China Post*, April 6, 1989). Thai officials also countered, but not with threats. High ranking Thai officials took the opposite tact. While on a visit to the offices and operations of the then-proposed Taipei Mass Transit System, they simply took the opportunity to promote Thai workers and suggest that Thai workers be legalized for employment on the project (*China Post*, April 6, 1989).

The role of the state was not limited to the representatives of the three labor export states vying for recognition and approval by the Taiwan government. As mentioned above, elements within the Taiwan government were also keen to see foreign labor imported. Statements by a number of Taiwan government officials had been made prior to the formalization of a labor import plan. A call by the outgoing Communications Minister Kou Nan-hung on the occasion of a cabinet reshuffle noted that the delay in building the nation's second freeway was due to the acute labor shortage (*China News*, June 1, 1989). Support for the legalization also came from the Council for Economic Planning and Development, which took a pragmatic stance on the matter by noting that foreign workers' aid in completion of infrastructure projects was essential to Taiwan's economic development (*China Post*, June 12, 1989). Conversely, news reports citing the fears of "ranking officials" of the Ministry of Economic Affairs stated that the Ministry was concerned about the potential delays in the introduction of new technologies and halting the advancement of the national industrial structure (*China News*, June 7, 1989).

Other high ranking Taiwan government officials and government agencies were both a target for pressure and a source for more pressure that could be applied upon the Council of Labor Affairs and dissenting factions. The Taiwan Premier Lee Huan (a position analogous to a national CEO) supported the idea of importing workers to Taiwan and also supported the Singapore-style of foreign-worker regulation (*China Post*, July 7, 1989). The promotional arm of Taiwan's economic development structure, the China External Trade Development Association, in a fact-finding tour of 134 manufacturing firms, found labor shortages reported in 91% of the factories and thus considered the

labor shortage problem as not limited to a few industries, but a problem of national proportions (*China News*, July 28, 1989). The complaints to the China External Trade Development Association were passed on to the Council of Labor Affairs and served as an example of how the pressure to open the labor market escalated. Simultaneously, many factions in favor of the labor importation policy lobbied the Council of Labor Affairs to open the labor market. The approval of the labor import plan in late 1989 led other government officials to chime in for use of foreign workers on their projects. A statement for the director of the Public Housing Department, Tsai Ding-fang, said that foreign workers would be brought in to construct public housing and therefore reduce backlogs in demand (*China News*, December 7, 1989). That push was echoed by the Department of Rapid Transit Systems of the Taipei City Government, which exhorted contractors developing its urban railway/subway system (Figure 3-5) to hire foreign workers (*China Post*, January 20, 1990).

These calls to hire foreign workers served several purposes. First, they reduced the amount of public pressure placed on these departments to meet the demand for increased public housing and reduce transportation gridlock. Second, they served notice to the public that these agencies were taking a proactive stance in quality of life issues and, as a by-product, raised support for the importation of foreign workers. Third, they served to deflect criticism from their own agencies to the Council of Labor Affairs and National Police Administration, whose duties were to process these foreign workers for employment.



Figure 3-5: This is one of many construction sites in support of Taipei's new subway system (now completed). This site, adjacent to Taipei's main rail station, is typical of the 3-D jobs (dirty, dangerous and demanding) and worksites in which overseas contract laborers from Thailand were obliged to work.



The role of the state in this labor importation runs even deeper than the pressure and counterpressure of diverse government ministries and public works departments. The first company to apply for foreign workers and gain approval was the BES Engineering Corporation, which was engaged in public construction projects. The company, however, was a state-run enterprise working to build state-funded projects for the public. BES Engineering Corporation's hiring of foreign laborers was viewed as beneficial not only on specific projects, but also, as the first company to hire and handle foreign workers, it would serve as a model for local private-sector manufacturers to follow (*China News*, January 2, 1990).

The importance of the politics involved in labor import was evident in late 1990 when Foreign Affairs Minister Fredrick Chien made a statement tying the approval of laborers from particular labor export states to "a bid to build stronger ties with those countries" (*China Post*, September 13, 1990). The statement was made after meeting with Taiwan representatives to the Philippines, Thailand, and Indonesia. Taiwan officials in those countries recognized, or were made aware of, the severe need for foreign exchange in all these countries, but were also told that these countries would "remunerate Taipei for allowing their workers entry" (*China Post*, September 13, 1990: 11.). The exact type of remuneration was not publicized, but the implication, in the case of the Philippines, was the passage of a Philippine-Taiwan Relations Act designed to ensure friendly relations and protect the interests of investors in both countries. Thailand also had a response to the chance that their workers would be approved for employment in Taiwan. Thailand's response to the legalization of their workers was a vow to eliminate

trade tariffs on Taiwan tobacco, alcohol, and autos, and to provide Taiwan officials with the type of preferential political treatment accorded the heads of other recognized states (*China Post*, September 15, 1990). Thus, Taiwan's approval of foreign workers from these states largely resulted from its desire to secure a favorable economic climate for its exports and investments, but also to create political friendships that would bolster its national self-image and to some degree legitimize Taiwan's de facto sovereignty. This is a unique deviation from what many would characterize as a simple migration.

The economics aspect of labor importation became a driving force for the policy. The national roads bureau chief, Ou Chin-the, went on record to reject beliefs that the importation of labor would cause many social problems and reiterated that completion of the major construction projects would spur economic development and create local jobs for residents (*China Post*, September 29, 1990). Other measures connected with overtly economic goals were studies to decide if foreign maids would be legalized under the new plan. This was proposed in response to labor statistics that chronicled a retreat of native females from the workplace because of family care responsibilities. Some officials in the Taiwan government thus saw the importation of maids as a useful tool within a broad strategy of keeping local workers in the labor force by providing an avenue for formerly working mothers to return to the workforce (*China News*, October 26, 1990). The belief of Taiwan officials was that meeting an increase in demand for maids would induce a return of Taiwan women workers back into the economy. However, criticism of the proposal arose, suggesting that such an importation would not entice women workers back into the formal workforce because the primary beneficiaries of domestic service

laborers were upper middle-class and upper-class women who were unlikely to enter the job market (*China Post*, January 17, 1991c).

The eventual approval of the Philippines, Thailand, and Indonesia as future legal labor migrants in Taiwan signifies the links that were made by illegal workers in place, but also by the efforts of representatives of the three countries and the negotiation of worker rights in exchange for friendly relations and relaxed trade tariffs. Securing legal standing in Taiwan represented an important goal of these three states in their quest to keep foreign exchange flowing into their nations. The approval of these three states formally came in October 1990 with passage of the new measure by the Taiwan Foreign Ministry (*China Post*, October 21, 1990). Clearly, the efforts of officials from these three nations convinced Taiwan officials which nations to accept and which to exclude.

Although the “prize” of approval as a labor-source nation had already been won by representatives of the three states, this did not preclude further visits by high-ranking government officials to secure their newfound status. In a semiofficial visit to Taiwan several months after the approval, then-Philippine Labor Secretary Ruben Torres and then-head of the Philippine Overseas Employment Administration Jose Sarmiento came to promote the hiring of Filipino workers (*China Post*, December 3, 1990). Torres, it was reported, said that the Philippines’s work force of 20 million would be available to reduce the labor shortage in Taiwan at that time. In a visit to the Taiwan Engineering Contractors’ Association he made it clear that the hiring of Filipinos would benefit both countries. Torres also met with Foreign Minister Fredrick Chien, who reiterated the consideration of preference for Filipino workers over Thai and Indonesian workers.

Torres is reported as indicating that the promotion of Filipino labor overseas was part of an overall government strategy to improve national economic, social, and employment problems (*China Post*, December 3, 1990). In addition, and more important to the issues of the time, Torres and Sarmiento met with Council of Labor Affairs Chairman Chao in an attempt to negotiate an amnesty for illegal Filipino workers in Taiwan, so that these illegal workers could either be legalized without a return trip to the Philippines or that the deadline for their voluntary repatriation would be delayed, suggestions that were stridently rejected by the Council of Labor Affairs Chairman (*China News*, December 4, 1990).

Officials of the Philippine state continued their lobbying efforts. A Philippine delegation visited in late February, 1991 in another attempt to convince Taiwan officials to extend a February 28, 1991 deadline for all illegal foreign workers in Taiwan to leave (*China Post*, February 22, 1991). The eight-member delegation, led by Philippine Immigration Commissioner Andrea Domingo, asked that the deadline be extended for one year, reportedly claiming to Council of Labor Affairs Chairman Chao that the prospect of 11,000 returning Filipino workers would worsen the unemployment problems then plaguing the Philippines. Domingo was reported to have wanted a six-month extension of the deadline to allow the Philippines to look for new jobs for Filipinos elsewhere in the world, even considering the possibility of their return to a reinstated state of peace in the Middle East following the Gulf War. What she received for Filipinos (and all foreign workers) was effectively a one-month extension (*China Post*, February 26, 1991).

## **Resistance**

Response from Taiwan's labor unions was muted for the first three years of clandestine labor import. Resistance from the labor unions was slow to evolve mainly because of the structure of labor unions in Taiwan, that is their relative weakness vis-à-vis the industries and factories of their employment – often the union is directed by economic sector organizations (such as the textile industry) or a specific company, rather than being an independent representative of the opinions and desires of workers. The first report of resistance to the influx of foreign workers surfaced in early 1989 in Taoyuan County, an area with many factories. The Taoyuan County Labor Association planned a demonstration at the Council of Labor Affairs offices to protest the employment of foreign workers (*China Post*, January 4, 1989). Interestingly, the warning of an imminent protest did not echo the reasons to end labor import previously given by legislators. Rather, the Taoyuan County Labor Association claimed that foreign workers were hurting the efforts of local workers to upgrade jobs through higher wages and better working conditions. The Council of Labor Affairs was also criticized for making plans to legalize foreign workers while simultaneously ignoring the interests of local workers. The union leadership's criticism was countered by representatives of the Chinese National Federation of Industries, the employers' union representatives, who proposed their own plan for the importation of foreign workers to the government, a plan that greatly served their needs.

The warned protest was finally carried out in February, 1989 (*China Post*, February 28, 1989) and marked the first organized, official public protest of the proposed

policy of alien labor import. The protest was not limited to future labor import. Rather, the main point of contention was the contemporary impact of de facto foreign import on then-job opportunities and the lowering of labor standards. By virtually ignoring numerous illegal laborers, local labor officials charged Taiwan government officials with ignoring the interests and work rights of local laborers with regard to improving the quality of the local work environment (*China News*, February 28, 1989).

Local labor was understandably upset when plans for the legal import of workers were revealed in principle in June, 1989 (*China Post*, June 3, 1989). Taiwan labor unions – represented at the national, provincial, and local labor organizations under the umbrella organization of the Chinese Federation of Labor – registered their opposition to the legalization plan through appeals to the government and individual lawmakers and by threatening a large-scale demonstration against the plan’s implementation. Union workers complained that the shortages were not as severe as reported by the government, that workers were available island-wide, and that, therefore, the problem was distributional in nature. Labor union leaders also made counterproposals that would remedy short-term shortage problems, such as recruitment of labor union workers first, reorientation of government training centers to construction, and raises in pay and improved working conditions. Long-term solutions that were suggested were to improve labor contracts and better adhere to existing labor law, implement a labor certification system to improve quality of work, as well as to upgrade technology and coordinate public and private construction projects to ensure supply (*China Post*, June 3, 1989).

Oddly, when the labor import plan was formalized and approved by the Executive Yuan, resistance activity was minimal. This was in large contrast with the physical and verbal protests lodged by labor unions previously. Outright protests against the importation were replaced by opinions that ranged from the hope that the use of illegal workers would be stopped through regulation, to “concern” that the introduction of foreign workers would slow the evolution to a safer and higher-paying workplace (*China Post*, October 21, 1989).

Opposition to the inevitable approval of labor importation also came for groups not directly involved in, or affected by, the plan. A national development seminar held in 1989 and attended by labor experts and scholars rejected the idea of importing labor (*China Post*, July 7, 1989). The conclusions arrived at by the panel discussants were that all foreign laborers should be banned because legalization would bring a flood of legal and illegal workers to Taiwan. These findings and fears were not simply shelved, but were presented to President Lee Teng-hui in a formal meeting. Opposition to the import plan was therefore aimed at the highest levels of Taiwan government. Even though Council of Labor Affairs chairman Chao was spearheading the effort to devise the labor importation plan, he was, in principle, against it. In an interview, Chen Hsiao-zhou former Council of Labor Affairs Chairman told me “before we decided to let foreign workers in I used to be the one who was quite strongly opposed to the importation of any workers because I have studied how foreign workers influenced German society and alien workers create problems in your country [the United States]” (interview with Chen Hsiao-zhou, March 9, 1998). His disdain for the idea of labor importation is clear in news

reports. Numerous statements by Chao suggest that he believed that the sloth of Taiwan workers was the real reason for a shortage of workers (*China News*, November 9, 1989). He repeatedly noted a lack of will of locals to take open jobs and an interest amongst the public to engage in speculation in stocks and a popular underground lottery. Chao declared that the trend of able-bodied workers rejecting jobs for speculation was an “abnormal trend that would end sooner or later.”

## SUMMARY

Labor import to Taiwan began as a result of a number of important factors. Booms in production occurred simultaneously with huge shifts in domestic employment away from factory work and into service occupations. Labor shortages became common in construction and manufacturing. Labor shortages are, however, also accompanied by calls from local labor organizations for an upgrading of pay, improvements in the quality of work environment, and a general modernization of the ideology of production in Taiwan. Private sector factory production was continued without an upgrading of the older methods of production by illegal labor migrants predominantly from Asia.

After several years of the flow of illegal labor to Taiwan, the state became a significant force in the labor migration. The Taiwan state’s involvement became necessary as greater numbers of undocumented workers arrived on the island. Increasingly, it became apparent that the migration would not go away and would have to be regulated. Departments within the Taiwan state were at odds over the illegal labor migration, in some cases supporting its legalization for continued economic growth and



in others rejecting it as unnecessary and potentially damaging. The state, forced into regulating the accelerating flow of labor into Taiwan, created regulations that were largely taken from restrictions suggested by local capitalist producers as to the ways the state should regulate foreign labor. A plan suggested by the Chinese National Federation of Industries is almost identical to the first plan that became law, indicating the close links between the vision employers had for foreign labor and the reality of the labor import plan. Labor-sending states were involved much later in the process. Their involvement centered around the protection of their nationals working in Taiwan by arranging deals with the Taiwan government and by using state government officials to promote future labor migration for their nationals. The sending states took note of the flow of money capital into the countries and collectively realized the importance of keeping channels open for future benefit to their respective states.

Justifications for the importation of foreign labor summarize the nature of unevenness between Taiwan and other states in Asia. News reports often vindicated the low rates of pay provided to foreign workers by comparing their wage potential in Taiwanese factories versus similar jobs in foreign workers' home countries. Illegal laboring provided foreign workers with no benefits and no recourse against factory owners. The process whereby the Taiwan government created a legalization program should have been a great benefit to foreign workers.

For workers, legitimization, in principle, meant equal standing under Taiwan labor laws, as well as an avoidance of deportation. However, issues of labor migration within the legal process were much different from the issues in the illegal labor migration.

In addition, the regulation of workers under legal migration brought new problems and new questions to the entire policy, both in the short term and the long term.

The legal labor immigration process will be chronicled in the next two chapters. Because the legal period of labor import differs significantly during the years since its inception, the next chapter will focus on the period 1990-1995. As in this chapter, the concerns of economic growth for labor-importing and exporting states are important. The state continues to be a strong component in the labor migration to Taiwan.

## CHAPTER 4

### THE LEGAL INTERNATIONAL LABOR MIGRATION TO TAIWAN, 1990-1995

As detailed in the previous chapter, the migration of labor to Taiwan began as an unofficial migration carried out illegally by private individuals employing a clandestine strategy of operation. The important issues were those surrounding the “shortages” of labor both in public-and private-sector jobs, the drive behind private-sector action and private/public-sector calls for an opening of the local labor market, and the creation of a state labor import policy even though disagreements about labor import existed between state agencies. This chapter continues to detail the labor migration, but focuses on issues that postdated the illegal labor migration. Within the legal period, beginning late in 1990 and continuing to the present, numerous issues – different from the illegal period – took on greater importance, while many of the older issues declined or ceased to be significant factors.

This chapter is designed to encompass the many new factors related to the legal migration and use of foreign workers. Some of the most prominent issues entail a discussion of amnesty for illegal workers simultaneous to the start of the legal labor migration, the process of legal migration via labor brokers, the regulation of legal workers through import quotas and specially contrived labor laws, the working conditions for foreign laborers, issues of abuse, labor contract breaches, violations of Taiwan labor law, as well as the continuing role of export states and components of the Taiwan state with

regard to labor issues. In reviewing the early legal importation period what becomes evident is a process of continued discursive construction of foreign laborers as disease-ridden and untrustworthy, as well as steady repression of foreign labor by numerous parties involved in the labor migration process.

## THE TRANSITION TO LEGAL LABOR EXPORT

### **Government Amnesty**

The Taiwan government's need to begin the legal labor importation process with a clean break from the past was in evidence in a policy of amnesty designed to encourage illegal foreign workers to repatriate to their home countries. The amnesty created a set of safeguards that would draw illegal laborers away from their jobs using an assortment of incentives and disincentives. Technically viewed as people who had overstayed their visas, Taiwan officials stipulated that illegal workers register at police stations in order to begin the process. This amnesty allowed foreign workers to forego payment of taxes, avoid payment of fines, and depart Taiwan with legal exit passes, provided that passports and return tickets were presented to police. Those unable or unwilling to take advantage of the amnesty and later apprehended by police faced tax bills, fines, and deportation (*China Post*, January 17, 1991). Workers flocked to police stations and travel agencies to avoid the repercussions of arrest after the deadline. In all, 22,579 of an estimated 60,000 undocumented foreign workers registered before the deadline. The largest number of illegal workers were from Malaysia (over 9,000), followed, in order of importance, by illegal workers from the Philippines and Indonesia (Yin 1991).

The Taiwan government's plan to entice all illegal foreign workers back to their home countries left a significant actor out. Capitalist producers were, after all, the prime motivators for an illicit migration of laborers from other South and Southeast Asian nations into Taiwan. Even though capitalist producers were the major force behind illegal labor immigration, they were not given any consideration in an amnesty that was, in effect, resulting in a reduction and withdrawal of an important labor supply source for their companies. Ironically, as witnessed in want ads placed in the English-language newspapers, factory owners had to continue to attract illegal foreign workers even while the amnesty was in full force (*China Post*, March 12, 1991). It is clear that these ads – for workers for low-level jobs – targeted workers who could read English, thus eliminating any doubt that they were intended for local workers. Overall, the amnesty was rejected by factory owners, as well as representatives from the states supplying laborers, who became active in pleas to delay implementation of the police crackdown, extend the grace period of illegal employment, or create an alternative approach that enabled illegal workers to make the transition to legal status (*China Post*, February 23, 1991).

As chronicled in Chapter Three, the Philippines sent their Immigration Commissioner, Andrea Domingo, to broker an extension (*China Post*, February 23, 1991). Her attempt to forge an extension in the deadline was couched in a counterproposal for granting illegal Taiwan nationals in the Philippines an “amnesty”, as well as relaxing visa restrictions for Taiwan businesspeople and tourists entering the Philippines, in exchange for such an extension for Filipinos working illegally in Taiwan (*China News*, February 23, 1991). The issue of extending the period of work for a class

of people employed illegally did not garner much sympathy. Vice Interior Minister Chen Meng-ling commented about the lobbying effort for Filipinos by measuring it against the enormity of the migration. He said “we value the friendship between Taipei and Manila, but in addition to the Filipino workers here, there are also workers from some 20 other countries working illegally here. It would be difficult to single Filipino workers out [for an extension of the deadline]” (*China Post*, February 23, 1991: 11).

While the first amnesty in 1991 had convinced many illegal workers to return home, many others stayed. The presence of these workers remained an unwanted situation for the Taiwan government. Many of the remaining illegal workers who were from the four approved labor import states were unwilling to take the chance that they could return. Workers from other states such as Burma, India, and African states, those without approval from the Taiwan state for future legal migration, had no reason to return to their home countries.

Exceptions to Taiwan’s repatriation began cropping up soon after the amnesty deadline. Only one week after the amnesty ended, Taiwan Premier Hau Pei-tsun (third in the country’s line of command) instructed Vice Economics Minister P.K. Chiang to study the feasibility of legalizing illegal foreign laborers who had voluntarily complied with the order to register with the police, and to report the findings to Council of Labor Affairs Chairman Chao Shou-po. Premier Hau cited the benefits to the local economy that would accrue from such a legalization. Vice Minister Chiang also noted that the domestic labor shortage was so severe that solutions of either a legalization of foreign workers or an automation of industry were the only options, other than a shift in production overseas.

Chiang expressed the positives and negatives of these solutions to the labor shortage. He said “There are three methods to solve the labor shortage problem. First, switching investment areas to where labor costs are low. However, many local enterprises that invested in mainland China suffered losses doing business there. The second is to automate the factories, which requires money and time. The last means is to allow foreign laborers to work here” (*China News*, March 9, 1991: 3). Chiang seemed to see the answer in foreign workers who were an inexpensive “quick fix” that could be achieved without the capital risks of international investment or the delays in production that were involved in the other methods. Chiang also noted that, because a large number of production facilities were small- and medium-sized businesses, many with fewer than 100 employees, automation in such firms would have been an expensive alternative that few could afford. Many of the industries affected by labor shortages were these small firms.

Shortages were reported in many of Taiwan’s labor-intensive industries.

Taiwan’s handbag industry was reported to need 10-20% more workers, both the dyeing and shoemaking industries were reported to need 30-40% more workers, and finished garment industries were 40-50% short of workers (*China News*, March 9, 1991). Textile and dyeing industry officials complained to Council of Labor Affairs Chairman Chao that the crackdown against foreign workers was occurring during the industry’s busiest months and that the action was especially affecting their already tenuous labor situation (*China Post*, March 28, 1991). Their request for an extension marks the level of desperation their industry had for workers and reflects shortages as a whole that existed in

other industries. In the case of textile and dyeing firms, Council of Labor Affairs Chairman Chao took the request for foreign labor under consideration in an effort to forge a balance between acute labor shortages and the possibility of local labor backlash (*China Post*, April 4, 1991).

### *Labor Brokers and the Process of Employment*

As debates continued within Taiwan over how the country could rid itself of illegal foreign laborers, legal workers began arriving. The process of how legal laborers were able to make their ways to Taiwan involves private labor agents and brokers operating in both the labor-exporting and labor-importing states. Those who became interested in overseas employment were either recruited in their local area or migrated to the capital city to connect with labor brokers who had already established ties to jobs abroad. In the Philippines, for example, nearly all of the hiring occurs in Manila and as a result those potential workers must migrate there first and wait for a job to open. Jobs are plentiful enough that many of my respondents waited less than two months for a job. In Thailand and Indonesia the home villages or home province cities are as likely a place as Bangkok or Jakarta to arrange for overseas employment. Each labor broker worked differently with some charging fees the moment someone signed up to wait for a job, while others were charged only after the arrangements are made. Large fees charged to workers were routinely deducted from their monthly salaries with most workers requiring a minimum of 6 months to begin earning wages for personal use. Labor brokers were intended to serve a dual role as facilitator for labor introduction to business interests and



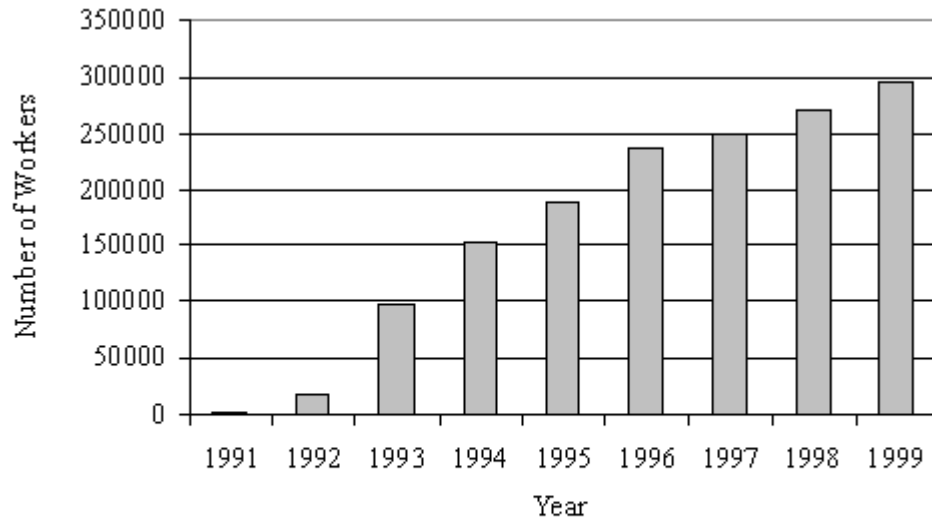
to simultaneously monitor and protect laborers from poor working conditions and unfair labor practices. Often, however, brokers were criticized as greedy and unresponsive.

The shift to legal workers slowed the pace at which Taiwan could “import” laborers. Legalization itself brought on other issues for Taiwan government officials, especially the management of foreign workers through regulatory practices. The first of these was management of the overall flow of expatriate workers into Taiwan, known commonly as the foreign worker import quota.

### **Labor Shortages and Creation of a Labor Import Quota**

#### *Labor Shortages*

Labor shortages were a major force driving the acceptance and the increase in the number of foreign workers. Council of Labor Affairs Chairman Chao Shou-po was quoted as saying (in a news conference) that unless local workers changed their attitudes toward construction he “had no choice” but to relax quotas limiting the numbers of foreign workers coming to Taiwan to work on major construction projects (*China Post*, January 19, 1991). He estimated that such national construction projects would be approximately 12,000 workers short. This announcement served as a warning to local laborers and labor unions that unless local workers began accepting open jobs, Taiwan would welcome outside sources of labor (Figure 4-1). This essentially laid the problem of worker shortages at the feet of labor unions and deflected future criticism about the influx of foreign laborers who were about to permeate the Taiwan labor market.



**Figure 4-1: Foreign Workers Employed in Taiwan, 1991-1999**

Source: Employment and Vocational Training Administration, Council of Labor Affairs, R.O.C., 2000.

Taiwan's labor import plan was constructed very slowly and with great deliberation over nearly every one of its characteristics. Many pieces of the plan were introduced for the purpose of soliciting public sentiment over their possible approval. One such part was the erection of a foreign labor import quota that limited the total number of workers to be approved for migration to Taiwan. The first signs of such a quota were evident in June, 1991 and involved a suggestion that the number of foreign workers be restricted to a maximum of 30,000 workers, regardless of state of origin (*China News*, June 25, 1991). Although limits on the number of foreign workers were in force prior to this – when 8,900 workers were brought in to work on major construction projects in October 1989 – this approval was aimed at private industries instead of government infrastructure. In arriving at the quota figure of 30,000 foreign workers, a Council of Labor Affairs official compared this number to the approximate 30,000 illegal workers in Taiwan, implying that the government would not approve a total number of legal workers greater than the estimate of illegal workers in Taiwan (*China News*, June 25, 1991).

#### *Evolution of the Foreign Labor Quota*

Following their announcement to labor-export states of the approval of 30,000 available jobs (*China News*, September 20, 1991), the Council of Labor Affairs began a long period of political manipulation of the number of available spots in which foreign workers could become employed. This period came to take on a life of its own as all discussions of foreign laborers in Taiwan surrounded the maintenance of the foreign

laborer quota that was designed to protect local laborers and residents. What had previously been a discourse over whether alien workers should be employed or not (because of the potential social consequences of this action) became transformed into a question of “how many, how soon,” essentially driven by the same nativist concerns. In October 1991, the quota, established to allow employment in the 15 approved occupations, was set at a figure of 15,062 foreign workers. This quota compared unfavorably with the 34,579 workers requested by 1,721 firms with labor deficiencies in these occupations (*China Post*, October 9, 1991). In addition to limits on the number of foreign workers, the Council of Labor Affairs set standards for monthly pay and the number of foreign workers allowed to be employed in each profession.

Evidence of the demand for foreign workers, and the shortages of local laborers in industry, whether genuine or fabricated, foretold future changes in which additional industries would be allowed to hire labor. Limits placed by the Taiwan government on the number of industries and the types of jobs that were approved to be filled by foreign laborers were expanded to placate other industries and professions that were also suffering from a severe lack of labor, what could be called the second phase of legal labor importation (*China News*, August 2, 1992). As a result, the Council of Labor Affairs opened the labor quota to include many more industries (68 in all) and many more workers (Lee 1992a). This expansion of the quota was designed to meet the needs of three broad groups of manufacturers and industries. The first targets were a variety of 25 types of export industries, including factories producing textiles, shoes, home appliances, and bicycle parts (with a quota of approximately 13,000 workers). Second was a group of

29 industries seen as strongly connected with industrial development, including paper and pulp producers, industrial metals such as iron, steel, and aluminum, plastics, and auto parts (with a quota of approximately 12,000 workers). The third group consisted of 14 industries, such as metallurgy and engineering construction, that were having difficulties in attracting workers (with a quota of approximately 7,000 workers). Each broad group was provided with an allowable quota of foreign workers that could be applied for and hired (Kao 1992b). Adjustments made to the quotas brought the final number of approved workers to a total of 32,290 (*China News*, September 25, 1992). Demand for workers, however, far outstripped the number approved by the Council of Labor Affairs. Only a week after finalizing the quota, an increase of another 10,000 workers was already being mulled over by the Council of Labor Affairs (*China News*, October 1, 1992).

Another expansion of the quota was transformed from rumor to reality at the end of 1992 and in early 1993. In addition to the expansion, changes were made in the way the worker quota was distributed. These changes were made in response to complaints that industrial associations, who were handling the disbursement of foreign worker quotas, had refused to allocate workers to some companies and allotted too few workers to others (*China News*, December 22, 1992). Applications for foreign workers were, therefore, switched from administration within each industrial association to the Council of Labor Affairs itself, thus reducing favoritism and corruption.

The expansion of the quota also included expansion of the type of industries that could employ foreign workers. The 68 industries already approved were joined by five additional industries, namely: components production, chemical manufacturing, umbrella

manufacture, food processing, and chemical material production (*China News*, January 12, 1993). Potential employers were also allowed to apply for foreign laborers to fill slots in the quota that went unfilled. That amounted to an additional 9,000 industrial workers and 1,000 maids. Reaction to the opening of more labor slots was enormous, as crowds of businessmen and labor agents of an estimated 20,000 applicants waited at dawn to sign up for the first-come, first-served foreign laborer availability at the Employment and Vocational Training Administration offices. The response to the addition of unfilled slots indicated the fierce competition for foreign laborers (*China News*, January 21, 1993).

The number of would-be applicants for foreign workers could not be seen as a surprise among local employers. Predictions about the domestic labor situation pointed to more years of shortage. Taiwan's Council for Economic Planning and Development estimated the future shortage to be 200,000 per year from 1994 to 2002 and suggested that certain industries would have a continuous need for foreign workers. In the near short term (1994-1996) the Council for Economic Planning and Development predicted a shortfall of over 236,000 workers (*China News*, April 7, 1994). Another push came from Ho Ming-ken, the Director-General of the Industrial Development Bureau, a branch of the MOEA. Ho publicly called for a 70,000 worker increase in the quota as well as a change in the "length of stay limitation" from one year (renewable to two years) to a three-year period (*China News*, July 22, 1994), citing the absolute necessity of labor import to avoid a serious negative effect on economic performance. These estimates of worker need served to further fuel the push propelling the Council of Labor Affairs to increase the

labor quota for foreign workers, as well as assisted in bracing the Taiwan populous to the fact of increased labor imports.

Council of Labor Affairs Chairman Chao responded with an announcement that the quota would increase by 10,000 and that the ratio of foreign workers to local workers that could be employed by firms would be increased from 30/70 to 35/65 (*China News*, August 21, 1994). This move was in reaction to what was being recognized as an acute labor shortage, especially in some of the more demanding industries such as leather works, dye work, and metal foundries. That 10,000 worker increase was pushed to 15,000 only a week later (Huang 1994), with a special allowance for businesses in export-processing zones and the HsinChu Science-based Industrial Park, Taiwan's version of San Jose, California's "Silicon Valley."

Even with the Council of Labor Affairs increasing the labor quota, and in essence the number of foreign workers in Taiwan, pressure to accelerate labor imports was applied from many factions representing Taiwan business and government. A survey conducted by the Directorate General of Budget, Accounting and Statistics found that 145,000 workers would be required to meet the labor demand for 1995, and over one-third of employers recommended the hiring of more foreign workers to fill the gap (*China News*, September 20, 1994). Further pressure applied by the Directorate General of Budget, Accounting and Statistics compared domestic demand for foreign labor (420,000 workers) to the number of foreign workers then in Taiwan (120,000), a figure that exerted more internal pressure (i.e., from a branch of the Taiwan government) on the Council of Labor Affairs to raise the foreign laborer quota in Taiwan (*China News*, September 26,

1994). In a move to retain continuity within the labor import scheme, the Council of Labor Affairs promised that companies whose foreign worker contracts were expiring would be able to hire new foreign workers to replace those forced by the three year limitation to depart (*China News*, October 11, 1994).

## **Regulation of Foreign Workers**

### *Recurrent Amnesty*

As discussed earlier in this chapter, the end of the illegal labor migration period was symbolically characterized by an amnesty from prosecution, instituted by Taiwan government officials, that was concocted to eliminate undocumented alien workers island-wide. While that amnesty was successful in encouraging many illegal foreign workers to leave, many others stayed. Consequently, Taiwan's illegal labor migrant (i.e. population) control problem persisted. That amnesty (in 1991) was followed by another in 1992. The second amnesty reflected the need by the Taiwan government to cull more illegal foreign workers from society and satisfy critics that believed the illegal worker situation was out of control. The amnesty from prosecution was offered to counter the penalties for not complying with the law. For illegal workers caught by Taiwan authorities, those penalties were fines of N.T.\$ 3,000–30,000 (U.S. \$120–1,200, N.T. \$25 = U.S. \$1), deportation, and permanent banishment from any future employment in Taiwan (*China Post*, May 7, 1992).

As was practiced during the first amnesty, Taiwan government officials enticed illegal workers with the assurances that they could return to Taiwan for legal



employment. However, the terms of the new amnesty, which allowed those illegal workers who registered with Taiwan authorities to legally return (provided they did not change employers), clearly left many with doubts about their ability to come back. Illegal workers from other nationalities were not offered the same opportunity of returning as a legal worker. Illegal workers from other Asian countries (i.e., not Thailand, the Philippines, Malaysia, and Indonesia) were only offered the chance to avoid the penalties for having been an unauthorized worker. Many viewed this option of limited value and did not come forward, attempting instead to beat the odds of being apprehended (Kao 1992a). On the other hand, the Philippines, Malaysia, and Thailand had all played a part to aid in the success of the voluntary repatriation by calling on their nationals to return home (*China Post*, December 14, 1990). The moves by these states were manifested by more than a simple service to their nationals and were, therefore, more than informational in nature. All three states had already been approved by Taiwan as future legal labor import states and were under at least some pressure from the Taiwan government to implore their nationals to return home. So, while workers from the four approved states had the help of macro forces and institutions to provide support for their individual plights, workers from other states did not.

For example, illegal Filipino workers were the beneficiaries of attention paid to them by Cabinet-level government officials. In May 1992, the Philippines's Secretary of Labor, Nieves Confesor, after meetings with Taiwan officials, announced that Taiwan had given assurances that the estimated 20,000 illegal Filipino workers could apply for legal employment if they took advantage of the current amnesty and returned home (*China*

*News*, May 6, 1992). In addition, Confesor announced more concrete institutional aid in the form of a special Labor Center in Taipei – inside the Philippines’s de facto embassy – which would provide security and future institutional support to overseas Filipino workers, in preparation (and anticipation) of large-scale labor migration to Taiwan. Confesor was reported to have said that the Labor Center was to show the Taiwan government that they (officials of the Philippine government) were active in the deployment of Filipino workers (*China News*, May 6, 1992).

Although these high-level government negotiations had been completed to ensure the smooth transition from illegal to legal labor migration, many Filipino workers balked at the suggestion that they turn themselves in to the Taiwan police for repatriation (*China News*, May 6, 1992). Many workers were skeptical about Taiwan’s promise that they could return, while Confesor countered this skepticism with assurances about the agreement’s validity, suggesting “they, the Taiwan officials, would not say this without clearance from the top. This is the result of long negotiation. It didn’t happen overnight” (*China News*, May 6, 1992: 3). These assurances were no match for the historical precedent established from the previous amnesty in which workers were also assured of their ability to return only to have a Taiwan labor official say “their papers were outright rejected because they already had a record of overstaying” (Feliciano 1992a: 3). As a result of this history, many workers chose not to turn themselves in, regardless of the promises made by either Taiwan or Philippine officials.

The Taiwan government’s response to the preponderance of illegal foreign workers in Taiwan was the police crackdown. Such crackdowns entailed use of an

overwhelming number of police to search out foreign workers. One such crackdown, carried out on Filipino workers in early 1993, was halted through the negotiation efforts of representatives of the Philippines state. Those negotiations carried out by Philippine officials in Manila and Taipei forged an agreement to suspend police crackdown activities in exchange for illegal Filipinos' voluntary repatriation (Feliciano 1993).

In 1994, yet another amnesty was created to encourage the estimated 10,000 illegal Filipino workers to return home. This amnesty was set up in September with an expiration date of November 30, 1994. Interestingly, the first announcement of the amnesty came in English-language newspapers in the Philippines following a visit by Council of Labor Affairs Chairman Chao Shou-po to Manila to discuss labor issues (Feliciano 1994c). This indicates the extent to which potential workers in their home countries were kept informed about how labor events transpired. The amnesty was in conjunction with a repatriation program entitled "Operation Homecoming," jointly masterminded by Philippine and Taiwan labor officials. "Operation Homecoming" was designed by Philippine Labor Secretary Nieves Confesor, overseen by Labor Undersecretary Jose Brillantes, and in line with the wishes of Taiwan's President Lee Teng-hui and then-new Council of Labor Affairs Chairman Hsieh Shen-shan (Feliciano 1994d). That government effort, like the previous repatriation plans, failed to attract the large numbers of illegal Filipino workers that the Philippines hoped for and that Taiwan expected.

## **Regulation of Employers of Foreign Workers**

Early in the legal migration period the Taiwan government created a litany of rules to accompany the introduction of foreign workers into the local labor market. These included pre-conditions to the approval and employment of international labor, and the stipulation by Taiwan's Ministry of Economic Affairs that foreign labor could not be introduced in cases where local labor rejected jobs due to the adverse working conditions of the local factory or job site. Furthermore, the Ministry of Economic Affairs stipulated that companies had to show proof that they could house and manage foreign laborers and that their long-term plans were to automate their factories, thus eliminating the need for foreign workers in the future (*China Post*, May 18, 1991).

Other regulations on company owners involved the hiring of illegal workers after the May 10, 1992 amnesty deadline. Companies still employing foreign workers risked N.T. \$300,000 (U.S. \$12,000, N.T. \$25 = U.S. \$1) fines and maximum prison terms of three years (*China Post*, May 7, 1992). Illegal recruitment agencies were also warned about the traffic in illegal workers. In addition, agencies that served as representatives between illegal foreign labor and manufacturing firms risked fines of N.T. \$1.5 million (U.S. \$60,000) and prison terms of five years (*China Post*, May 7, 1992).

### *Employment Stability Fees*

Some restrictions on the hiring of foreign workers caused upheaval amongst potential employers. One such regulation was the institution of an employment stability fee for every foreign worker hired. This fee, paid monthly to the Taiwan government,

was levied to create a fund for the promotion of local laborers (*China Post*, July 20, 1992). The fee was designed as a practical aid in the creation of training programs for local laborers and as a figurative gesture by the Council of Labor Affairs to local labor, that, in essence, stated that local labor would not be forgotten. Employment stability fees ranged from N.T. \$600–2,000 (U.S. \$24–80) per month, with, for example, manufacturing employers paying N.T. \$1,300 (U.S. \$52) per worker and public construction project employers paying N.T. \$1,100 (U.S. \$44). Employers of foreign domestic helpers were forced to pay the highest employment stability rates at N.T. \$2,000 per month. Reactions to the fee were in diametric opposition depending upon to which group members belonged, either business groups or local labor groups. Industrial representatives from the Chinese National Federation of Industries assailed the fee as a “tax” that they said made foreign workers more expensive than local workers. Labor groups did not react directly to the fee, but instead disputed claims by the Federation as to the expense of foreign labor and claimed that the employment of foreign labor had reduced opportunities for locals (*China Post*, July 20, 1992).

### **Working Conditions and Treatment of Foreign Workers**

The working conditions for foreign workers and treatment of foreign workers by their employers, whether in factories, construction, or households has been, and continues to be, a major issue in the labor importation policy. As is clear from the description of regulations on foreign workers, and the great opportunities for abuse of alien workers in almost all global contexts, issues of the treatment of foreign workers are a priority for

representatives of export states, the Taiwan state, and the workers themselves. These issues affect foreign workers in nearly all jobs and in nearly all industries. Disputes cover a range of issues from such things as underpaid salaries and overtime, to physical abuses and unfair workplace labor practices. Some of the most egregious abuses and contract breaches are levied upon domestic servants, but such problems are not limited to them.

### *Foreign Worker Abuses*

Abuses in the treatment of foreign workers were numerous and, as with so many situations of abuse, infrequently reported to the proper authorities. Abuses were often not reported by alien workers because of their illegal working status. The Council of Labor Affairs made it clear that workers who had been mistreated – regardless of their legality – could file charges against their employers. Foreign workers were, on occasion, even encouraged by the Council of Labor Affairs to report workplace and employer abuses, whether the abused workers were legal or not (*China News*, November 10, 1992). However, Council of Labor Affairs support for workers' rights and protection of illegal workers against exploitation should be viewed as weak and superficial. Although they were encouraged to report employer abuses, the vehicle of complaint against such abuses had to be filed through the local police, the same police who were empowered to arrest them as illegal foreign workers. Ironically, the protection offered by the Council of Labor Affairs against abuses was contradicted by their contempt for illegal foreign workers. In a bizarre message to illegal foreign workers, Chen Yi-min, a spokesman for the Council of Labor Affairs, stated the Taiwan government's position that "the ROC government

will not let illegal foreign workers work here legally even if they are underpaid or abused” (*China News*, November 10, 1992). This statement provided more impetus for both legal and illegal workers to remain apprehensive and distrust pledges made by the Taiwan government to protect the work rights of all foreign laborers, regardless of work status.

Specific cases of worker abuses had been publicized in local newspapers and, on occasion, became the focus of Council of Labor Affairs investigations, but the extent of worker abuses and substandard working conditions were largely unknown. Of the cases that had become public, the treatment of workers and recognition of workers’ dignity have been lacking. One such series of cases involved the sexual harassment and abuse of Filipina maids (*China News*, July 10, 1993). In four cases of sexual abuse, three of the victims were sent back to the Philippines while a fourth case was still pending. Manila Economic and Cultural Office Director Roces responded by saying “this situation had nothing to do with the women, but they were the ones punished...this is not fair,” and he wrote a letter to Council of Labor Affairs Chairman Chao asking that more attention be paid to the problem. In the case that was still pending, the victim had recently arrived and had been on the job for only three days when she was sexually harassed by her male employer. A week after arriving she abandoned her job and contract only to be apprehended later by the police. As a result of her limited time in Taiwan she was unable to pay for a ticket home and – although he was legally responsible to do so – her employer also refused to pay for her ticket home (*China News*, July 10, 1993).

### *Deportation as Regulation*

Treatment of legal workers became an issue soon after the legalization process became operational. In March 1992, eight Thai workers were “laid off” and not allowed to renew their one-year employment contracts due to what the company called “abnormal” sexual activities (*China News*, March 25, 1992). According to company officials of BES Engineering Corporation – a state-run company – six of the eight were dismissed for cohabitating with Thai women living near the construction site, another was fired for frequently missing work, while the last was sent home because he was a homosexual. The reason given for such severe actions was the need to establish a vigorous system of discipline. Officials were quoted as saying that by not taking such actions against foreign workers “they would be very difficult to manage” (*China News*, March 25, 1992). It seems more likely, however, that such actions were meant to threaten workers into docility rather than to manage their work performance. As with the case of the sexually harassed domestic workers above, deportation, whether by Taiwan authorities or by the employers themselves, has been used as regulatory tool that has effectively rid government officials and employers of troublesome or redundant workers.

### **Social Construction of Foreign Workers**

The social construction of identity of foreign workers was an ongoing process that continues to the present. Even after eight full years of employment of foreign laborers, socially constructed characterizations of foreign workers’ talents and failings persist. Some social constructions of identity are nationality/ethnically based, others



lump all foreign workers from Asia together. Although they differ little in terms of their impact on society, Asian workers and Western workers are viewed and treated differently, both socially and legally. Foreign maids from the Philippines are the subject of much of the socially constructed images of foreign workers. Filipino maids are recognized for their better education and general friendliness, but they are also scorned as being lazy and easily picking up bad habits of watching too much television and making phone calls (*China News*, August 20, 1992). As a result, Taiwan's socially constructed image of Filipina maids becomes a warning to other potential employers and a barrier for Filipino workers.

Thai workers are also the target of socially constructed identity stereotypes. Those constructions tend to vacillate between juxtaposed identities. Many Thai workers are the recipients of praise. For example, an official from the state-run BES Engineering Corporation stated that "these Thai laborers are much more diligent and obedient than local workers... they come for the sole purpose of providing a better life for their families" (Hong 1992: 7). The official continued with his characterization of Thai workers by saying that in two years they could buy an apartment back home and "that's why they work so hard and hate holidays so much" (Hong 1992: 7). The only association he can make with workers' hatred of holidays is their desire to make money instead of the more likely reasons such as the abhorrent living conditions provided them or the social isolation of being housed at the worksites.

As often mentioned by Taiwan government officials, foreign workers were – and still are – seen as potentially posing problems for Taiwan society. In spite of that fear,

foreign workers were still imported. Confirmation of social problems associated with these foreign workers is scant. The opposite was confirmed at the end of the first year when Council of Labor Affairs Chairman Chao was quoted as saying “we did not encounter any of the social problems that we feared from workers hired by the BES Engineering Corp” (*China Post*, February 1, 1992). One of the “potential problems” of the importation of foreign workers regarded the rules denying the ability to bring whole families, marriage to locals, or pregnancy of female workers during the contract period. The potential problem of allowing any of these three things to occur was summed up by Professor Lo Yeh-chyn from the Chinese Culture University during a Sino-European Conference on Industrial Relations and Economic Development held in Taipei in 1992. He argued that “Taiwan is a small island with a high population density in comparison with other countries.... to prevent over-population, there will be no chance for alien workers to settle” (*China Post*, February 19, 1992: 15). The implication is that immigrant populations would reproduce at a more rapid rate and cause crowding problems.

### **Domestic Servants**

One of the more spirited debates in Taiwan’s labor importation scheme involved the potential approval of maids (domestic servants) as contract laborers. The debates centered around conflicting opinions as to the benefit of importing maids. The importation of domestic servants was not seen in the same light as the importation of construction workers or even factory workers. Foreign “maids” were generally viewed as a luxury for individuals rather than a necessity for the state. It was because of this

perception that their approval as labor migrants lagged behind other labor categories. However, several justifications for the import of domestic servants were brought to light. One reason for bringing domestics into the labor import policy was to encourage local women to reenter the workforce after bearing children. The hope that women would reenter the workforce was enthusiastically wished for by employers at Taiwan's export processing zones, in the hope that local housewives would take up factory jobs if foreign maids could take care of their children (*China News*, August 19, 1992). A second reason for domestic servants was to encourage different generations to continue to live together, as had been the cultural norm (*China News*, August 18, 1992).

The debate over maids pitted Council of Labor Affairs Chairman Chao Shou-po and other government officials against local women who had already been circumventing regulations by hiring foreign domestic servants. Early in the debate Chao pointed out that the legalization of such workers would only proceed after approval of the legislation authorizing the hiring of foreign workers, after an additional study of its effects, and after authorization from his office. Chairman Chao strongly suggested that if a slackening of the rules occurred, such a move would be accompanied by a temporal limit on employment of two years and prohibitions on female workers becoming pregnant (if they did, they risked immediate deportation) or marrying local citizens (*China Post*, March 7, 1991). Chao's rejection of reproductive rights for foreign workers is one of the more unique, and shocking, regulations to keep immigrant guest workers in check.

Other comments from Chao fueled the debate. He openly questioned the need for domestic servants while Taiwan's rapidly increasing standard of living was allowing

people to buy appliances to save time on housework (*China Post*, March 7, 1991). He also added that before any consideration of an import of maids could be granted the government should first strengthen laws protecting (local) women in the workplace, promote policies that raise women's salaries to higher (male) levels of remuneration, and that Taiwan should improve child daycare and care for the elderly to ease the burdens on working women (*China Post*, March 7, 1991). Chao's harsh regulation of overseas workers ran counter to the type of social concerns conveyed on the part of locals.

Although Chairman Chao had made clear his position on foreign maids, he continued to hint at their chance of being approved. Only slightly more than one month after his strong rebuke of the suggestion to import foreign domestic servants, Chao took a more conciliatory stance when two Philippine officials visited his office (*China Post*, April 28, 1991). In addition, labor recruitment of foreign maids (notably Filipinas) was urged by local resident employers who characterized them as highly valued. The Council of Labor Affairs took into account the opinions of these employers of (then) illegal maids and established a survey of households in an effort to gauge the feelings of a greater percentage of the population. This survey was conducted to aid in the Executive Yuan's decision to approve the sweeping legislative labor reform, the Employment Services Act, within which was the law allowing the employment of foreign domestic servants. However, the results of the survey of 18,000 households island-wide showed that only 15% agreed with the suggestion that foreign maids should be introduced to Taiwan. Much of the survey's sentiment against their importation revolved around the issues that plagued labor importation in general, namely, belief that foreign maids would have

trouble adjusting to Chinese family culture, and the language barriers – all common euphemisms for ethnic prejudice. Other reasons cited in rejection of international maids were the belief that these foreign housekeepers would affect the long-term social order and also negatively affect the social development of Chinese children (*China Post*, May 3, 1991).

Support, however, for the employment of foreign domestic servants came from many sources, private employers being only one. Taiwan legislators and university researchers also had a role in endorsing the hiring of foreign maids. One such academician was National Taiwan University Professor and chairman of the Sociology Department, Chan Hou-shen. In a seminar on the issue, Chan said that since many foreign maids were already working in Taiwan (especially in Taipei) that the government would be wise to recognize the reality and legalize foreign maids (*China News*, May 20, 1991). While one professor's opinion may not amount to much in the way of policy, Chan Hou-shen's opinions proved to carry considerable weight as he was later named Vice Chairman of the Council of Labor Affairs in 1993 and became Chairman of the Council of Labor Affairs in February, 1998 (interview with Li Wen-chiang<sup>1</sup>, March 14, 1998).

Maid legalization continued to be an issue that invoked strong feelings. As noted above, factions of the government deemed domestic servants as more trouble than help for Taiwan society. What forced a change in policy consideration was the recognition by state officials of the demand for elderly caretakers and child care assistance, jobs that had

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<sup>1</sup>Li Wen-chiang is a pseudonym to protect the identity of the interviewee.

few local people available to fill them (*China Post*, November 24, 1991). Adding to the discussion on maid importation, four women's groups offered an outline to guide Council of Labor Affairs Chairman Chao on decision-making and regulations for incoming foreign maids (*China News*, January 1, 1992). Their outline to Chao recommended that incoming domestics meet one of three criteria: they should come from homes where there are children, aged or disabled relatives, or sick relatives requiring special health care. These women's groups saw the introduction of domestic servants as a foregone conclusion and wanted to be sure that such workers would be experienced and regulated. Other early regulations included an age restriction of at least 25 years old and formal training in housekeeping (*China News*, November 18, 1992).

Related to the importation of domestic servants was the issue of the importation of caretakers. The two jobs differ in the type of service work involved. The employment parameters for domestic servants are very broad, with employers determining what duties are to be carried out. Caretakers' job descriptions are, on the other hand, officially very limited to feeding, washing, and helping infirm patients with daily living tasks or helping families cope with young children. In March 1992, the Taiwan government approved of families that have members with severe handicaps to hire caretakers, including families that have victims of stroke or paralysis, or families that have members that are comatose and require full-time care (*China Post*, March 3, 1992). This segment of the labor market was opened because of a critical shortage of these nonmedical, low-status jobs. Although caretakers were considered as nonmedical positions, the state also approved what they called foreign nurses, essentially caretaker positions. In many cases, and because of the

type of work, the caretaker positions were actually accepted by trained foreign nurses, mostly from the Philippines (*China Post*, March 12, 1992). Caretaker positions have become successively more popular than domestic servants because of an absence of quota restrictions on their employment and because the minimum hiring guidelines have been easy for families to attain qualified status. In recent years caretakers have been one of the fastest growing foreign worker job categories.

#### *The Maid Quota: Restrictions in the Hiring Process*

Foreign domestic servants were approved for import, but in far smaller numbers than for foreign workers in industry or construction. Engineered in a plan similar to what was done for manufacturers, the legalization of domestic servants was designed to convert illegal maids into legal ones (*China Post*, July 12, 1992). Approval of foreign maids came in mid-1992, with the initial announcement limited to employers within four categories: families with children under age 12, families living with direct relatives over age 70, families living with parents-in-law over age 70, and senior citizens over age 70 without children living with them (*China News*, July 29, 1992). The quota was set at 8,000 foreign maids.

Three weeks later the final guidelines on who could hire foreign maids had changed significantly from the original announcement. The new guidelines provided preferential treatment to families with children under age 6 and elderly over age 75 without adult children to take care of them. These changes reflected the aim of the government to help families most in need and to diffuse the potential explosion of maid

applications and maids in Taiwan. Second, the quota allowed those within the four categories above to hire maids. The quota was also adjusted downward and set at 7,000 foreign maids. In addition to these guidelines, employers were levied a N.T. \$2,000 (U.S. \$79.65, N.T. \$25.11 = U.S. \$1) monthly employment stability fee officially designed to help train local workers, which was more likely designed as a deposit to pay for the worker's deportation if they abandoned their contract. Another key to the maid import policy was protection of local labor, or at least the perception that local labor was being given first consideration for such jobs.

*The Maid Quota: Protection of Local Labor*

Through the guidelines of the Council of Labor Affairs, local domestic laborers were provided with safeguards against the loss of their livelihood. The guidelines and stages that employers had to complete in order to be approved for a foreign maid were exhaustive. Those interested in hiring a foreign maid first had to advertise in three local papers for three consecutive days and advertise such things as age range, work experience, pay offered, working hours, work location, time of employment, fringe benefits, and physical conditioning. The government mandated that salaries offered had to range between N.T. \$20,000–25,000 (U.S. \$796.50–995.62) monthly. If, after four days, the advertisement received no response, then families could register with the government and receive a certificate to hire a foreign domestic helper (*China Post*, August 18, 1992). Maids could then be recruited through government designated agents



or through their own efforts. Many of the requirements of the search were crafted to ensure that local labor would be given a fair chance at such jobs.

The reality of the situation was that there were few, if any, parties interested in such employment, something realized decades earlier in Hong Kong. The Council of Labor Affairs, under Chao Shou-po's direction, made certain that on its face the hiring of foreign workers would come second to employment of local labor. This was especially prevalent in the demand for domestic servants, where the Taiwan government knew that no local workers existed and that the overwhelming demand was for foreign maids, not Chinese. Officials with state-run employment agencies agreed that few locals would be found to fill the many jobs (*China News*, August 19, 1992). In fact, part of the demand was in emulation of the wealth and status of Hong Kong families. After the Council of Labor Affairs created the quota, demand for foreign maids – almost exclusively Filipinas – was high and wages associated with such demand grew (*China Post*, November 10, 1992). Frequent criticism of the Council of Labor Affairs's handling of the import of foreign maids questioned why Taiwan was unable to do what in Hong Kong was so commonplace.

When potential employers of foreign maids were unable to find local workers to fill their advertised domestic servant jobs the internal demand that was generated was immense. Because part of the process was the filing of a "help wanted" advertisement at a state-run employment agency, many of those agencies were inundated with hopeful employers waiting in long lines to file their ad. State-run employment agencies were also overwhelmed by repeated phone-call questions about the process. Some applicants

gripped that filing the advertisement was simply a “formality,” clearly understanding that no local worker would apply (*China News*, August 19, 1992). By the end of 1992, approximately 6,000 maids had been imported (*China News*, January 12, 1993). Because of delays in processing applications that quota was not filled. However, the remainder was rolled over to the following year and another 1,000 slots were added to raise the total for 1992 to 8,000 (*China Post*, January 12, 1993).

### **The Role of the State**

As noted in the previous chapter and above, state representatives from nearly all the countries with laborers working in Taiwan have had a share in controlling and negotiating labor export. Taiwan officials also exerted great control over the labor import process. Their control was in the form of regulation and the negotiation of rules governing the import of labor, but was also exercised through political and economic muscle-flexing. These two forces of control and negotiation form the basis for the discourse between the labor import state (Taiwan) and the export state in Thailand, the Philippines, Indonesia, and Malaysia.

#### *Taiwan State Officials*

Government pressure was often applied to labor export states in return for favorable treatment of Taiwan’s business and political interests. An example of these linkages arose in the 1991 conflict between Taiwan and the Philippines after Taiwanese fishing boats were apprehended in Philippine waters, the culmination of a long-standing

dispute over sea lanes between the two countries. A seemingly separate and unrelated incident – a crisis of sea passage related to Taiwan fishing boats – gave the Taiwan government power to pressure the Philippine government. Understanding that the labor shortage in Taiwan was as important to the conditions in the Philippines as it was to Taiwan, the incident was transformed into a political battle that threatened the future employment of Filipino labor in Taiwan. At its conclusion the political maneuvering created an agreement that left future Filipino employment intact in return for the creation of the aforementioned sea lane.<sup>2</sup> But the conflict exposed the codependency of the two states, as well as a political tactic that would be used again and again. Economically, the agreement revealed the commonalities between both Philippine and Taiwan economies, with the Philippines being unable to reject the Taiwanese request for fear of damaging its potential labor export, and Taiwan's simultaneous distaste for idle production plants and a general deindustrialization occurring in their national economy.

The agreement was, however, strongly condemned by the People's Republic of China (PRC) which is officially recognized by the Philippines under the One China policy demanded by the PRC government. In responding to this official agreement between Taiwan and the Philippines, the PRC lodged a strong protest with the Philippines and pressured them to refrain from carrying out the official agreement with Taiwan.

Taiwan also placed an extreme amount of pressure on the Philippine government not to terminate the agreement and threatened that any termination of the agreement would risk

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<sup>2</sup>An agreement forged between the two states settled the dispute through a hodgepodge of ships and relief aid given to the Philippines by Taiwan in exchange for the creation of special passage sea lanes for Taiwan vessels.

a ban on the legal importation of Filipino workers. The action of banning Filipino labor would have seriously undercut the strategy of the Philippine government's repeated visits to Council of Labor Affairs officials to increase the legal quota of Filipino workers in Taiwan (*China Post*, July 14, 1991). Carried out prior to the political dispute over the sea lanes agreement, those many visits to create future employment of Filipinos in Taiwan were placed in jeopardy. Put in an awkward situation, the Philippines was being simultaneously pressured politically by the PRC and economically by Taiwan. In the end, the Philippines honored the agreement, thereby securing their future labor export to Taiwan and continued economic gain.

While the PRC wanted a rejection of any official ties between the Philippines and Taiwan, the economic threat was austere. A ban on Filipino labor at that time would have severely hurt the Philippines's chances of acquiring a strong foothold into what was perceived as a potentially lucrative market for its labor export. In addition, the rise of Taiwan as a labor destination dovetailed the exodus of Filipino workers from the Middle East that had occurred after Kuwait's occupation by Iraq, and the subsequent combat to restore the emirate. During that event 30,000 Filipino workers – mostly from Kuwait – returned home, putting pressure on a Philippine economy that was already suffering from an unemployment rate of 15 % (*China News*, July 29, 1991).

Disputes mark many of the dealings of state representatives of Taiwan and the labor-exporting states. Often, these disputes were serious enough to result in the temporary suspension of labor importing from the state with which the dispute was occurring. Squabbles between Taiwan and Thailand escalated to the point where Taiwan

halted Thai labor imports. The first conflict arose over Thai demands for a minimum wage higher (N.T. \$15,000 monthly, U.S. \$590.55, N.T. \$25.4 = U.S. \$1) than Taiwan's minimum wage (N.T. \$11,040 monthly, U.S. \$434.65), meal allowances for Thai workers (N.T. \$3,000 monthly, U.S. \$118.11), as well as help in defraying the tax bills of those workers. Thai government officials attempted to foster these changes because of the higher cost of living in Taiwan. However, spirited Taiwan government and employer resistance to this action derailed Thai government demands. Council of Labor Affairs Vice Chairman, Tsai Shiann-Liow, was quoted as saying "we would formally investigate whether the Thai government had actually interfered with our labor policy by making those unreasonable demands" (*China Post*, March 22, 1992: 12), and that "any violation [of ROC policy] would result in the deportation of [their] laborers," a tactic that was meant to terrorize workers and cause Thai officials to cave-in to employers and state officials in Taiwan.

At issue was Taiwan's reaction to what it considered a challenge to its authority to regulate salaries (*China Post*, April 1, 1992). In retaliation to the threatening of its absolute power, Taiwan threatened to halt the employment of Thai workers and – with lobbying help from Taiwan firms – was successful in getting the Thai government to acquiesce. In a written concession by the Thai government, a promise was made not to interfere with rates paid by construction (government) employers, as long as Thai workers were not paid below the national minimum wage (*China Post*, April 3, 1992). Thai officials, therefore, were active in maintaining the flow of laborers by deferring to Taiwan's demands and establishing access as a higher priority than the equitable

treatment of its workers. One part of that concessionary letter continued to throw support toward Thai overseas workers, by requesting that private employers pay Thai laborers a monthly wage within 5-10% of their suggested N.T. \$15,000 month (U.S. \$592.89, N.T. \$25.3 = U.S. \$1). However, reaction by Taiwan against this type of state-directed Thai worker representation was swift. Taiwan retaliated by suspending the import of Thai workers (*China Post*, April 8, 1992), a suspension that lasted one month and ended when the Thai government withdrew its demands (*China Post*, May 7, 1992). After Thailand's reinstatement, Council of Labor Affairs Chairman Chao Shou-po summed up the Taiwan government's perceptions regarding foreign workers and the state, saying "we don't want our employers to exploit foreign workers, but we don't want our employers to be exploited by foreign man-power agencies either" (*China Post*, May 7, 1992: 15).

The backlash over who would determine the minimum wage was not limited to the Thai government. The Malaysian government was also involved in a dispute. Malaysian officials announced that Malaysian labor employed in Taiwan would receive a higher wage than the Taiwan minimum. In the event that the Malaysian government action was true, Taiwan was poised to rescind approval of Malaysian labor imports (*China News*, March 25, 1992b).

The Council of Labor Affairs's pressure tactics were constantly applied to the approved labor-exporting countries, especially when Taiwan officials perceived that their power to make policy was being usurped. One of the main pressure tactics was the threat of competition from other labor-exporting states (like Vietnam) or states that aspired to become labor exporters like Fiji (*China News*, April 21, 1995). Delays in the import of

workers caused Taiwan officials to seek ways to accelerate the process. In mid-1993, Council of Labor Affairs Chairman Chao warned all four approved, labor-exporting states to improve their ability to carry out labor export to Taiwan or else. Chao said: “If they do not cooperate, we have another 20,000 laborers ready in Vietnam waiting to be hired,” a statement which amounted to economic blackmail against those states extremely keen to export labor for foreign exchange gains (Hsieh 1993: 1). In fact, the threat of import of Vietnamese workers proved to be empty. Vietnamese workers were only finally approved to work in Taiwan in May, 1999 (Lee 1999).

#### *Taiwan State Officials Abroad*

In the latter stages of the illegal period of labor migration to Taiwan, I noted the frequency and influence that officials from the labor-exporting states had on the process of selecting particular states for approval as labor sources. The work of these representatives is vital to understanding how the migration process operated. The activities of labor representatives from the export countries was only one part of the effort of state officials to chart the future of labor migration to Taiwan. Taiwan officials, too, took the initiative to go abroad and to recruit workers for employment in Taiwan. In September 1991, Council of Labor Affairs Chairman Chao embarked on a labor recruitment trip that included stops in Indonesia, Thailand, and Malaysia to attract interested parties to consider the 30,000 employment opportunities available in Taiwan (*China News*, September 20, 1991). Chao was quoted in Kuala Lumpur as saying “We hope that there are Malaysians who want to work in our country, but they must go

through the appointed agents to ensure that they are adequately protected from any exploitation” (*China News*, September 20, 1991: 1). This was a clear invitation to Malaysians to become legal workers and to reject the undocumented laboring patterns that marked previous Malaysian worker migration to Taiwan.

These ideas represented the initial construction of the policy. Throughout its duration, however, the policy has been a work in progress. Trips to Singapore were made prior to construction of the policy and subsequent to the beginning of the flow of labor to Taiwan. In June 1991, the Council of Labor Affairs sent officials to Singapore – which has a long history of labor import – to glean ideas for the management of foreign workers (*China News*, June 19, 1991). Information gathered from the study of Singapore’s system convinced Taiwan officials that laborers for industries other than construction would be possible as long as they included restrictions limiting the percentage of foreign workers that a firm could employ relative to its number of local workers.

### *State Hiring*

As mentioned above, the first firm allowed to import foreign labor was also a state-run corporation. BES Engineering Corporation’s contract for construction of the north-south highway enabled it to request and receive the first foreign workers in Taiwan (*China Post*, November 17, 1990). Although early in the legal period, foreign workers had been approved from three states, some confusion remained as to which states had preference. A news report announcing BES Engineering’s deal indicated that the state-run company would import Thai labor even though a joint decision between the Council



of Labor Affairs, the Foreign Ministry, and the Economics Ministry mandated national preference of workers from the Philippines first, followed by Thai workers, and then Indonesians (*China Post*, November 17, 1990). BES Engineering's decision, however, was based strongly upon the previous employment of Thai workers on projects in Kuwait.

### **Export State Officials to Taiwan**

In addition to the type of nationalistic pressure applied to the labor import situation by Taiwan, similar lobbying efforts were carried out by representatives of the labor-exporting states. These activities involved the direct efforts of representatives of the labor-exporting states to influence Taiwan labor officials and were evident in the illegal-legal transition period, and continued into the legal labor importation period. Many cases exist to document the activities of government representatives from the labor-exporting states. Although many of the cases involve contact between Philippine officials and Taiwan, Thai officials and Malaysian officials also had contact with Taiwan government representatives in their home countries and in Taiwan.

#### *Philippine State Officials*

In August 1991, then-Philippine Immigration Commissioner Andrea Domingo paid a visit to Taiwan – much like she had in February 1991 – to speak with Council of Labor Affairs Chairman Chao in an effort to secure more employment openings for Filipino workers (*China Post*, August 8, 1991). The response from Chao reiterated previous encouragement of “friendly” relations between Taiwan and any labor-exporting

country in exchange for special quotas of alien workers. Chao added the caveat that those states whose labor was under consideration should retain a “beneficial attitude” toward Taiwan, displaying the political maneuvering that is a part of international migration (Leitner 1995). His remarks were reported to have been aimed at the flailing shipping lanes agreement that was suffering under a large amount of foreign scrutiny without being implemented. The inference was to support Taiwan’s de facto sovereignty, even in the face of diplomatic challenges by the PRC. Chao furthermore suggested to Domingo that the signing of a labor agreement between the two was a solution to the labor problems that both states were suffering.

As was evident in the discussion of the illegal worker amnesty, the approval of labor-import states, the expansion of the labor quota, and other significant negotiations in the construction and maintenance of the labor policy, representatives of the Philippine state had been involved since before legalization and throughout the legal labor import policy. As a result of this involvement, and the frequent activity of the Philippine government officials in Taiwan’s labor-import scheme, the role of the Philippine state is of critical importance. This state role encompasses the breadth of contact (the numerous government officials) and the purposes of such contact (to lobby for more jobs for Filipino workers). In some cases even the President of the Philippines was involved in creating security for foreign workers by dispatching high-level government representatives to assist Philippine nationals (*China Post*, November 12, 1992).

One such case arose after a published report on the plight of illegal Filipinos, employed by local fishermen, who were not allowed ashore and instead were held on

boats dubbed “floating hotels.” After the circumstances of these workers were reported, Philippine President Ramos made a public statement announcing an official delegation to check on employment conditions for Filipinos in Taiwan (*China Post*, November 12, 1992). Government representatives offered aid to Filipino fishermen, with an announcement by the Philippine Labor Secretary, Nieves Confesor, that they would negotiate better working conditions with the Taiwan government. This would lead to a settling of the turmoil and create an environment that would lure more Filipino workers to Taiwan. The Philippine delegation’s four officials (Labor Undersecretary Jose Brillantes, Philippine Overseas Employment Administration Director Felicisimo Joson, Agriculture Undersecretary Jose Marie Gerochi, and Assistant Executive Secretary for Legislation Rafael Lagos) were dispatched to hold discussions with Taiwan officials and for both governments to cooperate on solving problems related to the arrival of Filipino foreign workers (Lee 1992b).

The lengths to which Philippine state officials went to satisfy the desires of Taiwan officials was surprising. One offer proposed by Philippine Undersecretary of Labor Jose Brillantes, and later adopted, committed the Philippines to shouldering the cost of repatriating illegal Filipino workers from Taiwan. Brillantes plainly stated the relationship between the Philippine and Taiwan governments: “our position has always been to help the ROC government repatriate illegal Filipino workers even at our own expense for as long as we could afford it” (Feliciano 1992b: 1). The timing of the offer of repatriation was highly suspect. Simultaneous to the efforts of the Philippine representatives to check on working conditions and to negotiate a return of illegal Filipino

workers was the Taiwan government's rumored reconsideration of the future use of Filipino workers. This reexamination of Filipino laborers was a result of complaints from Taiwan employers about procedural red tape in dealing with the Philippine authorities and high costs involved in the importation of workers (*China Post*, November 14, 1992). The use of Filipinos was also being questioned by Taiwan authorities because of publicly embarrassing complaints made by Filipino workers about working conditions in Taiwan (Feliciano 1992b). Such embarrassment led Taiwan officials to consider approving labor imports from Vietnam to replace projected Philippine labor imports. The choice of Vietnamese workers was publicized as a move to import workers from a culture more compatible with the ethnic majority Chinese in Taiwan. In reality, the public courting of Vietnam served as a method to squeeze the Philippine government and force it to accept Taiwan's labor-regulation suggestions, in exchange for future labor imports. A second method was the threat of a freeze on labor imports, the equivalent of a political game of "chicken" (*China Post*, November, 18, 1992).

Taiwan's success in this government to government negotiation was evident in the outcome of these talks. Philippine representatives gave in to Taiwan officials' demands for fee reductions, gave approvals for the hiring of workers without the need to use labor agents, and promised to help repatriate illegal workers (Ta 1992). The return for Philippine representatives was one-dimensional. Labor Undersecretary Brillantes stated: "we threshed out certain matters which hopefully would lead to the acceleration of Filipino workers to Taiwan" (Feliciano 1992c: 3). However, only one concession was made by Taiwan officials: the legalization of 400 Filipinos already working on Taiwan

fishing boats (Feliciano 1993c). For representatives of the Philippine state the negotiations had one goal, the creation of more opportunities for Filipino workers.

Taiwan's dissatisfaction with the Philippine system of labor import was high. In a three-month period, between November 1992 and January 1993, after having negotiated rules with Philippine officials that would accelerate the import of Filipino labor, and after expanding the quota to allow 4,000 additional Filipino workers into Taiwan, only one worker had actually arrived (*China News*, January 13, 1993). The frustration of Taiwan officials was clear. Council of Labor Affairs Chairman Chao summed up his disillusion with the Philippines by issuing a statement saying "A large number of ranking Philippine officials have come to Taipei to try to secure for Filipino workers access to the labor market here. But after the Council of Labor Affairs opened the doors to workers from the Philippines, our employers, in applying for such workers, have encountered numerous difficulties, delays and red tape and have been required to pay unnecessary, unjustifiable, and redundant fees and charges" (*China News*, January 13, 1993: 1). The lead official of the Philippine state apparatus in Taiwan was apologetic yet mildly defiant. Manila Economic and Cultural Office Director Joaquin Roces stated his feelings about the diplomatic sparring over labor by saying "we are doing our best [to handle the labor import]. This is a free market" (Feliciano 1992d: 1). Whereas the first statement was meant to counter criticism of the Philippines's labor bureaucracy, the latter served as a sarcastic rebuttal to announcements proposing the import of Vietnamese over Filipinos, knowing full well that the work reputation of Filipino overseas contract workers was very good and that the resulting demand for Filipino labor in Taiwan was very high.

The actions of Philippine officials point to a high level of cooperation with Taiwan labor officials. In 1993 yet another repatriation agreement was reached between the two countries. In addition to the types of regulations set down in previous amnesties, the Manila Economic and Cultural Office extended its assistance to helping workers to process their papers to leave Taiwan, including special processing centers in the northern, central, and southern parts of the island, as well as coordinating NGO and religious groups to convince illegal workers to go home (Feliciano 1993). In discussing the repatriation agreement, new Manila Economic and Cultural Office Director Gualberto Lumauig explained the Philippines's purpose: "we want to settle this issue (illegal workers) first because it is an irritant in our relationship [with Taiwan]. Hopefully, once we solve this problem, it would be easier to bring in workers from the Philippines" (Feliciano 1993: 8, emphasis added). The "irritant" of which Lumauig spoke was illegal Filipino workers. However, the irritant was two-fold: Taiwan was irritated by a continued presence of illegal Filipino workers in their economy and society, and the Philippines was eager to help remove this "irritant" in order to open the doors to more workers which would, in turn, benefit the Philippine state.

Philippine officials were very active in shaping the labor policy toward Filipino laborers and in attempts to manipulate labor rules in Taiwan for the improvement of Filipino workers. Taiwan officials, however, placed a great amount of pressure on Philippine officials in both Manila and Taipei. This pressure was, at times, a reaction to Philippine suggestions and at other times was a retaliation against regulations that hindered the flow of workers. As seen in the sea lanes' dispute and agreement,

importation of foreign workers was often used as a bargaining chip in political and economic negotiations not directly tied to the import of laborers. The result of this type of pressure was, in many cases, a pervasive obedience to the demands of the Taiwan state.

### *Thai State Officials*

While Thai laborers working in Taiwan have always ranked as the greatest overall numbers from any of the four countries during the legal labor import period, the activities of their national representatives have not been well publicized. Government representatives from Thailand have, however, been active in inducing interest in Thai laborers and making efforts at protecting workers. As noted above, Thailand and Taiwan have had differences of opinion over the rules of labor import. However, much of what Thai officials have done amounts to a type of workers' welfare and support service. One of the biggest issues plaguing Taiwan's labor imports is the system whereby workers must acquire their employment through labor agents. Officials of the Thai government were on record as being more vigorous than Philippine officials in their monitoring of the fees that labor agents charged labor migrants (Feliciano 1994a). In spite of the publicity surrounding the Thai government's attentiveness to workers' difficulties, a large part of what they did was to assure Taiwan that Thai laborers were prepared for duty. Anucha Osathanond, Executive Director of the Thailand Trade and Economic Office (Thailand's de facto embassy in Taiwan), emphasized that, aside from policing agent fees, the Thai government had adopted a strict screening process (to limit illegal workers), and orientation programs in order to prepare workers for life in Taiwan, screening and

orientation both being major concerns for the Taiwan government. As with many instances in Taiwan, action by Thai officials represented a reaction to claims and threats made by Taiwan officials (*China News*, March 17, 1994).

### *Malaysian State Officials*

Malaysian state officials took a much different approach to the approval of workers from their country working in Taiwan. One basic difference that existed between Malaysian workers and workers from other countries was that many Malaysian workers were ethnically Chinese and were, therefore, able to gain easy access to Taiwan as “overseas Chinese” visiting their “homeland” (one of the two places calling itself China). Malaysian workers were the most numerous in the illegal period and were, therefore, a known quantity. Approval of Malaysia as a legal labor importer was a courtesy for those workers who had been employed in Taiwan, as well as to the many employers that had used them. Former Council of Labor Affairs Chairman Chen Hsiao-zhou said in an interview that Malaysian government officials were ambivalent to Taiwan’s approval of the workers. Chen said “I have been to Malaysia, and met a minister of labor, but he didn’t mention that he wanted their workers to come here, but I understand that a lot of Malaysians, particularly Malaysian Chinese, wanted to come to Taiwan to work because the pay is much better here than in Malaysia.” He added that “I hadn’t met any Malaysian government representatives who wanted us to hire Malaysian workers” (interview with Chen Hsiao-zhou, March 13, 1998), in stark contrast to representatives from the other states. This reaction to Malaysian workers in Taiwan was echoed by Chen I-min, a



section chief of the Council of Labor Affairs, who said “Basically the Malaysian government does not encourage its nationals to work abroad, because the country is also in need of laborers. But the Malaysian government also told us that it will not deliberately stop those who want to do so” (Kuo 1993: 15). A report generated in an English-language newspaper in Malaysia questioned Malaysian officials’ ambivalence to overseas Chinese labor migration to Taiwan. In essence, the report implied that Malaysia did not care about assisting Malaysian workers or detained, illegal Malaysian workers, mainly because such workers were ethnic Chinese (*China News*, March 2, 1993).

### **Post-Approval Resistance**

Resistance to the newly devised plan was, as described above, far less than the pre-approval activity would indicate. Upon approval of the new law enabling the importation of workers, Chiu Ching-hwei, then-Secretary General of the Chinese Federation of Labor, reacted much differently. His statement essentially declared that the organization was in favor of the law because it would be an important tool in curbing illegal worker immigration through regulation of the legal foreign workers. It was also his belief that the spirit of the law was to protect the employment rights of local laborers (*China Post*, January 5, 1990). While labor resistance ebbed, the need for such resistance was rising. Although the Council of Labor Affairs had engineered safeguards to protect local labor, clever strategies were conceived to circumvent checks on abuse. Regulations on companies allowed to hire foreign workers dictated that they first had to advertise for local workers. Evidence suggests that even in the face of massive shortages of workers,

firms failed to entice large numbers of applicants to labor-tight Taipei. Those local workers that were attracted were excluded from consideration by companies' conduct of worker-qualification testing that set speed and endurance skill levels that local workers could not achieve (*China Post*, November 8, 1990). By doing so, companies created a labor-shortage environment that then justified firms to apply for foreign workers.

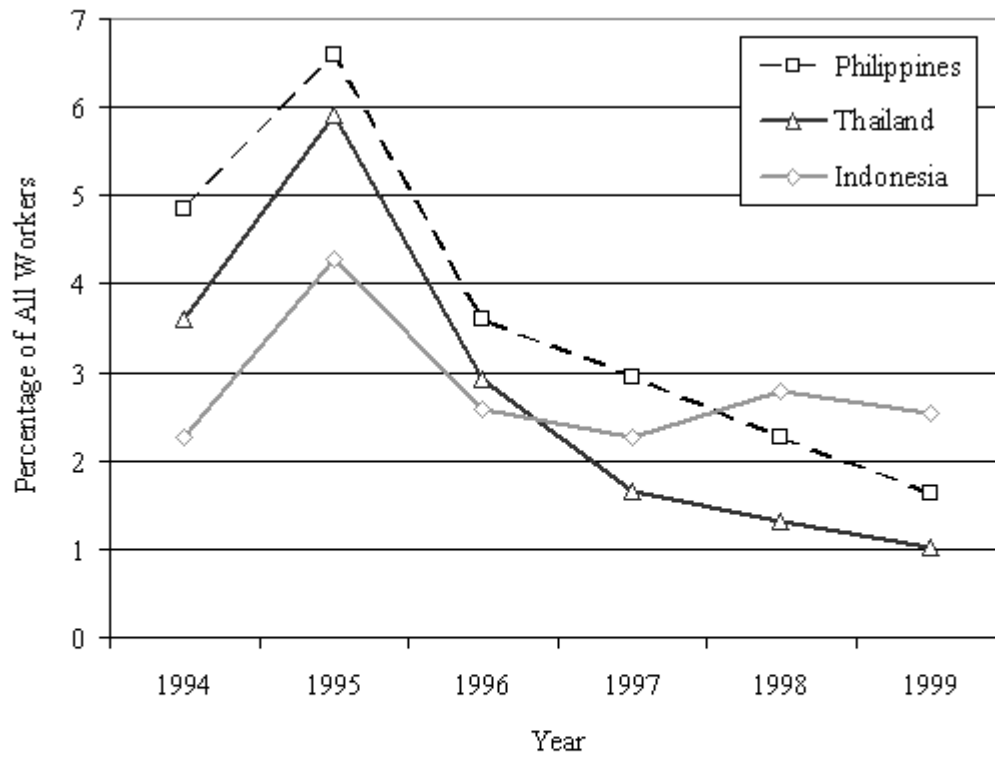
### *Taiwan Union Resistance*

Unions in Taiwan are extremely weak in their ability to provide strong representation for workers. Labor unions are usually tied to manufacturing sectors, but those unions are often funded by, and closely aligned with, the interests of manufacturers, rather than those of workers. Unions are also limited by laws that prohibit certain groups from forming larger unions, unions that could, in essence, paralyze Taiwan's day-to-day operation. As such, the unions in Taiwan had not been a force that had to be heeded. Some union activity, however, had raised issues to the Council of Labor Affairs concerning what was fast becoming a dual labor policy with regard to local versus foreign labor. In March 1992, the National Federation of Independent Trade Unions publicized the inequities of Taiwan's labor system by starting a signature campaign for "same labor, same pay" which would eliminate the fiscal advantages of hiring foreign labor and, therefore, only address the problem of absolute labor shortages (*China News*, March 31, 1992). Their activism criticized the Council of Labor Affairs for pitting local labor against foreign labor, and supporting employers rather than the Thai and Malaysian labor brokers who had tried to secure higher minimum wages for foreign labor than the

mandated national minimum. A swift response by the Council of Labor Affairs denied the trade union's accusations of working in the interest of businesses. The spokesman responded that the Council of Labor Affairs supported union calls for "same labor, same pay" for all nationalities in Taiwan (*China Post*, April 1, 1992). However, minimum wages for foreign workers remained at levels that were significantly lower than those of local workers and foreign workers and were also largely denied the freedom given domestic workers to bargain their wages rates with employers.

### *Contract Abandonment*

What has occurred since the inception of the legal labor migration period has been the penchant for some workers who have been dissatisfied with their conditions of employment (whether working conditions or the general treatment accorded them by employers) to abandon their contract and employer to accept employment from another source within Taiwan. From the standpoint of the government, this action is illegal because foreign workers are prohibited from working for any employer other than the one for whom they are contracted to work. Contract abandonment is, however, a common occurrence, although only practiced by a small minority of workers (Figure 4-2). This type of response (by workers) to job dissatisfaction is referred to by all involved parties – state and otherwise – as "runaway" workers. Because Taiwan's construction of the labor migration policy denies workers the opportunity to change jobs, the work contracts abandoned by foreign workers automatically label them as illegally residing in the country. While the term "runaway" conjures images and issues of slavery and ownership



**Figure 4-2: Percent Contract Abandonment by Nationality, 1994-1999**

Source: National Police Administration, Ministry of the Interior, R.O.C, 2000.

(a situation for all practical purposes that is true of Taiwan), it also exposes the rigidity of Taiwan's labor import policy. Within a year after the legalization program began, workers were choosing to abandon contracts (and jobs) rather than remain employed in poor work situations. Others were reported to be abandoning their contracts from the start in order to enter the country and then find jobs elsewhere on the island (*China Post*, November 28, 1991). Official statistics on "runaway" workers show declining percentages since a high in 1995, the high likely reflecting the end of contracts for the first large wave of workers, continued high demand for labor, and information networks.

Runaway workers have been an obsession for the Taiwan government from the start of the migration. Even though the percentage of workers who abandoned their contracts was extremely low – approximately 5% of the total number of foreign workers at its peak – Taiwan government officials were concerned because the legalization policy was designed as a mechanism for regulating and eliminating unauthorized workers. Worker resistance through contract abandonment has successfully thwarted government regulation of foreign workers (*China News*, December 28, 1991).

## SUMMARY

This chapter has reviewed the continuation of Taiwan's labor import policy from the beginning of its legalization into its period of stable, legal employment. In recognition of its local-labor shortage for government projects, and the severe effects of labor shortages on local industry – regardless of the reasons for these shortages – the Taiwan government has acted to open the labor market through a controlled quota. More

important than the quota are the methods by which the quota is expanded (and contracted) and the great concern over the speed and volume of foreign labor imports to Taiwan. The regulation of foreign workers and Taiwan employers of foreign workers represents the government's deep concern in controlling the process. Ironically, control over employers' treatment of workers is scant. Overlooked or ignored were the abuses of foreign workers' rights. Lay offs and deportations represent some of the convenient methods for dismissing foreign workers without due process. The role of the state continued to be a factor and became strengthened by linkage of labor import and financial ties and by linkage between labor import and political recognition of the diplomatically isolated island.

In the next chapter there will be more discussion of the intersection of foreign workers' interests, local workers' interests, and worker rights under Taiwan's ineffective labor laws. Also to be discussed in the following chapter will be the rise of resistance and labor activism, especially in the aftermath of the Asian financial crisis and recession that hit all of the states supplying labor, as well as Taiwan, their biggest trading partner. The role of the state continues to be a major factor in the labor import as a *quid pro quo* is established between those who wish to export labor to Taiwan and what the Taiwan government can receive in compensation for their opening of the national labor market to international "suppliers."

## CHAPTER 5

### REGULATION OF FOREIGN WORKERS, THE ROLE OF THE STATE, AND ECONOMIC DEVELOPMENT IN TAIWAN, 1995-2000

This chapter is designed to chronicle the contemporary operation and maintenance of the nearly 300,000-strong alien labor force. In the previous chapters much of the information and argument centered on how the labor-import policy came about and how such a policy was continually formed by the many factions – both governmental and industrial – that had a strong stake in its establishment and expansion. Many of these factions remain key players in the labor-import policy, and their influence must be accounted for during a prolonged period. Other aspects of the migration – more pertinent to the functioning of the Taiwan economy – must also be explored more intensely and brought to light. The importation of labor to Taiwan was, and today persists as, an economic process carried out to stabilize and aid Taiwan's national economy. The chapter, therefore, concentrates more fully on economic aspects of the migration, while retaining how important subtopics of the migration such as regulation, working conditions and abuses, and social factors are manipulated by all sides and actively resisted.

The first part of this chapter continues to examine the construction of the policy – most notably creation and maintenance of the foreign worker quota – but adds how overseas contract workers were regulated through various structures of the labor-import

policy, including such vehicles as extension of contracts and the percentage of foreign workers allowed in a business. Factors regulating foreign laborers that were outside the scope of the policy such as labor demand, policing through forced savings, forms of regulation through wage remuneration, opportunities related to investments, and issues of social conduct are also covered to indicate the types of institutional and social boundaries confining foreign workers. Exploration of additional foreign worker issues details the regulation of foreign workers by the police (the so-called “runaway workers”) and the regulation of labor brokers – which includes the regulation of employers, issues of Taiwan unemployment and the relationship to labor-import and regulation, workers’ fee structure and exploitation, and the use of supplement contracts as regulation. Finally, there will be a discussion of work conditions for foreign workers.

The second part of the chapter focuses on the role that government officials played, and continue to play, in labor migration to Taiwan. This involves critical scrutiny of the labor-import policy, especially with respect to analyzing the motivations built into its construction. These motivations include those of Taiwan (such as a national retention of capital, the attraction of new capital, and the protection of local labor) in an attempted reinvigoration of segments of the national economy and labor force, as well as those of the labor “exporting” states. I will show that these economic considerations were always important and became much more important later in the period when Taiwan firms and external governments were feeling the pressure of the Asian economic crisis.



## CONSTRUCTION OF THE POLICY

### **The Foreign Worker Quota**

As detailed in previous chapters, the regulation of the numbers of workers allowed to enter Taiwan legally was carried out through enforcement of a labor quota. The labor quota itself represents a site of struggle between factions. Well before the actual number of workers approved to work in Taiwan had entered, there was concern over the eventual entrance of large numbers of foreign workers. By the end of 1994 approximately 260,000 foreign workers had been approved by the Council of Labor Affairs to be hired to work in Taiwan, although the actual number of workers in the country was far less (Figure 4-1). The imbalances between approved and arrived workers were attributable to backlogs experienced by the large public demand, a demand that caused Taiwan labor leaders to consider halting new worker processing in an effort to catch up (*China News*, December 24, 1994).

Quota issues continually arose, beyond questions of raising or lowering the overall ceiling. An example of one of these difficult issues was whether the initial quota received by a company was to be retained so that workers could be replaced (*China News*, October 4, 1995). Days afterward the Council of Labor Affairs announced plans for the quota to be expanded by 40,000 workers in light of strong lobbying from industries that manufactured value-added products (*China News*, October 9, 1995). A survey of 139 industry associations concluded that Taiwan was in need of an additional 320,000 workers, a figure (albeit inflated) regarded as indicative of labor shortages. A later estimate placed the shortages at 30,000 at a minimum, with the strongest demand

originating in food and textile industries (*China News*, October 19, 1995). Furthermore, there was a distinct geographic unevenness to the distribution and availability of foreign workers. Firms operating in southern Taiwan complained that the Council's policy limit to particular industries, low quotas, and numerous employer restrictions left southern Taiwan employers with acute shortages (Figure 3-2). In addition, decision-making was so geographically concentrated in Taipei that firms in southern Taiwan, in places like Kaohsiung City and Kaohsiung County, were often physically marginalized from foreign worker availability (*China News*, October 11, 1995). Some industries complained more bitterly than others. Opposition to government limitations on the number of foreign workers was a call typical of textile firms (*China News*, October 12, 1996). The Taiwan Textile Federation, a powerful textile industry association, placed needs estimates for the industry at an additional 100,000 workers and threatened that without more workers they would be forced to move abroad, sparking a higher national jobless rate.

Pressure from such industries had an effect. A report in early November 1995 stated that then-Council of Labor Affairs Vice-Chairman Chan Hou-sheng had announced that the Taiwan government would likely establish a ceiling for worker imports at 250,000, which marked an increase over the 162,000 working in the country at that time but which also took into account a slowing economic growth rate, rising unemployment, and the small percentage of manufacturers (3%) that stated a need for more laborers (*China News*, November 9, 1995).

Those overtures were only months later counteracted by Council of Labor Affairs announcements to reduce the number of foreign workers on major construction projects

(as of March 30, 1996) as a strategy to raise national employment. The plan to cut the quota was designed to lower the high percentages of foreign workers employed in sectors such as construction. Restrictions such as these were seen by industrial representatives as impractical, with these representatives instead preferring a system that considered factors of sex, regional area, and depth of the labor shortage as gauges for setting the quota (*China News*, March 8, 1996). The period between March and June 1996 bore witness to a continued campaign by the Council of Labor Affairs officials (*China News*, April 22, 1996) and Council for Economic Planning and Development officials (*China News*, May 18, 1996) to reduce overall numbers. After months of public posturing, the Council chose not to act, citing the need to prepare Taiwan as an Asian-Pacific operations hub (*China News*, May 23, 1996).

This decision infuriated industrial executives – members of Taiwan’s Chamber of Commerce – whose ire was expressed directly to P.K. Chiang, Taiwan’s politically powerful Minister of Economic Affairs (*China News*, June 3, 1996). The formal announcement that the worker quota would not be changed was finally made public, citing the pressure from industries and P.K. Chiang’s suggestion to Council of Labor Affairs Chairman Hsieh that he reconsider his decision on quotas (*China News*, June 14, 1996). The proposal and its reversal represent the reactionary style of micro-management practiced by Taiwan’s policy-makers. The labor figures used to suggest the policy change were based on minuscule unemployment levels (1.8% for 15-18 year olds in March 1996, 2.1% overall in April 1996) which would be seen as economic success in many other national contexts (*China News*, March 30, 1996). These figures, Taiwan officials

contended, indicated that foreign workers were supplanting rather than bolstering the local workforce.

The chaotic nature of the quota was revealed in late July 1996 when the Council again reversed itself by instituting a “freeze” on the labor quota, effectively a reduction in the foreign labor force, despite resistance from other government offices responsible for commerce and infrastructure (*China News*, August 6, 1996). In time the Council on Economic Planning and Development also reversed its decision and supported the freeze, hoping it would snuff out the rising unemployment rate (Ide 1996) which had reached 2.35% by June 1996. While agreeing on the freeze, P.K. Chiang (the cabinet’s chief economic advisor) cautioned that, although the country had reached a ten-year high in the number of unemployed, some sectors still suffered shortages of labor (*China News*, August 23, 1996). In September the Council of Labor Affairs came to a compromise by maintaining a quota of 280,000 foreign workers, provided that national unemployment rates did not rise above 3%. This satisfied local business people (who were hiring foreign workers) and local labor supporters in the legislature (*China News*, September 2, 1996).<sup>1</sup>

The saga of the quota did not end there. A slump in the real estate/construction business and rising unemployment rates sparked another round of ideas to cut the foreign worker quota. The Council of Economic Planning and Development officials attempted to avoid a cut and instead suggested the idea of folding construction quotas into the

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<sup>1</sup>Council of Labor Affairs Chairman Hsieh had a long career as a proponent of labor and therefore continued to push for the hiring of local workers, at one point inviting top officials from companies employing more than 250 workers to a dinner party with the express purpose of drumming up opportunities for locals (*China News*, September 6, 1996).

manufacturing sector (*China News*, October 18, 1996). By January 1997 the quota was again under review (for reduction) because of an alleged surge in the crime rate by foreign workers, with worker contract abandonment (i.e., runaways) the prime concern of Council of Labor Affairs officials (*China News*, January 17, 1997). However, it seems demand for workers far outstripped justifications for reducing the quota as the “nanny ban” was lifted (*China News*, January 18, 1997) and the recognition of sectoral shortages became apparent (*China News*, January 27, 1997b). Even though this shortage was recognized, Council officials had to operate with extreme care when attempting to balance interests of local labor with those of big business.

A plan to better monitor the discourse between the two groups prohibited employers from dismissing local laborers in an effort to hire foreign workers. For example, companies with over 200 employees were prohibited from hiring foreign laborers if statistics indicated that they had laid-off more than 16% of their local labor force in the previous two years. The rules – although slightly different for large, medium, and small-sized companies – governed the labor of all companies (*China News*, March 12, 1997). Further complicating the issue of a workers’ quota was a jointly created plan to enlarge the number of nations approved to export labor to Taiwan. Explaining the reason for expansion, Economic Affairs Vice-minister Chang Chang-pang said “employers have been requesting that we also allow laborers from other countries like China and Vietnam to come over” (Ide 1997: 3). The approval of other countries also fell into line with efforts to gain diplomatic recognition from a greater number of countries worldwide (Lin 1997b). In describing the condition of the quota, Council of Labor

Affairs Vice-Chairman Chan Hou-sheng said that “the overall quota for foreign laborers will remain at 290,000 and not exceed it,” even though this reflected a rise of 40,000 over a similar declaration made in 1995 (*China News*, November 9, 1995).

A promise made in April 1997 opened 20,000 more foreign worker opportunities for firms that could demonstrate that they currently had no foreign workers on their payrolls. However, that was rescinded in favor of a one-year extension of current foreign workers’ contracts because of unemployment concerns and local labor union resistance to increased labor imports (*China News*, June 17, 1997). As expected from the history of previous cancellations or quota reductions, industrial and business representatives lodged strong complaints. These complaints could have been the root cause of an announcement made five weeks later that not only increased overall labor-import quotas for Taiwan but also lifted special quotas assigned to specific industries. The difference between this quota move and others like it was the coupling of labor-import with international recognition at the local level in the form of a representative office (*China News*, July 24, 1997). As a result of this stipulation, the number of countries that could eventually be approved rose to include Vietnam, Fiji, Nicaragua, El Salvador, Belize, Costa Rica, Panama, Honduras, and several Caribbean island nations. The expansion in the number of states had the potential for even more diversity. Both Cambodia and North Korea also expressed interest in exporting workers to Taiwan, but were not immediately considered because of turmoil in both places.

Another announcement at July’s end marked the decision of the Council of Labor Affairs to increase the labor quota by 38,000 workers (to a total of 282,000) while the

numbers of unemployed workers rose steadily (*China News*, July 31, 1997). Further deepening of the commitment to imported labor was in evidence in September 1997 with the announcement made by Hsu Chieh-kui, then-Chairman of the Council of Labor Affairs, of an additional extension year to current foreign worker contracts (from three to four years). The decision to extend workers' contracts was described as assisting Taiwan employers in cutting production costs incurred during the training of new foreign workers. An additional reason for the extension plan was the belief that it would reduce the number of contract abandonments, seen as occurring because of the time limitation imposed on foreign workers and the resulting limited time one can earn money and recoup outlays for overseas contracts (*China News*, September 5, 1997). The Council also proposed an increase in the monthly minimum salary from N.T. \$15,360 to N.T. \$16,000, as well as an examination of whether the room and board cost responsibility currently shouldered by employers should be transferred to the workers themselves. Accompanying the proposed change in duration of foreign worker contracts was the decision to raise the quota on foreign workers to a new maximum of over 300,000 laborers (*China News*, September 9, 1997). This was fostered in large part by what was called an acute shortage of labor and fueled by a declining unemployment rate. Council of Labor Affairs labor statistics boosted Taiwan government resolve to raise the quota by exposing average monthly labor shortages of 190,000 workers during the period between January and April 1997, and bringing officials to the realization that the need for labor was acute, especially for construction labor on public infrastructure projects that typically required four to five years for completion (*China News*, November 7, 1997). Proposals

such as these were not guaranteed to be implemented simply because of public announcements. For example, the July proposal to import an additional 38,000 workers, scheduled to occur in November, was delayed because of a boycott by legislators who claimed that a rising foreign worker crime rate required its repeal (*China News*, December 4, 1997).

The threats to reduce the quota were in many cases hit head-on by survey research conducted by the Directorate General of Budget, Accounting and Statistics indicating thirty % of the unemployed rejected menial jobs because of low pay (*China News*, September 13, 1998). The only loopholes in the limiting quota which remained available were the need for labor on government construction projects (originally a 65% maximum), and the foreign worker entries for companies investing over 200 million New Taiwan dollars (U.S. \$5.8 million) in expansion or capital investment (originally a 50% foreign worker maximum). As it had done in the past, the Council of Labor Affairs proceeded cautiously because of worries over public perception of the labor-import policy in the face of what was (for Taiwan) high unemployment at 2.93%. However, the exceptions to this prudence were the aforementioned allowances for government construction projects and investment projects totaling N.T. \$200 million (*China News*, September 12, 1998). A decision at that time was to eliminate future labor imports for selected industrial sectors: low-value manufacturing, declining industries, and heavy polluting industries. Later calls for more foreign workers were entertained in response to a call for the import of 3,000 foreign workers to function in retired men's homes (*China News*, February 2, 1999) and another call for 38,000 workers from textile and metals



industries (*China News*, March 17, 1999). Even with mounting pressures from these groups Council of Labor Affairs Chairman Chan Hou-sheng refused to raise the quota (*China News*, April 1, 1999), in part because of competing pressure from labor groups like the Chinese Federation of Labor (*China News*, April 4, 1999), but also by legislators voicing their concerns over what they see as a government policy contradiction of simultaneously funding R & D for job creation and making those jobs available to foreign workers (*China News*, April 24, 1999).

### *The Maid Quota*

The quota for domestic helpers as seen in other chapters has always been an issue of contention. The Taiwan government's pace for approval of more maids was, in the beginning, very deliberate and that cautiousness continued. In late 1995 a proposal was made to lift a special freeze placed upon the maid quota (*China News*, October 6, 1995). The move was made in response to overwhelming public demand for domestic helpers as measured by a Council of Labor Affairs survey. The survey found that 110,000 families in Taiwan would like to hire a foreign maid. An attempt by Taiwan officials to more strictly regulate domestic helpers outlined a draft of a contract that would include a 40-day probationary period for workers in response to employer complaints of worker laziness and thievery. Maids would receive a day off per week, overtime pay for work on days off, and a seven-day paid vacation after one year of employment (*China News*, August 16, 1996). Some issues related to the overwhelming dominance of Filipina maids began to creep more into public discourse. Issues of which nationalities could be tapped

in the future and expansion of the quota circulated around communication and cultural similarities. A suggestion from some Taiwan parents that the Council consider hiring mainland Chinese domestic workers was discovered in a survey conducted by a local researcher (*China News*, July 2, 1996).

In January 1997, the Council of Labor Affairs loosened restrictions that limited families' ability to employ foreign domestic helpers. Citing the persistently high demand for maids and the recognition that domestic servants would not foster higher unemployment, the Council reversed a ban on domestic helpers. The reversal was also driven, at least in part, by the results of a survey indicating that in one-quarter of families employing domestic helpers, women employers returned to the workforce (*China News*, January 18, 1997). Thus, the invitation for more maids was seen as having a positive effect on local women's employment opportunities.

## REGULATION OF WORKERS, LABOR BROKERS, AND EMPLOYERS

### **Regulation of Workers by Policy**

This section details the numerous techniques that were employed to regulate workers either by their overall numbers via length of contracts and extensions, the percentage of foreign worker that could be employed by any firm, or through the conflict between broker/industry demand and political resistance. Other methods were designed to keep workers disciplined and thereby obedient to the firms in which they were employed. These disciplining tactics included forced savings, regulation of workers

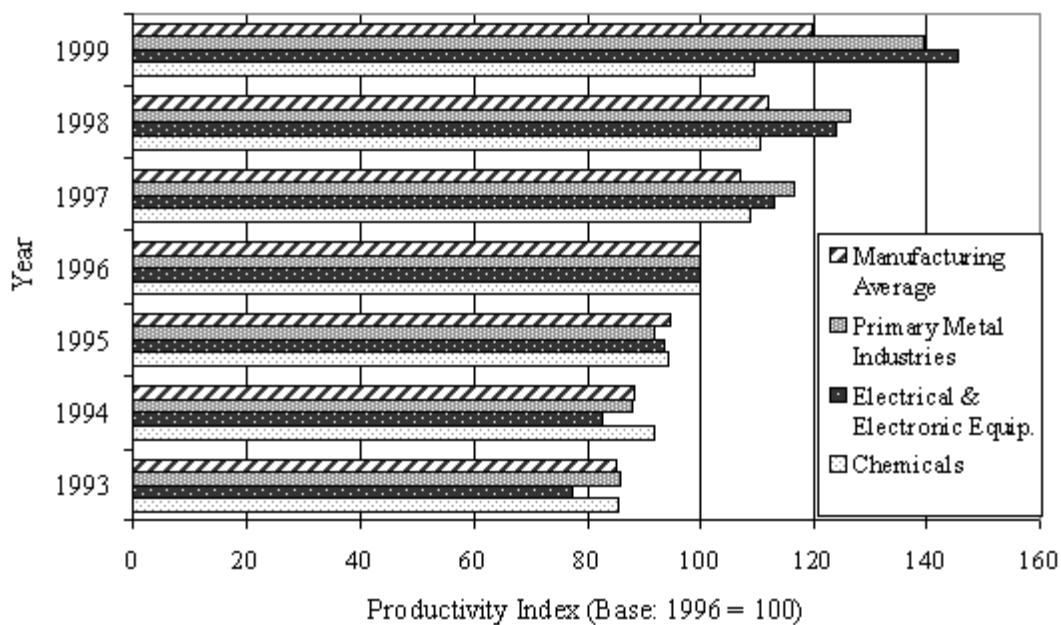
through wages, investment-based labor opportunities, and finally efforts at social regulation.

### *Contract Extensions*

In mid-1995 the Council of Labor Affairs floated the concept of extending the visas of overseas workers already working in Taiwan from their initial one-year non-renewable contract (extendable to two years) to a nonrenewable four-year contract (*China News*, August 10, 1995). Private firms already supported longer contracts as a method for reducing training time, with the benefits being more efficient production. This style of making public statements prior to implementation was a consistent way of measuring public sentiment for changes in regulation or quota increases. This strategy would also reduce any public pressure balking against the overall numbers of foreign workers (seen as an increasing social problem) simply by extending current workers' stays longer. A change in Council regulations was announced in August 1996 allowing those employers who wanted to keep workers (whose contracts began after 1994) to do so by applying for permission to extend the worker permit another two years after the initial two years had lapsed. This shift was one lobbied for by the Chinese National Federation of Industries representing domestic businesses that had a distinct reliance on foreign labor (*China News*, August 1, 1996). Extension of work permits was finally instituted in late May 1997 allowing original two-year permits to be extended an additional year at the end of the contract (*China News*, May 31, 1997). This contract duration was the standard determined by Taiwan officials in the various decision-making arms of the Council of

Labor Affairs, the Ministry of Economic Affairs, the Department of Health, the Ministry of Foreign Affairs, and the National Police Administration.

Manufacturers, however, long pined for a more liberal employment policy, one that would not simply apply bandages to what they considered a chronic problem of labor undersupply. In 1999 a proposed deviation from the prior conservative approach taken by the Taiwan government, namely a shift to a new six-year contract limit for foreign workers, was proposed. The six-year proposal was initiated to remedy slowing production and reduced overall worker productivity that was a product of the necessity to frequently train new workers. This necessity, which was a consequence of the three-year contract limit, was something which manufacturers and government officials sought to eliminate, especially in light of Taiwan's huge success in maximizing worker productivity during the 1990s (Figure 5-1). In June 1999 the proposed change to a six-year contract was only in the first stages of approval by the Taiwan government ministries, having only passed Council of Labor Affairs muster before heading to the legislature (Feliciano 1999j). The proposed change, if instituted, would not fundamentally alter the way that foreign workers were regulated in Taiwan, since long-standing checks such as annual worker reviews and medical exams would continue, and worker insecurities like the right of the employer to terminate contracts on the anniversary of their signing would maintain employer control of labor. What the change would achieve would be control of foreign sources of labor for the benefit of employers and – in cases where production continued unabated – give international contract workers the opportunity to double the span of their



**Figure 5-1: Selected Labor Productivity for Taiwan Manufacturing, 1993-1999**

Source: Monthly Bulletin of Statistics, Directorate-General of Budget, Accounting and Statistics, Executive Yuan, R.O.C., October 2001.

employment in Taiwan.<sup>2</sup> Reforms to the policy continued to favor employers over workers. For example, Council consideration of the possibility that foreign workers abused by their employers would be able to change jobs was floated at the end of 1995. Regulations in force at the time enabled employers to fire workers and repatriate them if disputes arose between the two parties. Furthermore, Taiwan law forbade workers from looking for alternative employment (*China News*, December 28, 1995). While this change later became instituted as part of the policy, it offered little or no protection to foreign workers because of the complexity of having an abuse claim be accepted.

#### *Foreign Worker Percentage*

Foreign labor was often under verbal attack from various groups inside and outside the Taiwan government. A change in regulation instituted by then-Council of Labor Affairs Chairman Hsieh Shen-shan stipulated that employment of foreign laborers could not exceed 30% of an employer's payroll (*China News*, December 31, 1995). This change was hastened by a slight rise in unemployment figures, but more importantly because of statistics that described large-scale construction job loss for aboriginal Taiwanese. Aboriginal Taiwanese also let their case be known in protest. The Aboriginal Labor League staged a May Day sit-in at the Council of Labor Affairs to protest what they saw as a policy that was eclipsing their ability to keep jobs in the construction industry (*China News*, May 1, 1996). The plight of indigenous Taiwanese

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<sup>2</sup>The six-year maximum stay contract (a single three-year contract which could be renewed for another three years) was approved by the Taiwan government in December, 2001 (*Taipei Times*, December 22, 2001).

was clearly heard as the Council offered to begin a quota on the number of indigenous Taiwanese that must be hired by businesses – and offered subsidies to those businesses that hired them – as a way of reducing the minority group’s 10% unemployment rate (*China News*, September 10, 1996). Subsidies for hiring aboriginal Taiwanese were offered by the Taiwan Provincial Government’s Department of Labor Affairs and amounted to offers of N.T. \$2,200 per month to private businesses for each indigenous Taiwanese worker hired. Construction firms engaged in building major public projects were especially targeted with an offer of increased quotas for foreign laborers, provided that these firms hired more indigenous Taiwanese workers (*China News*, April 30, 1998).

#### *Labor Broker and Industry Demand*

Changes were also sought by labor brokers. Brokers attempted to convince the Council of Labor Affairs to allow workers who had already become trained in jobs to renew contracts rather than being forced to return home. Brokers testified that firms preferred to hire experienced workers and that this regulation was circumvented by resorting to illegal contract renewals. Brokers also complained about the uneven way that the policy was administered, with constant changes in policy and repeated quota freezes and restarts that left employer demand high and worker availability limited (*China News*, July 5, 1996).

Eligibility of employers changed with the shifting of production and labor need within the Taiwan economy. Labor-law changes were under consideration in mid-1996 when Council officials began planning for the approval of additional industries to those

73 approved in 1993, under the last major overhaul of the labor-import policy (*China News*, May 30, 1996). The change was to allow companies that did not have a great need for foreign workers in the policy's infancy – such as computer manufacturing companies – to take advantage of the program. The proposed change in the policy limited foreign worker disbursements to a four-year limit revising a provision that had previously allowed companies with foreign workers to continue hiring them – thus providing these firms with the perpetual advantage of retention of a part of the foreign worker quota. The change would eliminate the indefinite grant of foreign workers and allow other sectors and businesses to take advantage of foreign worker hiring (*China News*, May 31, 1996). The sectors to be affected by this change were high-tech and high value-added industries, industries which Taiwan was trying to attract and keep.

### *Forced Savings*

In an effort to combat foreign workers' abandonment of their contracts, Taiwan officials suggested the partial withholding of salary (until completion of the contract) as an incentive for workers to return after their contract was fulfilled, rather than to disappear before the contract's end in order to work longer. While the suggestions made to employers are believed to have been attributed to Taiwan officials creating a de facto "forced savings" policy, no direct link could be made until Council of Labor Affairs Chairman Hsu announced that he had reached a consensus with labor ministers from both Thailand and the Philippines to force workers to deposit one-third of their salaries as a method to discourage desertion of their contracts (Feliciano 1997o). Reaction to the



institutionalization of forced savings was swift. Sister Bernadette Chen of the NGO Migrant Workers' Concern Desk expressed dismay, saying "I am afraid that they [employers] would be using this to impose 'control' on migrants. This is tantamount to treating them as 'second class' citizens and 'inferior' people." She further commented, "These people [migrant workers] are old enough to decide on how their money should be spent" (Feliciano 1997o: 3). Father Edwin Corros of St. Christopher's Catholic Church provided testimony that refuted the power of forced savings: "I know some workers who have more than N.T. \$100,000 in 'forced savings' and yet, they did not hesitate to desert their jobs" he said (Feliciano 1997p: 3).

The workers themselves objected to the proposal and the collusion between government officials from Taiwan and the labor exporting countries. The issues for workers centered around multiple themes: the desperate need for access to salary earned in Taiwan for remittance to pay bills in the Philippines (or Thailand or Indonesia), the burden that forced savings placed on workers' resource liquidity in Taiwan, the vulnerability of the practice to abuse by employers and brokers, and the paternalism of government officials to rectify a problem (contract abandonment) driven by poor working conditions and violations of labor-import policy guidelines (*China News*, October 12, 1997). Filipino workers were already providing anecdotal evidence for their fears. "Narry" wrote to the *China News* in response to a call for opinions, telling the newspaper "one of my friends recently went home without getting her tax refund and compulsory savings. Another friend said her employer promised her that she would get her money at

the airport. When it came time to board the plane, her employer disappeared” (*China News*, October 12, 1997).

### *Regulation Through Wage Remuneration*

Indications of the “value” of hiring foreign labor in manufacturing come from official statistics on the wage increases in relation to manufacturing originating in other Asian countries who represent Taiwan’s export competitors. The Council for Economic Planning and Development, a government-run economic policy think-tank, reported that Taiwan’s wages grew more slowly than prime competitors Singapore and South Korea (*China News*, June 2, 1996). The report cited that in the ten-year span between 1985-1995, wage growth was slower and average wages paid to workers in manufacturing were lower than all countries except the People’s Republic of China. The data within the report were seen as enhancing long-term growth competitiveness.

Several months later (in July 1996) a debate arose regarding the national minimum wage and a Council of Labor Affairs plan to allow labor and management representatives to negotiate and set a new minimum wage, a change from previous years when it was under their sole control. The precursor to this debate was a survey of Taiwan employers (conducted in late 1995) which found that employers of foreign workers paid them 93% of what a similar local worker earns (*China News*, February 24, 1996). The importance of the national minimum wage hike was only for specific groups, those who could be characterized as the least powerful of all laborers: migrants, women workers, indigenous Taiwanese, disabled workers, and workers over 40 years of age. The parties

designated to negotiate the minimum wage increase were the Chinese National Federation of Industries and the national labor union, the Chinese Federation of Labor (*China News*, July 24, 1996). Pressure to keep wages low was fierce. P.K.Chiang, the chairman of the Council for Economic Planning and Development, balked at the idea of raising the minimum wage, saying “at this time, when the economy remains sluggish and the unemployment rate is high, upward adjustment of the minimum wage may further dim job prospects for many job-seekers,” and he strongly suggested that the Council of Labor Affairs reject any such adjustment. Chiang used an unsettling example to drive home his position, stating that giving labor unions more power in Taiwan – such as giving them a voice in setting the minimum wage – was unwise, and he cited the strength of labor unions in the Philippines as the cause of Filipino workers seeking employment overseas (*China News*, July 28, 1996), an example that by implication said that such a move would take Taiwan down a path toward economic ruin.

Officials at the Ministry of Economic Affairs joined the Council on Economic Planning and Development in rejecting a hike in the minimum wage. The Minister of Economic Affairs, Wang Chih-kang, also suggested that the Council of Labor Affairs relax labor quota restrictions for foreign workers, citing Taiwan’s labor shortage. Wang was also reported as saying that the Ministry of Economic Affairs would help small- and medium-sized businesses (the businesses frequently employing foreign workers) to overcome labor difficulties (*China News*, July 30, 1996). The minimum wage was increased; however, the Chinese Federation of Labor and the Chinese National Federation of Industries agreed in principle that adjustments to the minimum wage would only apply

to local workers. The agreement served both parties' philosophical interests: the industrial group wanting to preserve low levels of financial commitment while the labor union expressed the opinion that local workers did not benefit from foreign workers being protected by a higher minimum wage. Furthermore, both groups vowed to lobby the Taiwan government to immediately strip foreign workers from minimum wage protection (*China News*, June 13, 1997).

Further pressure on the minimum wage – especially for foreign workers – was exhibited in early 1998 when the Council officials advanced a proposal for a dual wage system encompassing a “basic” wage and a “minimum” wage, an idea that was designed to appease employers who were repeatedly complaining to the Council of Labor Affairs about the high cost of maintaining foreign labor (i.e., rooms, food, water, and utilities). An announcement by Council chairman Chan Hou-sheng called for the termination of the foreign workers' minimum wage of N.T. \$15,840 in favor of a basic wage of approximately N.T. \$11,000, reflecting those costs formerly shouldered by the employers. When probed about the potential change, Chan was quoted as saying the idea was “merely a thought.” However, it drew angry responses from labor advocates, Philippine labor representatives in Taiwan, and the head of the Philippine Overseas Employment Administration in Manila (*China News*, March 31, 1998). Philippine labor representative Gerry Cirilo was steadfastly against any plan that enabled employers to deduct room and board from maids and caretakers, already the lowest paid class of foreign workers in Taiwan. However, Cirilo did not make the sweeping rebuke that would normally be expected from an official representative of the Philippines in Taiwan. Rather, his

statement reflected a need for high-level resolution: “this is an issue that must be resolved between POEA head Felicísimo Joson and CLA Chairman Chan Hou-sheng,” said Cirilo (*China News*, April 19, 1998: 14).

Policy rollbacks designed to eliminate the minimum wage protection were guaranteed by the Taiwan Labor Standards Act. The decision by the Council of Labor Affairs to withdraw foreign domestic helpers and caretakers from umbrella protection by the Labor Standards Act paved the way for the above mentioned (and long-rumored) basic wage plus room and board wage structure, as well as for removal of medical insurance coverage (Feliciano 1999a).

#### *Investment-based Opportunities*

Restrictions on foreign workers were accelerated and regulation crafted to minimize the Taiwan employer reliance on imported labor, especially in reaction to increasing unemployment figures. Changes aimed at further regulating the import of workers hinged on the tightening of two policies: the linkage of special 50% labor-import dispensations to investment minimums (the Taiwan equivalent of U.S. \$6 million in 1999) and the stipulation that foreign workers could comprise only a limited segment of any company’s workforce (24% in 1999). Both policy measures were under review in mid-1999 with suggestions of narrowing the investment linkage loophole by raising the investment minimum by 150% (to the equivalent of U.S. \$15 million) and by shrinking the allowable percentage of foreign labor employed in firms (*China News*, April 4, 1999).

### *Social Conduct Regulation*

The regulation of workers was also achieved through several social means. Workers' conduct in Taiwan was one issue. More precisely, one single issue worried government officials and employers alike: workers' sexual relations while working in their country. As noted earlier, restrictions essentially prohibited female domestic servants' latitude to engage in a life that included sexual freedom because of the consequences that pregnancy would bring (hence the rules on contract nullification and deportation). Certainly, a double standard existed for male foreign workers, if only by biological limits. Male construction workers were sometimes disallowed the opportunity to engage in sex in housing provided by the companies, but these companies also discouraged sexual relations outside the worker compounds because of a fear that such activity would affect Taiwan's population structure and increase the incidence of sexually transmitted diseases (*China News*, May 13, 1996). Complaints of any kind about the conditions of employment could be and were often countered with the most severe non-violent regulatory measure available to employers: deportation. Labor migrant advocate Sister Bernandette Chen recalled a Thai worker who was the subject of such a regulatory practice: "the worker was being sent home because she complained of the ill treatment she and the other Thai workers were receiving at a garments factory. It was also management's way of warning the workers to shut up or they would be sent home just like her," Chen was quoted as saying (Feliciano 1997m: 14). Whether workers wanted sexual freedom or humane working conditions, legal and illegal regulations were put into place to ensure their obedience.

## **Regulation of Workers by Police**

### *“Runaway” Workers<sup>3</sup>*

The battle over the importation of foreign labor and illegal foreign workers is one of most enduring issues since the initial illegal importation in the early 1980s. Many schemes were devised to halt the activities of illegal workers. Those schemes ranged from official involvement of state representatives (detailed in earlier chapters) to efforts at policing illegal migrant workers directly. While efforts at direct policing have been attempted, they have not met with great success. Rather, some of the efforts have been steeped in controversy. One such strategy was the award of cash bonuses for every illegal worker captured by the police. This program, initiated by the Council of Labor Affairs, followed upon a similar program that had been used against illegal Chinese laborers from the mainland, Taiwan’s recognized enemy. Council officials noted an increasing number of “runaway” workers (i.e., workers who abandoned their contracts, or who never had them) and, as the regulatory body for foreign laborers, it was ultimately responsible for accounting for their whereabouts.

In order to meet this responsibility the Council of Labor Affairs offered cash bonuses to police who apprehended illegal foreign workers during a specific period (*China News*, October 2, 1995). This spurred Taiwan’s National Police Administration to become more active in attempts to arrest and deport illegal foreign workers. Ironically, the awards were supplied from the Council’s Employment Stabilization Fund, a fund

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<sup>3</sup>The term “runaway” is the one most commonly used. However, I prefer to refer to this as contract abandonment. Official statistics kept on foreign workers who abandon contracts call them “alien escapes.”

designed to bankroll training projects and unemployment benefits for local workers. Although the cash rewards program was severely criticized (Feliciano 1995c) the pressure to arrest illegal foreign workers was escalated upwards by the NPA, which further increased bonuses for arrests and decreased the number of arrests necessary to attain such bonuses. National crack-downs on illegal workers were organized like wild turkey shoots. One such action ordered by the National Police Administration instructed police departments to arrest up to 1,000 illegal workers (Feliciano 1995d). Demerits were to be issued to police departments that failed to meet daily quotas for apprehended workers (*China News*, October 3, 1995).

Police informants also became caught in the frenzy over the need to locate illegal foreign workers. Rewards for information provided by informants and leading to arrests jumped to nearly U.S. \$100 (*China News*, October 5, 1995). The zeal of police to catch would-be illegal workers reached a crescendo when they began harassing workers on their way to church (Feliciano 1996a), an activity that drew protests from the Philippines's representatives in Taiwan who urged the Ministry of Foreign Affairs to end the practice (*China News*, February 12, 1996). The stepped-up enforcement was an attempt by the Council of Labor Affairs to limit contract abandonments during their peak season (Chinese New Year) through expanded policing. The crackdown, called the "Spring Peace Operation," offered N.T. \$1000 to anyone who provided information leading to the arrest of an illegal worker and N.T. \$1500 to expose employers who hire illegal workers (*China News*, February 7, 1996). An NGO leader summed up the operation in



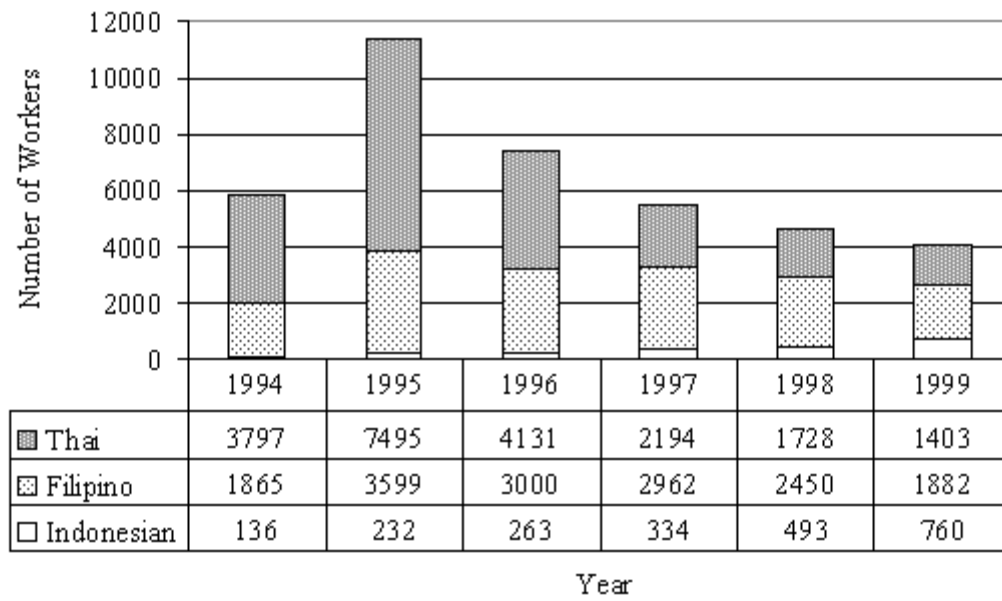
condemnation, saying “I don’t feel comfortable about this reward system. It’s like you’re hunting for prey” (Feliciano 1996c: 3).

Efforts to curb the number of illegal foreign workers and reduce contract abandonment regularly failed. In mid-1996, police statistics indicated that 20,000 workers had abandoned their contracts since the policy’s inception in 1989. Figures from 1995, however, alarmed Taiwan authorities (Figure 5-2), with over 10,000 abandoning their contracts in that year alone (*China News*, May 19, 1996). In trying to combat both the numbers and the embarrassment of unaccounted workers the police resorted to harassment tactics. Plain-clothed police carried out identification checks in and around Catholic churches to catch Filipinos, and raided public restaurants frequented by Thai laborers (*China News*, October 28, 1996).<sup>4</sup>

The reasons for foreign worker contract abandonment are contentious. Taiwan government officials alleged that foreign workers were abandoning their contracts because of a lack of desire to return. That lack of desire was also characterized as workers saving irresponsibility and thus the need to stay longer in order to meet their earnings goals. However, some of the workers themselves have pointed out that they have abandoned employers first and contracts second, often sacrificing accumulated forced savings that were collected by employers to prevent them leaving their contracts. Absent in the debate over what the Taiwan government calls “runaway” workers is the

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<sup>4</sup>While their tactics were extraordinary they did not reach the level of those in Malaysia which announced a plan to flog illegal foreign workers who had been apprehended a second time (*China News*, October 19, 1996) or the killings that marked Malaysia’s forced return of illegal Indonesian migrant workers (*China Post*, March 27, 1998).



**Figure 5-2: "Alien Escapes" of Workers by Nationality, 1994-99**

Source: National Police Administration, Ministry of the Interior, R.O.C., 2000

evidence that workers have always left their jobs on their own impetus. For example, evidence of illegal labor brokers' recruitment and enticement of legal foreign workers to abandon their contracts was a way for brokers to make additional money in the face of failing profits from contract extensions (*China News*, July 3, 1997). In any event, contract abandonment declined significantly in the years since 1995, in all likelihood the result of measures made by Taiwan to extend the contracts of foreign workers past the initial two years, as well as the introduction of institutionalized (forced) savings.

In September 1997 a Council of Labor Affairs report employing their latest figures calculated that there were 30,000 foreign workers who had abandoned their jobs, representing about 10% of the total number of foreign workers introduced into Taiwan that year. Council Chairman Hsu Chieh-kwei reiterated concerns about the number of unregulated foreign workers and dredged up thoughts of using the award schemes of the past (*China News*, September 17, 1997). Council of Labor Affairs reports of new efforts to catch illegal workers continued (*China News*, October 23, 1997). All of this rhetoric seems to have been produced under pretense since official statistics indicate that the scope of workers unaccounted for was far less. In spite of this reality, the Taiwan government's concern about illegal foreign workers continued to generate reaction. In mid-1999 the Ministry of Economic Affairs allocated funds to build a foreign worker "management center" in an effort to ensure public order and security in the face of what the Taiwan government perceived as large numbers of unaccounted laborers (*China News*, May 4, 1999).

## **Regulation of Workers by Labor Brokers**

### *Fee Structure and Exploitation*

Just as much a part of the employment process as seven-day work weeks and questionable standards of accommodation were the persistent difficulties of excessive placement fees and service fees which encumbered (and indentured) workers. Placement fee issues had been part of the labor migration process for all workers even before the legalization of such migration. Besides being high at the inception of labor-import, placement fees drifted ever higher and increased rapidly when Taiwan changed the law to allow longer duration work contracts. When Taiwan authorized third-year extensions for foreign workers contracts, release of the statement led to abuse. Subsequent protests to the Council of Labor Affairs about third-year extension fees led to a declaration by Taiwan labor officials that said fees were illegal. With the regulation in place denying the broker the ability to collect such fees, they turned to a more covert method of charging “service fees,” a combination of processing and consultation fees that amounted to retribution for losing the right to charge workers for contract extensions (Feliciano 1998b).

### *Supplemental Contracts*

An enduring problem in the importation of foreign labor has been the coercion of workers into signing so-called supplemental contracts, agreements that effectively invalidate the original contracts which had been overseen by officials in the sending country before arrival in Taiwan. The contracts have proved problematic for workers and

labor officials alike. Overseas Workers Welfare Administration Officer Mario Antonio explains: “if the worker signs the side [supplemental] contract, it automatically invalidates the original one signed under Taiwan law” (Feliciano 1999a). Conversely, workers like Nenita, a Filipina domestic helper, believe “if we don’t sign it, we would likely be sent home the next day...no one wants to be sent home, especially if we only borrowed the money that we paid our brokers” (Feliciano 1999a: 13). The dilemma places each worker in an inescapable situation that they are forced to accept.

### **Work Conditions**

With the formal and informal regulations, and the need for earnings to pay off contracts keeping workers employed under less than ideal supervisory conditions, work conditions also contributed to worker dissatisfaction. The conditions under which foreign workers lived and labored were notoriously poor. Usually unreported, these conditions included crowded dormitory facilities, poor sanitation, and rodent infestations.

Employment in Taiwan was so fraught with problems that the Philippine Overseas Employment Administration in Manila instituted a change in the way that laborers were prepared for a contract job there. Instead of providing newly departing workers with Manila Economic and Cultural Office’s address and phone numbers (already indicating the need for such contacts), the Philippine Overseas Employment Administration began issuing stickers to be affixed to workers’ passports to ensure that the information was available to workers, as well as being part of the documentation process (*China News*, April 28, 1996). Ironically, those are the same passports that are routinely confiscated by

employers or labor agent/brokers to ensure that workers will not later abscond from their employer after arrival in Taiwan. Other instances of poor working conditions were less tasteful. Several cases of severe neglect were reported.

For example, a report at a work site chronicled the story of 68 Thai workers being forced to eat stray dogs to survive in response to being stranded by their Taiwan construction company's bankruptcy. This was one of the most serious cases of worker neglect and irresponsibility toward foreign workers (*China News*, December 18, 1996). The workers in this case were trapped by the transition from one company to another. Oddly, a Thai labor official (and not a Council of Labor Affairs or Taiwan official) refuted the claims that the workers had been abandoned and left to fend for themselves. The unnamed official said "they are not starved... we made sure that the workers have had a food allowance during the transition period" (Feliciano 1996o: 3). The situation of the Thai was confused by the conflicting reports. On the one hand local (Taiwan) civic leaders were said to have donated a truck load of food, while the Thai labor representative maintained that "contrary to media reports, the workers have been receiving daily food allowances until they can start working again" (Feliciano 1996o: 3).

The work conditions in many jobs performed by overseas contract workers have been documented as less than satisfactory. Employment for these workers was often carried out in small- and medium-sized factory enterprises of fewer than 100 workers. Working conditions for Thai, Filipino, and Indonesian laborers in Taiwan were an issue that was brought to public consciousness often, by local labor unions, by the Council of Labor Affairs, and by the foreign workers themselves. Council inspections conducted

between June 1993 and July 1994 found that 18 of 89 firms were in severe violation of labor laws by not allowing employees one day off per week and having employees exceed the maximum allowable overtime limits for employees. In an attempt to create better conditions under which foreign laborers toil, the Council of Labor Affairs decided to reduce foreign worker quotas in companies employing at least 500 workers if those companies had high fatal accident rates (*China News*, March 17, 1999). A 10% reduction was mandated when fatal accident rates exceeded 0.5% annually. On the job injuries and illnesses occurred often. A famous case of Filipino foreign workers taking ill on the job involved workers employed by Philips, the Dutch transnational electronics giant, which has employed many foreign workers in a number of different production plants in Taiwan as part of a global restructuring of production (Muntendam 1989). In mid-1996, workers at Philips plants started becoming ill from an unknown and enigmatic affliction (Feliciano 1996l). Because of its unknown origin and difficult diagnosis and treatment, the disease came to be known by its common description, the “mystery illness.”<sup>5</sup>

Stress proved to be a large factor in the lives of foreign workers. Often, workers were left with anxiety over their failure to accumulate the vast amounts of money they anticipated when they signed contracts and migrated to Taiwan to work. In addition to

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<sup>5</sup>The mystery illness in nearly every case was tied to employment at Philips. Six workers were initially stricken, and between August and mid-December 1996, and another 20 were diagnosed (Feliciano 1996k). By February 1997, fifty Filipino workers had been infected, 43 of them at two Philips plants, with several cases leading to fatalities (Feliciano 1997a). Since, in all of the cases, workers were recruited by the same labor agent in the Philippines and Taiwan it was suspected that the illness was tied to the use of deworming medication given to workers to pass mandatory health exams (Masipag 1996). In the end it was determined that the workers had adverse reactions to exposure to trace chemicals and microorganisms.

the stress of the accumulating savings, workers, especially domestic workers, were placed under the ancillary burden of having to wonder whether their employer would renew their contract after the first year of work or whether the employer would refuse and send them back. Stories of employers not renewing contracts had traumatic consequences. In Taipei in 1997, a Filipina domestic worker who had abandoned her contract out of fear she would not be renewed, committed suicide by jumping to her death from the Philippine OWWA Worker's Welfare Center (Feliciano 1997k), apparently because she would return to the Philippines virtually penniless. Verbal and psychological torment and implied threats against foreign workers commonly characterized the conditions of employment for many foreign workers in many jobs and included the ultimate labor disciplining feature of involuntary deportation.

### **Regulation of Labor Brokers**

It would seem by the lack of reference to regulation of labor brokers that they were free to pursue their affairs without any interference from the Council of Labor Affairs. While there is evidence that the Council was more preoccupied with catching illegal workers than it was illegal brokers, Taiwan officials would on occasion commit to enforcing laws against labor brokers so as to protect workers. One of those times was in connection with fees collected by brokers for workers' third-year extension.

In keeping with Taiwan's regulation of foreign workers, contracts between employers and workers were limited to two years. However, after the consistent lobbying of manufacturers and construction companies to the Ministry of Economic Affairs, the



Council of Labor Affairs granted employers permission to extend the contracts of workers one year, to a total of three. As pointed out by NGO groups like the Hope Workers' Center, the problem with the third-year extension was labor brokers' assessment of high fees to workers whose contracts were being extended. The fees, ranging as high as N.T. \$20,000-25,000 (U.S. \$615-770), were challenged by NGO representatives as illegal (Feliciano 1997i). The Council of Labor Affairs Chairman at that time, Hsu Chieh-kwei, ruled that labor brokers who had charged foreign workers for the third-year extension had done so illegally and promised to send investigators to identify brokers and levy severe penalties to brokers who violated the ruling. This outcome was hailed by NGO leaders and export state representatives, albeit that they were skeptical the ruling would be enforced. Hope Workers Center director Reverend Peter O'Neill expressed that belief, saying "we hope that the government [of Taiwan] is not just paying lip service to the problem" (Feliciano 1997i: 3). Sister Bernadette Chen of the Migrant Workers Concern Desk echoed O'Neill's doubt, commenting "the CLA can't even regulate the first-year contract where workers are charged up to NT \$90,000 in placement fees [which are also illegal]. If the brokers can get away with NT \$90,000, why not with NT \$20,000?" (Feliciano 1997j: 14).

Public statements about enforcing regulations against the illegal activities of labor brokers were commonplace. In a news conference Council Chairman Hsu Chieh-kwei responded to a question regarding illegal brokerage fees by promising to strictly enforce the laws on brokers (Lin 1997c). In an interview in April 1998, his successor Chan Hou-shen reiterated the same stance against third-year extension fees, whereby he vowed to

“revoke a license of brokers who are caught collecting these excessive placement fees.”

Chan went further, clearly stating the stance of the Council of Labor Affairs: “these additional fees are illegal...I hope the workers will come forward and complain. I promise we will put a stop to this” (Feliciano 1998a: 14). Although public promises were made, the charging of these fees still took place.

NGO representatives and state officials from the Philippines had pushed hard for enforcement against excessive brokers’ fees. However, in a letter in response to a Filipina who was charged a fee of N.T. \$20,000 for a third-year extension, Manila Economic and Cultural Office Director Aspiras wrote “the extension fee is usually shouldered by the employer. However, if your employer refuses to do so, the contract worker has to pay for it,” an admission that ran counter to the efforts of Philippine government officials to end such fees and an indication to employers (and brokers) that Philippine resistance to fees had shifted (Feliciano 1999d), a charge that they vehemently denied (Feliciano 1999e). An official mission from the Philippines consisting of a top official of the Philippines Overseas Employment Administration and a top official from the Philippines Overseas Workers Welfare Administration was directed to Taiwan to settle the extension fee issue by pressuring Taiwan Council of Labor Affairs officials to create a protocol. The outcome of those discussions was Taiwan’s submission of power to the Philippines for control of the amount of the extension fees. Philippine officials over time softened their position from “no fees” to acceptance of some fees which they were now given practical power to control. Philippines Assistant Labor Representative in Taipei, Virginia Calvez, communicated the results of the mission saying “CLA officials

told us that as far as they are concerned, the country from which the labor comes has the authority, and that they will respect our decision on the issue” (Feliciano 1999h: 3).

Council concerns about foreign laborers did not usually pertain to their problems, but to the fact that they were an irritation to the unproblematically conceived labor policy. Increasingly, the Council of Labor Affairs had to take a more active role in regulation processes. In January 1999 the Council called together officials from the Ministry of Foreign Affairs, the National Police Administration, and the Manila Economic and Cultural Office in an effort to solve problems encountered by overseas Filipino workers. Clearly, the agenda for Taiwan remained “runaway” workers. However, to Overseas Welfare Officer Mario Antonio, this meeting was significant for it “marked the first time that the CLA called for such a meeting” (Feliciano 1999b: 13). The meeting included a trip to the Sanshia Detention Center where detained foreign workers languish, waiting for their cases to be resolved. As a result of this meeting, the Council of Labor Affairs vowed to improve their efficiency in resolving the backlog of cases contributing to the detention of foreign workers, as well as the disputes between employees and employers. Welfare Officer Antonio noted that even though the Council was the setting for resolution of cases, finalization of disputes could take weeks or months to occur. Of the meeting he said: “I think this is a good sign because it shows that the CLA is doing something to address migrants’ concerns” (Feliciano 1999b: 13).

Regulation of labor brokers could be done by either Taiwan authorities like the Council of Labor Affairs or could also be achieved by the Thai Labor Office, the Philippine Labor Center, or some government office that is involved in the approval of

workers in Taiwan. The concept of blacklisting brokers was often advertised by government representatives from import and export states as a way to terminate worker exploitation and remove negligent brokers from the system. The suspension of labor brokers by Philippine labor representatives occurred regularly and in some cases a permanent blacklisting of the labor broker could occur. In a celebrated case, Philippine labor representatives blacklisted a Taiwan broker for engaging in an illegal transfer of a worker – from domestic service to factory work – who was later apprehended by police and jailed for violating the terms of her work contract by switching jobs (Feliciano 1998d). Action by the Taiwan authorities against the illegal transfer of workers from one location to another, or from domestic helper or caretaker to factory worker, was never an issue in the past. It was not even an issue over which Philippine officials ever sought or received publicity, even though the predicament of foreign workers having to break the law or risk repatriation had persisted for years, especially among domestic helpers and caretakers. In May 1999 the Council of Labor Affairs was reported to have issued a directive outlining the steps necessary for foreign workers to receive aid in keeping their legal status in spite of such illegal transfers. The Council encouraged foreign workers who had been forced to work illegally to report their case to them (within three months) with the promise that by doing so they would not be detained or deported and that the employer or broker would be the subject of an official investigation (Feliciano 1999f).

## **Regulation of Employers**

The director of the Council of Labor Affairs's Department of Labor Standards, Doong Tai-chi, advised NGO labor advocates to report abusive employers so that the Taiwan authorities could permanently withdraw their privilege of hiring foreign labor. Attempts at enforcing laws against the hiring of illegal workers had some success. For example, in 1996 a report chronicled prosecutions of over 8,000 employers of illegal foreign workers and boasted a 78% conviction rate (*China News*, June 18, 1996). In summing up the descriptions of abuses, Doong said "the behavior of some of these employers is an embarrassment to the nation" (Huang 1995: 3). The absence of information concerning the overall numbers of employers engaging in the practice makes, however, the documented regulation of these employers meaningless.

## **Economic Restructuring and the Effect on Labor Demand**

Issues of employment for locals versus employment for foreign workers began to increase steadily in 1996 as greater numbers of high school and college graduates experienced difficulty finding jobs. Jobless rates for Taiwan reached 3.5-4.0% for certain groups in certain sectors (*China News*, September 17, 1996) and 2.5% overall, levels that, while considered low in western countries, had not been seen in Taiwan for over a decade (*China News*, October 24, 1996).

While Taiwan government officials fretted over rising unemployment, high-tech companies bemoaned the failure of redundant labor to supply their needs in engineering and production lines. In addition, construction companies complained about the lack of

workers, occurring at a sensitive time when private and several large public construction projects were due to begin (*China News*, January 27, 1997b). Similar complaints rang out from a familiar source: manufacturers. The secretary general of the Chinese National Federation of Industries, Ho Chun-yih, was reported to indicate that shortages of 200,000 workers existed, mostly reflected in the textiles and metals industries. In a straightforward remark Ho explained local labor's lack of interest in such jobs: "these are not jobs that appeal to the demands of Taiwanese workers for comfort and safety" he said (*China News*, March 17, 1999). The issue of a safe workplace served as a line of demarcation between the locals' interest in employment and foreigners' interests.

A significant number of the unemployed were victims of Taiwan's economic restructuring. Even in early 1997 a research survey by the 21st Century Foundation discovered that unemployment increases were due to business closures rather than other temporary factors (*Min Sheng Daily*, February 4, 1997). What was not often reported was that foreign workers too were forced to find new employers when previous employers went out of business (*China News*, March 19, 1997). Two years later, the continued problem of the entrance of new (local) job seekers to the Taiwan economy exacerbated already rising unemployment statistics. Those statistics also reflected Taiwan's weathering of the Asian crisis and newly unemployed workers who were victims of corporate downsizing and local company closures (*China News*, March 25, 1999).

## THE ROLE OF THE STATE

As seen above, the labor-import policy was developed, crafted, and manipulated by the input of many different influential bodies and included issues such as social reactions and the perception of society's reactions to foreigners, the interests of labor unions and labor advocates, and business interests at the local (small and medium) scales, the corporate scale, and the international scale. One influence that warrants further attention is the role that representatives of the state played and continue to play in the decision-making process. This role of the state – whether as an active participant or passive observer – is significant to understanding how labor migration occurs and the role that international labor migrants play in the greater operation of economic exchange. The role of the state can be seen simultaneously as a benefactor, guardian, facilitator, and exploiter. The role of the state is identified below for Taiwan as the labor importer and for Thailand, Indonesia, and the Philippines as the labor exporting countries.

### **Taiwan**

While government officials had offered open invitations to workers from foreign countries in essence to exploit their labor power, there was also a recognition of the importance of their labor. As a result, parts of the Taiwan state apparatus were occasionally involved in activities that were organized to recognize the contributions of foreign workers and to reduce the collective stress of alien workers in Taiwan. One of the first such mass gatherings, organized by the Labor Bureau of the Taipei City Government and Council of Labor Affairs government representatives and coordinated by the

government-supported Overseas Contract Workers Counseling Center (a.k.a. The Gospel 2000 Movement), was a four-hour event designed to bring Thai, Filipino, Indonesian, and Malaysian workers together at the Taipei Zoo (a strange venue!) on Mother's Day 1996. Support for the event was also provided by all four “unofficial” representatives to Taiwan (in recognition of the PRC as the “One-China”): the Manila Economic and Cultural Office, the Thailand Trade and Economic Office, the Indonesian Trade and Economic Office, and the Malaysian Friendship and Trade Center. Both Thai and Filipino labor officials were active at the celebration (Feliciano 1996g). A similar celebration a month later drew then-Council of Labor Affairs Vice Chairman Chan Hou-sheng, who pledged that the Taiwan government would work harder for foreign workers. Chan praised Filipinos by stating “it’s my view that your coming to our country and homes has made a great contribution, not only to our economy, but also to our social development”, a belief not widely shared, if we are to take at face value news reports of the problems associated with foreign worker import to Taiwan (*China News*, June 17, 1996). A year later the Taipei City Government’s Bureau of Labor Affairs held another event to celebrate the estimated 26,000 foreign laborers working in Taipei (Feliciano 1997h), a move praised by Thana Ronnakorn, a representative from the Thailand Trade and Economic Office in Taipei.

Efforts by Taiwan officials also tried to address problems of contract abandonment, taking a preventative rather than repressive approach. Speaking at a workshop on stress management organized for the benefit of foreign workers, Taipei City Labor Bureau representative Chou Pu-kuen advised workers “if you have problems with



your employer, don't simply run away....call us and we will help you" (Feliciano 1997q: 14).

## **Thailand**

Thai state officials were very involved in the labor export process. Thailand has an individual assigned as a labor representative within a separate unit of the Thailand Trade Economic Office in Taipei. The Thai trade office labor center functions almost exclusively to meet demand for Thai workers in Taiwan. In times of perceived crisis Thai officials acted in the interest of workers. For example, when cash rewards were offered to police for the arrest of illegal workers in 1995, Thai officials felt compelled to meet with Taiwan's National Police Administration officials. Thai officials also took action during a particularly nerve-racking time for Taiwan, when the People's Republic of China was carrying out missile tests near Taiwan (widely recognized as a move to strike fear among the general population). Thai officials suspended the travel of Thai workers to Taiwan, while the Philippines representatives advised Filipino workers to travel as normal (*China News*, March 13, 1996). The Thai government also addressed the high price of placement fees charged by labor agents. In a move to stem the escalating placement fees which were then, and are today, so prevalent amongst Filipino overseas contract workers, the Thai government established a cap of N.T. \$56,000 to block the rapidly increasing fee structure (and any future increase), thereby decreasing the exploitation of Thai overseas workers (O'Neill 1996).

In January 1997 it was announced that a Thai delegation, headed by the deputy secretary general to the Thai prime minister, would arrive in Taipei the next month with the purpose of establishing a rescue foundation for Thai workers and to help Thai workers to find jobs in Taiwanese-run companies in Thailand (*China News*, January 27, 1997). By December of 1997 officials reacting to the entrenched economic crisis within Thailand announced the revocation and suspension of work permits for legal migrant workers from Burma, Cambodia, and Laos to Thailand and the deportation of all illegal foreign workers in the country to make way for Thai workers negatively affected by the Asian crisis (*China News*, December 4, 1997b). The Thai Labor Minister said the government would send back 300,000-500,000 foreign workers (*China News*, January 7, 1998).

Due to the impact of the Asian crisis on Thailand, additional measures had to be undertaken to improve the condition of the national economy. An obvious area to explore was to intensify the contributions that foreign workers made to foreign exchange. With Thailand's Labor Ministry estimating the number of unemployed Thai at 2 million (at the beginning of 1998) strategies to reduce unemployment were aided by the Thai Foreign Ministry, which notified overseas missions to emphasize job opportunities for Thai citizens in foreign countries. Thailand's growing labor-export policy was in perfect harmony with national needs for foreign exchange and the alleviation of unemployment pressures.

One of the driving forces behind the export of labor is the return of hard currency and the effect that it has on the national economy. Thailand's economic crisis placed even greater pressure on exports of any kind. Besides a push for international

employment, one of the more unusual examples of the lengths to which officials of the state tried to go to enhance foreign exchange was when Thailand's Department of Export Promotion approached a Bangkok plastic surgeon to open a sex change clinic as a way to bring in badly needed foreign exchange (Horn 1997). The idea was proposed as a way of helping the country through the crisis.

## **Indonesia**

The Indonesian state representative for foreign laborers in Taiwan has been historically ill-defined. The Indonesian Economic and Trade Office does not handle the migration of Indonesian workers. That job is centered in the Indonesian Immigration Office, an office that serves as a location for obtaining entry visas for Indonesia. Information evaluating Indonesia's migrating foreign workers and the potential of growth in numbers did not come from the state, but rather the labor brokers themselves (*China News*, August 17, 1996). Labor broker Saleh Alwaini noted the ongoing demand for foreign workers by saying that "Indonesia can fill more of that needed number [20,000] of foreign workers," and when I approached the Indonesian Immigration Office to speak with an official dealing with laborers I was referred to another Indonesian broker. News of new Indonesian laborers arriving came from labor agents such as Antoni Amir, a representative of a private labor company, who announced the forthcoming arrival of 100 workers from West Nusa Tenggara, Indonesia (*China News*, July 17, 1997).

One unusual instance occurred in 1998 when rioters in Indonesia specifically targeted attacks against overseas Chinese. The attacks prompted the Taiwan state and

government officials to become involved in what could be best described as economic ransom. With reports and evidence of ethnic Chinese women having been victims of rape and murder, Taiwan's Council of Labor Affairs chairman Chan Hou-sheng issued a warning that such atrocities should be investigated or else he would consider restrictions on the number of Indonesian workers allowed into the country. When asked how, he was reported to have said that he would cut the number of Indonesian workers in manufacturing and replace them with Vietnamese workers (*China News*, August 6, 1998).

### **Philippines**

As previously detailed, the activity of Filipino representatives embodies the most public – and the most intensive – advocacy for their nationals working in Taiwan. A call was made by then-Labor representative Dante Ardivilla to the Council of Labor Affairs to establish an office to serve and investigate complaints of foreign workers (Feliciano 1995b: 3). Ardivilla noted that the burden of these complaints was being shouldered by the Philippine Labor Center, religious groups, and NGOs, rather than the Taiwan institution empowered to reply to such inquiries. Ardivilla and other overseas representatives of the Philippine government were charged with protecting the welfare of Filipino workers.

State involvement was also directed from the highest levels of the Philippine government: the office of the President. An executive order declared by President Ramos required Philippine ambassadors and heads of overseas missions (such as in Taiwan) to be held responsible for the well-being of all overseas workers and to assist foreign

workers, whether illegal or legal. The order required a “Country-team approach” by officials and resource centers to be established in places where at least 20,000 Filipino workers are employed (Feliciano 1995f). These guidelines were the outcome of the Gancayco Commission, a group comprised of officials from the Philippine Department of Foreign Affairs and the Philippine Department of Labor and Employment and convened after the hanging of Filipina domestic worker Flor Contemplacion in Singapore in March 1995. This marks the level of state involvement in the management of overseas labor matters.

The attention paid to overseas workers coincides with the adverse employment conditions at home. Philippine unemployment in October 1995, while at its lowest levels since January 1993, was still 8.4% nationally, which would be a solid motivation for Philippine government officials to aid their nationals in jobs abroad. Yet, with increasing frequency, Philippine state officials like Trade and Industry Secretary Cesar Bautista echoed a similar disclaimer: “We are not forcing anybody to take our Filipino workers” (Feliciano 1997d: 3). Philippine President Ramos repeated much the same message on a trip to Hong Kong in October 1997. He is said to have promised that Filipino workers would not be forced – because of poverty at home – to work overseas (*China News*, October 14, 1997). In spite of these public pronouncements, government reliance on remitted salaries of Filipino workers was said to have helped the Philippines cushion the impact of the Asian economic crisis. Philippine Overseas Employment Administration chief Felicisimo Joson noted that 1997 labor exports increased by 13% (over 1996) to a single year record total of nearly 748,000 (Masipag 1998a). More indicative of Philippine

state officials' beliefs are the statements of Labor Secretary Cresenciano Trajano – commenting on a report issued by the Overseas Administration – cautioning that the Asian crisis could produce a flood of competing labor from places like South Korea, Indonesia, and Thailand. Secretary Trajano expressed confidence in the international competitive advantage of Filipino labor's “expertise, skills, adaptability and facility with the English language” (Masipag 1998b: 14).

The stewardship of Philippine state officials over Filipino workers is something that officials take great pride in proclaiming. However, NGOs such as The Migrants Standing Committee had an impression of Philippine labor officials that was a benign indictment of their ineffectiveness. In a letter to then-Council of Labor Affairs Chairman Hsieh Shen-shan the committee's opinion of Philippine officials' stewardship was criticized for “the seeming helplessness and impotence of our government to curb the exploitation of our modern-day heroes, despite the enactment of the Migrant Workers and Overseas Filipinos Act of 1995 [a helplessness and impotence that] is both incomprehensible and deplorable” (Feliciano 1997b: 3). The committee further showed its disgust with both Philippine and Taiwan officials by stating “the Philippines government should not content itself with the enactment of laws that purportedly protect overseas workers. Laws are only as good and effective as they are implemented” (Feliciano 1997c: 9). The truth of how overseas Filipino workers were perceived by government officials is summed up in comments made by Philippine President Fidel Ramos at a news conference in Manila. In discussing the effects of the Asian crisis Ramos was reported to say that the many Filipino laborers in other countries in Asia should look elsewhere in the world if

the crisis led to job cuts affecting overseas Filipinos. Commenting on Filipino foreign workers, Ramos said “there continues to be a demand for labor around the world in general and so if there is an excess in one country, this is just like capital. It could flow to those countries where there is a shortage” (*China News*, January 8, 1998: 15), a statement which suggests that the state views its nationals as commodities.

In keeping with his image as protector of the poor, Ramos’s successor, President Joseph Estrada (who replaced Ramos at the end of his term) continued to make moves that publicly supported overseas Filipino workers. In regard to Taiwan, Estrada ordered local Philippine officials to engage in an official dialogue with Taiwan officials in defiance of the “One-China” policy with Beijing. A statement released by Estrada’s press secretary read “perhaps a government-to-government arrangement is possible so that Filipinos can get a better deal while working in Taiwan” (*China News*, July 13, 1998). The next day a Council of Labor Affairs official spoke about ordering firms who collected illegal fees to provide refunds saying “we will look into the fees item by item” (*China News*, July 14, 1998). Estrada continued to lobby Taiwan on behalf of Filipino workers, as evidenced by the dispatch of his son “Ejercito” Estrada to speak with Taiwan Premier Vincent Siew about finding a way to assist in ending the imposition of high placement fees for workers (*China News*, August 23, 1998). President Estrada later announced that he had ordered all government agencies to wage a campaign against brokers who charge high placement fees for Filipino workers (Padua 1999).

Estrada’s overseas visits have targeted locations where large numbers of overseas Filipino workers are employed. His first diplomatic visit was to Singapore, a state whose

population collectively employs an estimated 110,000 Filipino workers, of which many are domestic servants (*China News*, October 12, 1998). The President's first scheduled event was a meeting with a cheering crowd of approximately 4,000 Filipino workers. Estrada's statements regarding remittances are illuminating. He maintained that overseas Filipinos' remittances "Easily match foreign investments entering the country" and that those remittances "saved the economy" (*China News*, October 12, 1998). The projected overseas remittances for 1998 were estimated at U.S. \$6 billion, and surpassed the \$5.7 billion in remittances that were placed in 1997. In a similar visit to Hong Kong, Estrada included a meeting with 20,000 Filipino workers – mostly maids – vowing that their [Filipinos'] plight would garner "greater attention by my government" (*Taiwan News*, May 17, 1999).

Philippine state officials in Taiwan also facilitated the expansion of job opportunities via the creation of branch offices in Kaohsiung (1994) and later Taichung (1996). Demand for Filipino workers was high before the legalization, after its inception, and continued through the mid- to late-1990s. Buoyed by expansion in key industries, the chronic shortage of local labor (at certain skill/wage levels), the high productivity of their labor, and in some cases a direct familiarity with their ability, Filipinos became sought-after laborers for expanding businesses such as Formosa Plastics Group, Acer Computers, and Far Eastern Textile. In 1996 Formosa Plastics was engaged in negotiations to recruit and hire as many as 18,000 Filipino workers for its various production facilities (Valles 1996).



The procedures carried out by Philippine officials were not solely for the protection of workers but, rather, served to provide institutional support for Taiwan employers to hire Filipino workers island-wide well before large numbers of Filipino laborers had come to work. Even efforts within the boundaries of the Philippines were designed to increase employment opportunities abroad. For example, in the northern Luzon (Philippines) city of Aparri, Philippine Overseas Employment Administration officials demonstrated their interest to carve out employment for Filipinos to work overseas by setting up a fishery service center to help Taiwan fishing companies hire Filipino fishing boat crews (*China News*, November 7, 1997b).

The Philippines maintains a philosophical stance of protection of their workers, ostensibly through Overseas Workers Welfare Administration. The agency is mandated to help overseas workers in a multitude of purposes. In Taiwan the Overseas Workers Welfare Administration opened a Welfare Center in Taipei to house illegal workers awaiting repatriation, rather than have workers be detained in jail cells (Feliciano 1996b). They also spearheaded a so-called “livelihood” program to aid Filipino workers to start businesses when they returned home. In Taiwan the program was advertised in an information blitz at factories, companies and construction sites that employed Filipino workers to meet, as Workers’ Welfare Chief Wilhelm Soriano wanted, “our ultimate goal [which] is to make returning overseas Filipino workers self-sufficient” (Feliciano 1996m: 9). Soriano further stated his and likely the state’s wish for Filipino overseas contract workers: “we hope that in the future, they will see this [overseas employment], not as a necessity, but as an option” (Feliciano 1996m: 9). A similar “livelihood” program was

popular during the visit of Philippine First Lady Amelita Ramos, in July 1997, which offered 20 overseas Filipino workers training to be hairdressers. Clearly, training 20 hairdressers out of 100,000 Filipino workers in Taiwan was not a significant reentry program for a returning overseas Filipino worker to become self-sufficient. Another state-sponsored re-entry program aimed at former Philippine teachers or graduates of education courses recruited overseas Filipino workers in Hong Kong in 1997 and allotted teaching positions for returning workers. The feasibility was suggested for workers in Taiwan and a survey was conducted in regard to its potential success (*China News*, May 2, 1999).

Protection from the Overseas Workers Welfare Administration was public, albeit weak, but assistance from the Philippine Overseas Employment Administration and Manila Economic and Cultural Office was private and inadequate. Overseas Employment Administration support in the protection of overseas workers' safety and rights was limited. In 1997 it announced that it would increase its diligence to protect Filipinos in "vulnerable skills" categories. Overseas Employment Chief Joson summed up the vulnerable skills category: "these are women workers, fishermen, and the so-called entertainers" (Feliciano 1997f: 12). The method by which Philippine state officials stationed in Taipei communicated with Filipino overseas workers was via parties and celebrations marking such events as Philippine Independence Day, Christmas, and Easter. These celebrations were always organized by the Manila Economic and Cultural Office and usually were conducted in a way that recognized overseas workers' difficult jobs and overall struggle, as well as venerating them as national heroes.

An example of one of these gatherings was a Philippine independence day party (jointly organized by them and the Overseas Workers Welfare Administration), which served as the venue for Filipino and Taiwan government representatives to praise Filipino workers and vow further assistance, both direct and indirect (*China News*, June 17, 1996). Later that year they organized a Filipino Christmas party complete with a famous Filipino entertainer flown in from Manila and the wife of the Philippines's Speaker of the House, who described overseas workers as "heroes of our land" (Feliciano 1996n: 1).

Such festivities are reminiscent of the USO shows hosted by Bob Hope to entertain the American troops in Vietnam. This USO imagery was reinforced by a piano concert planned and presented by Philippine First Lady Amelita Ramos in July 1997. Coming on the heels of a similar concert presented in Hong Kong, the First Lady's free concert was dubbed by Manila Economic and Cultural Office director Armando Fernandez as "an acknowledgment by the Ramos administration of the vital role which over 100,000 OFWs (Overseas Filipino Workers) in Taiwan play in the continuing task of nation-building" (Feliciano 1997l: 3). However, it was also expected that First Lady Ramos would meet with Taiwan President Lee Tung-hui to push for the signing of the long-delayed direct hiring agreement between Taiwan and the Philippines (Feliciano 1997l).

Despite all the activities organized by Philippine government officials in Taipei, accessibility and availability to those government officials (who claimed their role as shepherds caring for overseas Filipino workers) was poor. A good example of this was the operation hours of the labor center, which coincided with the hours of 99% of the

Filipino workers they professed to defend, rather than being open on Sunday when most Filipinos had their day off. It was only in late September 1998 that the Manila Economic and Cultural Office finally opened its doors on Sundays (Masipag 1998d). However, it is also apparent that state labor officials from the Philippines deflected the blame for employment problems squarely on the workers themselves. In Taiwan, Philippine assistant labor representative Virginia Calvez announced the institution of postarrival seminars to inform workers entering Taiwan the circumstances they face: “most workers come here ignorant of their rights and obligations”, said Calvez (Feliciano 1999c: 13). For Philippine government officials the addition of the post-arrival seminars had practical purposes. The first was to inform newly arriving domestic helpers and caretakers – a group with a sordid history of abuse and mistreatment in Taiwan – of their rights and obligations, and warned them not to sign a “second contract” that gives away any of the protections built into their contracts. In an announcement that nearly absolved the Philippine officials from responsibility for domestics, Calvez said “the contract is now their law...they should know each and every provision of this document” (Feliciano 1999c: 13). The second purpose was in response to the volume of 1998 (when over 15,000 workers were assisted) in an attempt to evade legions of workers with potential problems looming in the future. The push by Philippine officials for self-protection grows out of a policy change that in 1998 had excised domestic workers out of the Taiwan Labor Standards Act that protects the rights of all workers in Taiwan.

Efforts to reward Filipino workers for their important national contributions included fast-processing lanes at the Manila airport to speed workers’ return, as well as

the extension of duty-free benefits on all electronic equipment brought back as a result of working overseas (Masipag 1998c). Said Fernandez: “We have been making representations at the CLA. But we are only guests in this country. We can’t impose rules or our will on Taiwan” (Feliciano 1996d: 4). “The protection of Filipino nationals in Taiwan, within the umbrella of Taiwan laws and regulations, is one of the primary duties of MECO,” Fernandez said (Feliciano 1997g: 12b).

Bids by Fernandez to create legions of local volunteers to assist Filipino workers were part of programs inspired and organized by Philippine state officials and representatives. One such organization was called Project Reaching Out-Republic of the Philippines (PRO-RP). PRO-RP was a combined effort of corporate Filipino expatriates, NGOs, and Manila Economic and Cultural Office officials to stage consular, public information, and social events for the overseas Filipino community in Taiwan (de Leon 1996). Another volunteer group (organized by Fernandez), comprised of workers and local attorneys and dubbing itself the Association of Overseas Contract Workers in Taiwan, met with Fernandez who called upon them to be “MECO volunteers,” in essence to serve a quasi-state role (*China News*, June 9, 1996).<sup>6</sup> To their credit, Manila Economic and Cultural Office officials met frequently with Filipino workers and NGO groups to answer questions regarding working conditions, Taiwan government regulations, and contract abuses (Feliciano 1996i).

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<sup>6</sup>Fernandez said “this is part of President Ramos’ people empowerment program,” a tangential reference to the “People Power” revolution which ousted Dictator Ferdinand Marcos and thrust Ramos forward as a hero of democracy (*China News*, May 19, 1996b). Many of these programs are said to have originated with Philippine President Ramos.

The fruits of their efforts rarely materialized. Protection of workers was not always the highest priority. During the People's Republic of China's Taiwan Strait missile testing – a situation which provoked the United States to redirect a carrier group to the area – the Philippines decided not to limit or suspend labor exports to Taiwan (Feliciano 1996e). In the event of a conflict the more than 100,000 Filipino workers would have had the potential to be in harm's way. Failure to suggest a suspension in the continued flow of labor – even temporarily – supports an image of greed among Philippine government officials and questions the priority of Philippine representatives' concern for worker safety or for labor-export continuity. In a move to settle the anxiety of Filipino workers (who recalled the chaos surrounding attempts to evacuate workers from Kuwait after the Iraqi invasion), the Philippines sent Overseas Employment Chief Felicisimo Joson to hold seminars with local travel agents at Philippine labor centers in Taipei, Taichung, and Kaohsiung, in the absence of a planned evacuation (*China News*, March 20, 1996). Ironically, in February 1998, when similar tensions were rising again in the Middle East, the Philippines placed a temporary ban on the deployment of workers to Middle East countries when a confrontation between Iraq and the UN coalition seemed imminent (*China News*, February 21, 1998).

Economic cooperation between Taiwan and the Philippines was institutionalized through annual ROC-Philippines economic cooperation conferences. Topics for the conference held in 1996 were the growing amount of Taiwan investment in the Philippines via the "Go South" policy, and an investment guarantee to protect those investments. Taiwan represented the Philippines's third largest foreign investor in 1995

(U.S. \$2 billion) and its fifth largest trading partner (*China News*, July 9, 1996). With economic ties between the two states already strong, the initiative exerted by Philippine officials to foster real reform of the Taiwan policy for the benefit of overseas Filipino workers was doubtful. This led to questions – especially among NGO officials – as the overall effectiveness of the government to curb abuses and illegal actions perpetrated against foreign workers.

### *State Ineffectiveness*

Criticism of Filipino officials' effectiveness was widespread, especially their ability to preserve workers' rights under Taiwan law. Philippine officials took the opposite tact, claiming that they were in a constant battle to uphold workers' rights. Many times these criticisms were mild, often placing the blame for ineffectiveness on the impenetrable Taiwan system. Frequently, however, workers' complaints became public knowledge via letters written to *The China News*, one of the two English-language daily newspapers in Taiwan. In one of these letters, "Rosanna," a Filipina worker in Taichung, summed up the problem when she commented and asked "I read about the workers who were sent home by their broker when they complained to MECO. Can MECO force the employer to pay these workers the remaining part of their contracts? If not, what is the use of complaining to MECO? If MECO can't do anything to help the workers, I would rather shut up than take the risk of being sent home" (Feliciano 1997r: 14). This and many other letters uncover what has become for the most part common knowledge among

Filipino workers: do not complain to the Manila Economic and Cultural Office; it will not help, and may even backfire on you.

Documenting the ineffectiveness of state officials raises questions as to why they are viewed as so indecisive, unproductive, or simply worthless. Assessments made by NGO groups in Taiwan often characterized state officials as impotent, or as being useful but thwarted by the inefficiency of Taiwan government officials. Self-descriptive characterizations made by Filipino and Thai labor officials advance the idea that they are the anointed protectors of the weak (workers). In the case of the Philippines, officials imply that legal safeguards are in place to avert exploitation of workers. In a visit to Taiwan after completing his term as President, former Philippine President Ramos employed rhetoric that would have workers believe that state officials were championing their causes. He said: “our officials now must pursue the proper implementation of the policies that we have in the Philippines, as well as develop adjustments, modifications and innovations in regard to the policies that apply here [in Taiwan]. It has been done in other countries...I don’t see why it can’t be done in a country like this” (Feliciano 1999i: 2). Witnesses to the actions of government officials in Taiwan’s labor import take a dim (and more realistic) view of the cooperation between the countries. In response to a report that Taiwan has acceded to the Philippines the power to set third-year extension fees (when these same fees had previously been protested by Philippine officials and outlawed by Taiwan officials) an editorial admonished the two countries, saying “these low paid workers will still be forced to give part of their hard-earned money to these modern-day slave traders...what makes it even more deplorable is that this time the new



round of fee collection will have the blessing of the two governments” (*Taiwan News*, May 21, 1999).

Where the state’s effectiveness comes into greatest question is in the commission of sexual advances and harassment of the Filipina workers they maintain they are trying to protect. Several cases in Taiwan and Hong Kong led to the removal of guilty labor officials. In Taiwan, Kaohsiung’s Overseas Workers Welfare officer was accused of sexual harassment by three different domestic helpers. The accused officer, Ernie Regino, retained his job nearly two years after the conclusion of an investigation into his activities (Masipag 1998e). The problem was serious enough (occurring in repeated incidents) that it was addressed by Overseas Workers Welfare Association (OWWA) Chief Soriano. In response he blamed “sexual urges” that he declared could be remedied by including a daily papaya slice in the officers’ diets. Soriano went as far as to institute it as part of the diet of all labor center employees (*China News*, September 15, 1996).

### **Other Nationalities**

#### *Vietnam*

On the eve of attending the APEC Human Resources Development meeting in South Korea, a meeting designed to discuss human resource issues in the region, Council of Labor Affairs Chairman Hsu Chieh-kwei said he had been in negotiations with Vietnam about with the possibility of allowing their nationals to become foreign workers in Taiwan (Lin 1997c). Long-rumored negotiations were transformed into policy changes in May 1999 when Council Chairman Chan Hou-sheng announced an agreement

approving Vietnam as an exporter of labor to Taiwan (Lee 1999). By December 1999, however, only 131 Vietnamese workers had arrived and had begun working in Taiwan (Employment and Vocational Training Administration 2000).

Calls for workers from other countries also arose in an effort to challenge the strength of the few dominant labor exporters, Thailand and the Philippines. In late 1997, Chairman Hsu publicly supported the importation of labor from mainland China after a meeting with Taiwan's General Chamber of Commerce (*China News*, December 6, 1997). A move to import workers from the PRC had been mentioned in the past because of the belief that mainland Chinese would not have had the adjustment problems of other nationalities. However, with an ongoing political situation that always threatens military action as an ultimate resolution of differences between Taiwan and the People's Republic of China, the importation of mainland Chinese was doubtful. Confirmation of this was received when a proposal for the importation of Mongolian workers was rejected because they did not match up with the Taiwan government's foreign policy (*China News*, May 28, 1998).

While Philippine and Thai (and likely Indonesian) state activity on behalf of their nation's workers – while occurring continuously – was not always evident in public, there are instances when they interceded on the behalf of workers. In a very public case of support for a group of 23 Filipino workers who were being deported, Philippine officials were active and gained overwhelming publicity by “rescuing” these workers (Feliciano 1996h). Employed by the Sinonar Corporation, the workers telephoned the Philippine Labor Center office from Taipei's international airport just prior to repatriation by the

company. With the aid of the Philippine representatives and Council of Labor Affairs representatives, an agreement was reached to pay the workers their overdue salary and forced savings (*China News*, May 29, 1996). More often than not, however, disobedient workers were whisked away without a chance to protest.

## SUMMARY

The temporary labor immigration policy in Taiwan shows several important attributes suggesting that the roles of laborers are to provide labor power, but at a physical, psychological, social, and financial cost that often leaves them physically and emotionally bankrupt. Quotas rise and fall for reasons tied to absolute shortages, contrived shortages, economic restructuring by private firms, short- and long-term planning by government economic affairs officials, the aspirations of transnational corporations, as well as the nativist fears of the local population. Regulations like the forced savings plans question workers' honesty and offer the opportunity for exploitation by employers. In spite of the controversy of this tactic, institutionalized savings did seem to curtail contract abandonment, a primary goal of the government. Manipulation of contracts creates another level of regulation and preys on foreign workers' allegiance to employers or ignorance of labor laws or their international naivete. Work conditions are abhorrent and job security is minimal, even with the protection of a contract.

In a situation where the state has occupied such a significant role in the introduction, supply, and maintenance of the flow of foreign workers to Taiwan, one expects that role would translate into tangible power and the ability to act in the interests

of the workers. There is certainly an overall awareness of the role that labor plays in Taiwan and the role that the export state plays in seeing to it that labor power and capital meet. While the Philippine labor Undersecretary Jose Espanol stated that “no industry of a nation can prosper solely on the principle of capital without labor,” a Thai representative and senior adviser to Thailand’s Minister of Labor stated that nations must give “full respect to the internal affairs of another country,” essentially a stance that abdicates any power to make change (Feliciano 1996j: 2). From Taiwan’s perspective, Su Shiu-yu, deputy director of the Council of Labor Affairs’s Employment and Vocational Training Administration, made clear the economic exchange that was taking place between Taiwan and the Philippines: “the policy of this country [Taiwan] is to hire foreign workers. As he [Manila Economic and Cultural Office Director Fernandez] said, this is not an act of charity because we benefit from it” (Feliciano 1997e: 1), and so, too, do the export states.

However Felicisimo Josen, chief of the Philippine Overseas Employment Administration, seems to deny the fact it is beneficial to the Philippines to export labor by stating “at this point, we will no longer promote overseas employment as a primary means of attaining or sustaining development,” and further stating that “it [overseas employment] is not any more, as determined in the very beginning, a stop-gap measure or an export policy. We recognize that labor migration shall continue due to the attraction of higher wages in labor-short economies”(Feliciano 1997f: 12), a statement that fails to take account of the Philippine state’s role in creating, expanding, facilitating, and managing labor export. That state role was, however, not fully exposed and publicized by

its most ardent critics: nongovernmental organizations. As will be documented in the next chapter, dissenters, spurred on by growing numbers of under-serviced foreign workers with significant policy-related problems, began a push to supplant the states' protective roles and muster an increasingly critical campaign of state officials' handling of foreign workers' complaints.

## CHAPTER 6

### NGOs, FORMS OF RESISTANCE, AND DISCURSIVE CONSTRUCTIONS OF OVERSEAS LABOR

Nongovernmental organizations (NGOs) have been the most vocal groups resisting what they view as the unequal treatment of foreign workers in Taiwan. These NGOs have, for the most part, represented religious organizations – most prominently representatives of various sects of the Catholic Church – seeking to improve the conditions that foreign workers face in their employment in Taiwan. The employment conditions that are commonly violated include nonpayment of overtime or salaries, poor working conditions, absence of day-off allowances, as well as unilateral contract cancellation and forced deportation. Timely protests for special causes related to foreign workers' rights have often received great publicity and have helped to apply pressure on governmental representatives of Taiwan, as well as government representatives of labor-exporting states. The level of involvement by representatives from Catholic organizations has included attendance at Council of Labor Affairs meetings to advocate policy changes that benefit foreign workers (*China News*, December 28, 1995). This chapter details the role that NGOs have played in providing direct aid to overseas contract workers, as well as political and social activism on their behalf. Cases of worker resistance are also presented to indicate the increasing level of dissatisfaction with the process and protection of workers. Finally, a more through discussion of the social

construction of identities of foreign workers by all parties involved sheds light on how foreign workers are perceived and treated.

#### NGOs AND FOREIGN LABOR ADVOCACY

Instances when NGOs stepped in on behalf of foreign workers are numerous, although only occasionally publicly known. One such occasion occurred in mid-1994 in support of domestic helpers' rights. Two NGOs, the Bishops' Commission for Social Development Concern for Migrant Workers Service (henceforth, the "Bishops' Commission") and the Catholic Hope Workers' Center, worked to lobby Philippines labor representatives to continue to support four measures aimed at improving the rights of maids (who are almost exclusively Filipinas). The measures were to require employers to buy labor insurance for domestic helpers, provide a financial statement proving that they have the sufficient means to hire a foreign worker, provide a detailed job description to make sure that workers do not end up shifted into factory work, and the requirement that the Manila Economic and Cultural Office representatives in Taiwan be notified if the employer wants to dismiss a worker. These measures were drafted by the Philippine Department of Labor and Employment to be implemented by Philippine labor representatives in Taipei. However, under immense local pressure from the Taiwan Council of Labor Affairs and Taiwan labor brokers groups, the Manila Economic and Cultural Office and the Philippine labor representatives urged the Philippine Department of Labor and Employment to suspend these four more strict measures. The retraction of the tighter measures was implemented because the attempt to institute such changes

unilaterally was met with enormous outrage by Taiwan leaders. Taiwan government officials considered it a violation of their national labor regulations and a violation of diplomatic procedures, and responded to the proposed changes with threats of a moratorium against Filipino labor.

The two NGO organizations pushed for the Philippine government's labor officials in Taiwan not to yield to resistance by Taiwan against the policy change – a change which would further protect workers. Father Eamon Sheridan, director of the Bishops' Commission, expressed frustration in saying that “I admire the Philippine government for doing something... but we need further action” (Feliciano 1994b: 1). He went on to say “It's about time all countries [exporting labor to Taiwan] stand up to protect their workers” (Feliciano 1994b: 1). NGO contributions to reform included spearheading signature drives to push the Manila Economic and Cultural Office representatives to support the four measures listed above, as well as constant barrage of publicity imploring the Philippines to employ ethical decision-making. This activism proved to be unsuccessful. In the end none of the measures ever became part of labor policy because of strong threats issued by Taiwan labor officials indicating that Filipino labor migration to Taiwan would cease if such demands remained in place.

Catholic Hope Workers' Center representatives have also been extremely vocal and active in an attempt to forge change in how the Taiwan state manages foreign workers, even questioning if the labor shortage that spurred the importation ever really existed. Reverend Peter O'Neill, director of the Center, repeatedly made statements condemning the labor-import policy saying “we feel the government [of Taiwan] is using



the migrant workers as cheap labor” (*China News*, June 2, 1996b: 9). In addition, the Center has carried out efforts to educate and organize migrant workers (*China News*, May 11, 1998). Other NGOs have also been active in the mission to protect workers’ rights and to act as an ally in disputes that arise between the workers and their employers.

The Migrant Workers Concern Desk, formerly headed by Sister Bernadette Chen (a Catholic nun), took a more radical approach to the problems faced by migrant workers, suggesting that export states formulate policies to prevent brain drain and to urge workers to break a cycle of overseas employment which simply funds the next generation’s overseas employment (Sarsoza 1998). While this advocacy role is presumed to be carried out by the labor brokers, these brokers were often unable or unwilling to mediate disputes. In response to brokers’ failings, an Overseas Contract Worker Counseling Center was opened amid much fanfare in December 1995. Solicited and officially overseen by the Taipei City Government Labor Office and the Taiwan Council of Labor Affairs, this center was opened by a Christian NGO calling itself the Year 2000 Gospel Movement. However, workers’ advocate groups professed mixed feelings over the center, complaining that while offering aid to workers was positive, the center was ostensibly designed to solve one of the Taiwan government’s most annoying problems: the so-called “runaway” workers problem. Criticism levied on the center by an unidentified advocate questioned “why not look into the root causes of the problem? One of which is the exorbitant fees that every worker has to pay just to get to work in Taiwan” (Feliciano 1995g: 3). That concern was borne out when one of the Counseling Center’s first projects created a program for illegal workers to be repatriated home more easily.

NGO activity has, in most cases, taken the form of persistent letter writing to Taiwan government officials to recognize workers' rights, change policy, and eliminate police harassment of foreign workers. One NGO took a strong stand in defense of workers' rights. In a letter addressed to then-Council of Labor Affairs Chairman Hsieh Shen-shan, The Migrants' Standing Committee of St. Christopher's Church reported the findings of an informal survey they conducted of 248 parishioners, all foreign workers. In their letter to Chairman Hsieh, The Migrants' Standing Committee reported the high labor brokers fees, stating "these excessive fees cause severe burdens to our parishioners" (Feliciano 1997b: 3). Ties between Catholic NGOs and the government representatives of the predominantly Catholic Philippines have been strong, with concerned priests enjoying successful working relationships with high-ranking local officials. In an interview with Domingo Villa<sup>1</sup>, labor representative in the Philippine Labor Center, he referred my politically sensitive question about labor issues to local church leaders whom he said could speak out more frankly about labor problems (interview conducted with Domingo Villa, September 1995). In this case, Villa looked to NGO leaders to provide an opinion that he, as an official representative, was unable to vocalize for fear of repercussions. Frequently, Catholic priests represented the most vociferous dissent to practices of labor-law violation, forced repatriation, and inadequate work and lodging conditions (Figure 6-1). A change in that dissent occurred March 31, 1997 when the Archdiocese of Taipei replaced the Columban sect and their social justice platform with the Scalabrinian sect and their service to migrants platform. While this may seem to have

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<sup>1</sup>Domingo Villa is a pseudonym used to protect the identity of the interviewee.



Figure 6-1: Located adjacent to the main Taipei Rail Station, this dormitory is an example of foreign worker housing in Taiwan. Entry access is monitored by a 24-hour guard. These prefabricated units were used throughout Taipei as well as other places in Taiwan. Dormitory housing like this was notorious for crowding and unsanitary conditions (i.e., rodent infestations). Two flags fly in front of the building. At the left is the Taiwan (R.O.C.) flag and at right is the Thai flag (flown at all Thai worker housing units).

been a benefit to migrants it removed some of the most outspoken Catholic priests from the front line battle against the manipulation of workers and protection and enhancement of their rights.

Catholic priests could also, on occasion, temper their disgust for Philippine officials with praise for Filipino workers. In 1996 Cardinal Jaime Sin, the deeply revered Filipino Catholic Cardinal who had championed the “People Power” revolution over Ferdinand Marcos in 1986, drew record crowds upon his visit to Taipei to perform Easter Mass. He took this opportunity to encourage Filipino workers, echoing the rhetoric of Philippine state officials by hailing them as national heroes. He said “You know that our government has called you *Bagong Bayani*, or “new heroes.” Perhaps you will repeat that term with cynicism, perhaps even with pain. Let me assure you that the words ring true. You are indeed the new heroes” (Feliciano 1996f: 1).

Ironically, the Catholic church in the Philippines is also the strongest opponent of overseas contract labor migration of Filipinos – in spite of close ties to Philippine government officials. In an interview I conducted with Father Miguel Concepcion<sup>2</sup> (a Catholic priest of Filipino descent pastoring at St. Christopher’s Catholic Church in Taipei), he stated the role that the church can play. Father Concepcion confirmed that the church operates with special social license, saying that “there are things the [Philippine] government cannot do that we can: we would try to lobby certain issues, like the recent issue of Chan, the chairman of the CLA” (interview with Fr. Miguel Concepcion, March 1998). The issue in reference was a proposal to eliminate the minimum wage guarantee

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<sup>2</sup>Miguel Concepcion is a pseudonym used to protect the identity of the interviewee.

for foreign workers. Father Concepcion also outlined his contact with representatives of the labor-exporting countries, maintaining that offering support for all foreign workers in Taiwan was a difficult task: “unfortunately we don’t have contact with the Thai government bureau or with Indonesia. The fact [is] that we don’t have the language [capability] and another reason is the volume of the work we have for the Filipinos alone is just tremendous,” he said. This volume for Filipinos is a by-product of Catholicism as the dominant religion and the church’s strong role in Philippine society. As a result of this, church connections to Philippine labor officials are closest. He described the type of contact with Philippine officials as “more of a pressure I do, kind of pressure [the government] body [rather] than doing all the social services. Because for us most of the time the people come here because our government doesn’t act. That’s a fact. So I have to call our [Philippine] labor office and ask them ‘what’s going on here’” (interview with Fr. Miguel Concepcion, March 1998).

When local pressure fails, Father Concepcion indicated that he has not hesitated to use the extensive Catholic hierarchy to force changes in policy within the Philippines. He said “if they [Philippine officials in Taipei] aren’t working then I have to call up Manila and then [say] ‘you see, you’re people here [government representatives] are not doing, not doing anything.’ You see, that’s the only pressure, that’s the only card that I am holding.” The Father’s call to Manila would not involve calling government officials directly but, rather, “I call, for instance, the Catholic Bishop’s Conference in the Philippines and it will be the Catholic Bishop’s Conference to call up the.... you know they have a task to work in different levels.” This was a reference to the elaborate

hierarchy of the Catholic Church to which Father Concepcion reported its persuasiveness: “it’s working. I’ll tell you it’s working and it’s very effective” (interview with Fr. Miguel Concepcion, March 1998).

Representation by NGOs of the workers in cases of injustices and inequalities was not deemed universally beneficial. Sister Bernadette Chen, then-director of the Migrant Workers’ Concern Desk, another NGO organized under the Catholic Church’s Commission for Pastoral Care of Migrant Workers and Itinerants, expressed strong disagreement with how the representation of workers began and how it evolved into the current system that so taxes the resources of NGOs. While she was an extremely vocal advocate for workers, she was also a strong critic of Catholic organizations that employed short-term strategies to long-term problems (Kyne 1998). Chen held firm that the church-supported NGOs are a barrier to improving the collective whole because they performed functions mainly to solve individual workers’ employment-related problems rather than working toward a comprehensive plan designed to create migrant workers’ self-help. In employing this individual approach “the Catholic NGOs are just applying band-aid solutions,” she said, “for a huge wound that just keeps getting bigger” (Kyne 1998: 8).

Chen was quick to point out that because most Filipinos were Catholic “[they will] find churches, which provide a front line of assistance to them” and receive much more assistance than Thai workers, even though the Thai represent the majority of foreign workers in Taiwan. Chen noted that Thai workers “have more severe problems than those of Philippine workers” and she condemned Christian and Catholic organizations for ignoring the plight of workers from Thailand (*China News*, May 11, 1998). Her criticism

of Catholic NGOs is based upon what she charged were their built-in biases, citing in one example being informed by Catholic leaders that her use of the term “pastoral” in a concern for Thai workers was inappropriate (because they are Buddhist), as well as being told “I was not going to evangelize Thais.” This was a de facto neglect of migrant workers – who were supposed to be equally protected under these organizations – because they were not Christians.

Sister Bernadette’s criticism of the help structure employed by Catholic NGOs is that it never evolved into a more activist role. She lamented that Catholic NGOs were an emergency information and help source that still operates at a primary stage, “[a] level of case management, purchasing plane tickets and answering enquiries about working and living conditions” (Kyne 1998: 8), a charge later denied by Rev. Peter O’Neill of the Hope Workers Center (*China News*, May 11, 1998). As a result, Sister Bernadette charged, the migrant workers have not organized and “are not maturing into a workforce which controls their own destiny,” a destiny that she contends should begin with a dedication on the part of Catholic NGOs to scaling back their aid in order to enable workers to take control of their situation via membership in an international labor union. Sister Chen believes that the Catholic Church’s dominance as a help organization has been reduced: “the [Catholic] Church had a reputation for doing good in Taiwan, but now other NGOs fill that role.” She proposed that the “involvement in a global labor union effort could breathe much-needed new life back into the [Catholic] Church” (Kyne 1998: 8). While Sister Bernadette’s efforts to aid in workers’ rights and represent workers in disputes won her respect, her views to forge change in the structure and improve long-

term conditions through unionization were not respected by her superiors. In May 1998, after two and one half years as director, she was removed from her position by church leaders. This is indicative of the groups involved in the labor-migration process. Often those who are in the greatest position to create an improved regulative climate for workers are removed from authoritative positions or replaced. Replacement of the vehement Columbans with the Scalabrinian order changed the method, rhetoric and style with which local representatives of the Catholic Church supported foreign workers and how they protested against Taiwan and labor export countries. With their withdrawal from political activism on the behalf of foreign workers, the Catholic Church left to other Taiwan-based NGOs the responsibility to organize social protests concerning the treatment of workers.

Sister Chen's parting shots at the Catholic Church and NGO establishment did not go unnoticed. An initial response by Hope Workers' Center Director O'Neill refuted much of the strongest criticisms, but also likely spurred "National Migrants Sunday," a well-organized, jointly chaired gathering of Filipino and Thai workers and Buddhist and Catholic representatives designed to develop solidarity between their mutual labor plights (O'Neill 1998b). A consistent reprise of Catholic NGOs is that the poor conditions of employment and regulation in Taiwan are conditions that "the two major [labor] sending countries of Thailand and the Philippines are seemingly unable to change" (O'Neill 1998b: 13), and that acceptance that the export states are powerless perpetuates the idea that what is occurring to workers cannot be stopped. Reverend O'Neill, in citing the difficulties of changing the system, offered his ideas of the regulatory structure: "to my



understanding, the brokers have control over the governments, not the other way around” (O’Neill 1998c: 13). In attacking the Taiwan government over their weakness, O’Neill asked “where can the migrants turn for help when the Taiwan government does not even have the guts to stand by its own policy” (Feliciano 1998a: 14). Subsequent activity by the Workers’ Center expanded the role of workers and made progress in modeling a collective action of local and migrant workers against employer abuses (O’Neill 1998a). Even NGO representatives outside Taiwan have pointed out the flaws in the protection boasted by labor representatives. Gi Estrada, a labor activist in Hong Kong, publicized the contradictions between official rules against “runaway” security deposits written into contracts in Taiwan and the national rules that prohibit such bonds (*China News*, March 21, 1999). Estrada was especially blunt in his criticism of the Philippine government representatives at the Manila Economic and Cultural Office in May 1999, when he stated that the Office was officially opposed to these third-year extension fees but had told a foreign worker that she would have to pay them if her employer refused (Feliciano 1999g). The sum total of this NGO activity has been successful instances of exposing the abuses of workers and irregularities in foreign worker regulation and the absent role of the state in blocking such abuse and faulty regulation.

Worker opinion of the help and relative strength of NGOs and their ability to make change was tempered by the reality of their limitations. One worker who commented with cynicism to the establishment of NGO worker complaint centers said “Volunteers or nongovernmental organizations mean well. But they do not have the

authority or the enforcement power. Do you think a volunteer can order an employer to show up for a hearing? That's impossible," he said (Feliciano 1995e: 4).

## FORMS OF RESISTANCE

While NGOs have always lent support to the struggles of overseas contract workers, worker resistance was not a signature response of representatives from any of the nationals from Thailand, the Philippines, or Indonesia. Questions about the policy and complaints about it were clearly numerous and frequent; however, they were only occasionally made public. In instances where such protests became public, the demonstrations largely surrounded salary, savings, and tax issues, rather than working conditions.

Cases of resistance against employers' contract violations – especially in the earlier years of labor-import – were few. In one early example, Filipino workers angry over one company's unilateral change in their policy of compulsory savings resisted the change and attempted to come to an agreement with factory management. When the long negotiation ended in stalemate, 14 Filipino workers struck and were then deported. Only after the deportation occurred did the Council of Labor Affairs and Manila Economic and Cultural Office representatives mediate an agreement (*China News*, December 24, 1994b). Another example, a famous case against the Sinonar Corporation, included such an attempted repatriation and a subsequent "rescue" of Filipino workers at Taipei's Chiang Kai-shek International Airport by the Council of Labor Affairs, Manila Economic and Cultural Office representatives, and representatives from the Hope Workers' Center

(Feliciano 1996h). A negotiation between the workers and the employer conducted at the Council offices failed to restore their jobs, but forced an agreement to restore their unpaid wages, overtime, and forced savings.

Foreign workers and NGOs often teamed up on protests and petition drives to change practices considered by both groups to be either illegal or immoral. In September 1997, in the wake of the decision to suspend the annual increase in the minimum wage, church leaders presented a petition (signed by over 16,000 migrant workers) and engaged in a protest outside the Council of Labor Affairs calling for a just increase in the minimum wage. In addition, a letter to Taiwan Premier Vincent Siew (third most powerful political leader) detailed the sense of power foreign workers felt compared to their employers and the Taiwan state: “we clearly know that we are the cheapest and the lowest class of all workers in Taiwan. No one can deny that capitalists are always hunting for the cheapest labor while laying off those workers who get higher pay. We ask the Taiwan government to respect us. Don’t allow the capitalists to abuse us as they please” (Feliciano 1997n: 14).

### **Cases of Foreign Worker Resistance**

In extreme cases overseas workers came forward to complain and put up resistance against unjust treatment. In August 1996, in Hsinchu (northern Taiwan) 25 Thai workers lodged a written protest with Hsinchu police complaining of inhuman conditions of room and board, forcing their broker to arrange a transfer to Taipei (*China News*, August 13, 1996). In Changhua County (central Taiwan) during the same month,

72 Thai workers took to the streets to protest a tire company after negotiations and a two-week work stoppage failed to force the company – which had neither paid them nor remitted wages to their homes in Thailand for nearly four months – to own up to their responsibilities (*China News*, August 28, 1996). In an unusual move local workers employed at the same factory joined their protest.

A highly publicized case of resistance to abuse was that of a Filipina maid publicly known only as “Linda” who, after having been raped by her employer, sought help from a women’s shelter founded by a legislator in the Taiwan government. Because of these political connections “Linda” was able to bring her testimony directly to the Taiwan legislature and get assurances from Council of Labor Affairs officials that she would be transferred to another employer (Feliciano 1996g).

Other cases of resistance, such as a protest by Thai and Filipino workers against high placement fees charged by labor brokers (*China News*, July 13, 1998) and a protest on brokers who had charged fees for services they never rendered (*China News*, July 14, 1998), were less dramatic but showed an increasing willingness to throw off their psychological shackles and to let their displeasure become known.<sup>3</sup>

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<sup>3</sup>In a few cases demonstrations were held against the countries exporting them as laborers. Philippine President Estrada’s visit to Hong Kong in May 1999 attracted many people to the airport, but also gave protesters the opportunity to denounce the Philippines’s handling of worker export and fees, and its perceived ignorance of Filipinos working abroad (*Taiwan News*, May 17, 1999). The demonstration characterized the fees charged by the Philippine government as “excessive and anti-migrant,” and charged that Estrada had neglected them. Connie Bragas-Regalado, chairwoman of the NGO United Filipinos of Hong Kong, said “we’re not saying the government doesn’t have any programs to help us, but how effective are they?” (*Taiwan News*, May 17, 1999).

Workers became disenchanted with the two-year limit on working in Taiwan, especially after arriving and recognizing that two years would only enable them to pay their recruitment fees. Workers soon realized that their dream to remit large sums back to their home countries would fall very short of expectations. To counter this limit, Filipino workers began to employ a tactic that allowed them to return to Taiwan – often to work for the same employer – by legally changing their name in the Philippines, or, if married, using their single name to receive another passport and pose as a worker who was migrating to work in Taiwan for the first time (*China News*, August 10, 1997). This resistance proved successful, thus resisting efforts by Taiwan (incorporated in the labor importation policy) to frustrate workers' ability to establish a foothold in local society. A variation of this tactic had been used for years and was well known by American nationals. Occasionally, however, the maneuver backfired when employers were aware of the trick and used such incriminating information as a means of domination over foreign workers (*China News*, February 28, 1999).

### **Public/Local Resistance**

A number of Taiwan legislators mounted challenges to the labor-import policy, citing that social problems could occur because some workers flee before finishing their contracts. Representatives from both minority parties called for an immediate end to the policy in late 1995 when nearly 200,000 foreign workers were employed in Taiwan (Lee 1995). Attacks on the volume of foreign laborers were also launched against particular sectors. Legislator Su Huan-chi of the more socialist-leaning opposition Democratic

Progressive Party contended that large numbers of foreign workers employed in the Hsinchu Science-based Industrial Park were a threat to the employment of local workers (*China News*, April 23, 1999). Members of the Legislative Yuan's Technology and Information Committee drafted and passed resolutions requesting the National Science Council limit the number of foreign workers in both the Hsinchu Science-based Industrial Park and Tainan Science-Based Industrial Park in the belief that the substantial government funding of high-tech parks was in contradiction with goals of reducing native unemployment (*China News*, April 24, 1999). This action was likely a reflection of nativist concerns and representatives' ire over the numbers of foreign workers employed in the two cities, rather than a concern for local workers.

Public resistance from employers of foreign laborers evolved into more sophisticated forms. Owners of retired men's nursing homes who had been employing illegal foreign workers to care for the elderly took the offensive against police investigations of their hiring activities. The owners approached the problem of labor shortages by using legal channels (i.e., the Ministry of Interior, the overseeing body for the homes) to request the legal importation of 3,000 foreign workers (*China News*, February 2, 1999). Simultaneously, some retirement home owners made certain that the public was aware of their importance to society by threatening a "collective break" during the Lunar New Year, a time typically used by families to travel for celebrations both nationally and internationally.<sup>4</sup>

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<sup>4</sup>Such a break would have forced families into caring for their infirm relatives rather than traditional feasting and holiday vacations.

## **Labor Groups' Resistance**

Labor unions and NGO labor groups lodged increased complaints against employers in recognition of cases where local laborers were being laid off in favor of foreign laborers. A protest initiated by the Shih-lin Paper company's labor union (after the company engaged in local worker displacement) triggered a freeze on the company's application for more foreign workers (*China News*, February 1, 1996). Local labor groups also took advantage of rising national unemployment as a way to bring attention to employment problems for local laborers in specific sectors such as construction and manufacturing, and to apply pressure on Taiwan officials to review the labor-import policy (*China News*, May 31, 1996).

Labor-group resistance to the speed and content of labor-law reforms was intermittent. In late 1996 protesters rallied during the Third Asian Regional Congress of the International Industrial Relations Association meeting held in Taipei. A group calling itself the Taiwan Workers' League Against Plutocracy called for better welfare services, unemployment insurance, opposed privatization of state-run companies, and asked the government to grant foreign workers equal rights and equal pay (Feliciano 1996i). The participants in the conference did touch upon the situation of migrant labor in Asia, though no concrete solutions were devised to advance a more holistic protection of migrant workers' rights.

The Taiwan Labor Front is another group dedicated to improving the working conditions for laborers in Taiwan. Labor Front protests were organized against the Council of Labor Affairs about a decision to skip the annual adjustment of the Taiwan

basic salary decided upon by the Chinese Federation of Labor and the Chinese National Federation of Industries, two groups whom the director of the Labor Front, Kuo Guo-wen, characterized as comprised of “bosses or white collar workers” (Lin 1997a: 3). During a protest at the Council offices, the Taiwan Labor Front demanded that the Taiwan government create a minimum wage formula based on a consumer price index and the growth rate of labor productivity (Tu 1997). Resistance to any expansion of the foreign worker labor quota was lodged by the Labor Front’s Kuo and Lee Cheng-tzung, secretary-general of the Chinese Federation of Labor. Kuo cited the importation of more foreign labor to have a stifling effect on businesses’ necessity to upgrade facilities and technologies, an upgrade which would likely entice the employment of more local laborers (*China News*, March 17, 1999). Lee, on the other hand, made strong suggestions to reform regulations that allowed many foreign workers under special high-tech dispensations tied to big ticket investments in plant establishment or plant expansion. Lee argued for a reduction in the period that foreign workers could enter under this dispensation and pressured Council of Labor Affairs Chairman Chan to link high-tech investment with a promise to hire local workers (*China News*, April 1, 1999).

Aboriginal labor groups, and labor groups sympathetic to the plight of indigenous Taiwanese, also became more active in their resistance against the Taiwan government and the policy of labor-import. Demonstrations were held to protest the continued acceptance of foreign workers, while simultaneously indigenous Taiwanese workers’ unemployment rates were twice the national average. The Taiwan Aboriginal Labor Union has carried on a demonstration and continuing campaign at the Council of Labor



Affairs since 1996 to protest the labor-import policy and the difficulty aboriginal workers have in competing with foreign workers for jobs (*China News*, May 2, 1998).

A more unified resistance by local laborers and foreign laborers developed as a result of the numerous plant closures, downsizing events, and international capital mobility to cheaper labor markets. The impact of the halt of industrial production has also been a method to avoid financial responsibilities to workers for severance pay, insurance, retirement pensions, and, in the case of foreign workers, forced savings. Local laborers protested – in front of the Control Yuan and Executive Yuan – the government’s incompetence in regulating and enforcing employers to pay what is owed workers under Taiwan’s labor law (Lin 1998a). The protest leader, Tseng Mao-hsing, summed up the frustration of the group of nearly 300 saying “we have been here [the Control Yuan] numerous times to beg the government to help us to collect our money, but our efforts have all gone in vain because the government is still unable to find an effective way to solve the problem” (Lin 1998a: 3).

In 1998, 96 foreign workers were left unemployed and stranded in the dormitories of their bankrupt employer, the Ching Yang Tech Company in Taoyuan (suburban Taipei). The company closed down without paying a total of N.T. \$18.3 million (U.S. \$562,730.62, N.T. \$32.52 = US\$1) in back wages. Ironically, N.T. \$6.8 million (U.S. \$209,102) of that was forced savings that was not deposited in workers’ savings accounts by their employer, a practice designed to prevent foreign workers from fleeing their contracts. The employer promised to pay, but never completely followed through on that promise (Feliciano 1998c). Instead, the employer surrendered responsibility for the

workers to government officials who had most of the workers transferred. In the end he offered a partial payment to 15 workers who both refused to leave the factory and refused offers for job transfers until the back pay and forced savings were refunded (O'Neill 1998d). This case highlighted a chronic problem related to forced savings: the occasions when employers either refused to return them or never created the savings in the first place. The foreign workers affected by the closure demonstrated in front of both the Council of Labor Affairs and Executive Yuan to protest the failure of Taiwan's government officials to investigate their claim and devise a solution to the problem (Feliciano 1998e). Those demonstrations, and a consequent meeting with Council Vice Chairman Chang Yiou-chi, produced a move to amend rules to allow the workers to be paid out of the Taiwan Wage Arrears Repayment Fund – a fund consisting of the contributions of employers – that guarantees workers' wages (Lin 1999a). Three months later, however, the former employees of Ching Yang Tech had not received any of the money owed to them (*China News*, March 14, 1999).

### **Labor Brokers' Resistance**

Taiwan-based labor agents and brokers of foreign labor also organized and staged public protests with regard to labor imports. Their actions usually fell within a single basic topic: protests against the Council of Labor Affairs and export state representatives. These protests centered on these representatives' ability to control key elements of foreign labor-import: the length of time required in the processing of foreign workers'

applications, and regulations that the labor agents believed would stifle their ability to continue to profit greatly from brokering labor.

Demonstrations carried out by labor agents against foreign workers were aimed mostly at Filipinos, but under the auspices of forcing Philippine state officials to meet their demands. Impatience at the speed of foreign worker processing led to threats of a public march by brokers against the Manila Economic and Cultural Office. Philippine officials quickly made changes to the processing of applications to avert bad publicity (Feliciano 1996f). Those changes did not mark the end of labor broker resistance. A later protest in May 1997 by a group called the Taipei Association of Manpower Agencies was directed toward the high-ranking officials attending the Manila-Taipei economic conference. Even though their banners read “No Filipino Workers,” the group’s leader Steve Kuan explained that “we like Filipino workers” (Feliciano 1997e: 1). Rather, they were protesting against what they considered was an unfair fee structure and alien regulatory policies that differed from Taiwan law (Feliciano 1997e). Another Taiwan broker typified the dilemma they faced. Angela Lam, president of the Foreign Labor Employers’ Association of the ROC (Taiwan), complained that Philippine regulations usurped the rights of Taiwan employers and brokers. She pleaded “please don’t force us to give up Filipino workers. We can go to Indonesia, Thailand and Vietnam, but 90% (of our members) still prefer Filipinos,” thus placing her in a predicament whereby removal of Filipino workers could lead to the end of her business.

An open public hearing regarding the foreign worker importation policy laid bare the complexities of resistance of competing groups and the difficulties within which the

labor-import policy had to function. The open forum organized by Democratic Progressive Party legislator Hsu Tien-tsai was intended to discuss controversial issues. Labor brokers took this opportunity to present illegal operations related to worker import, such as the subcontracting of workers to other companies for extra profit, and claims that corrupt police engage in the production of black market passports and bribes to release arrested illegal workers (*China News*, December 21, 1996).

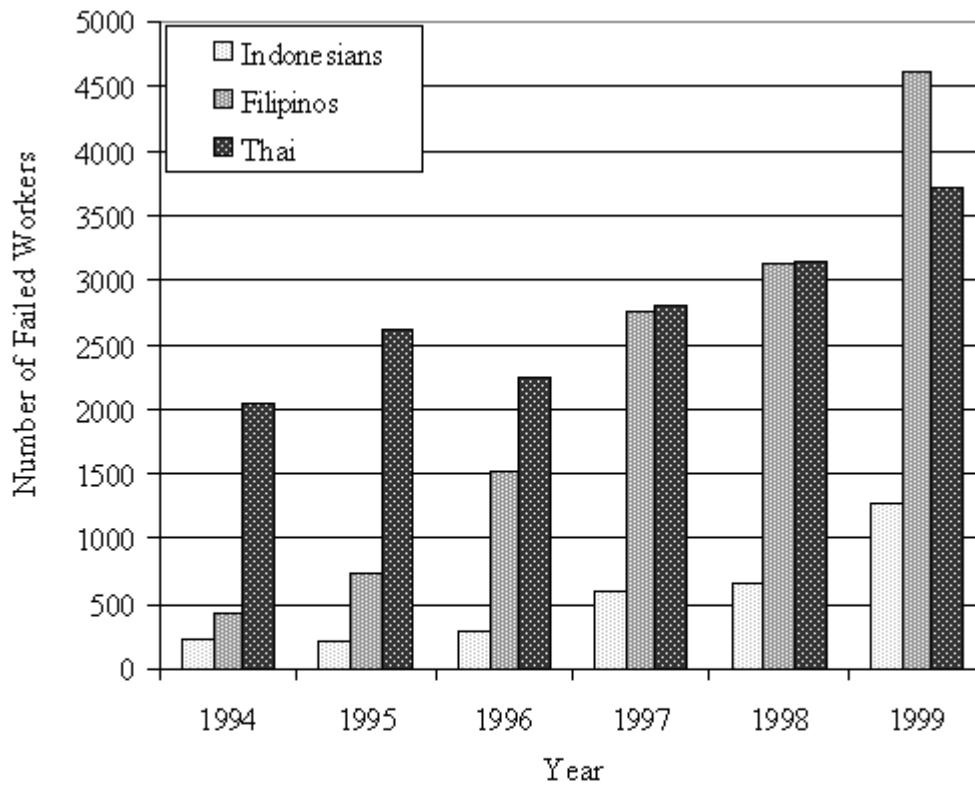
When the flap over third-year extension fees became a government-to-government summit, labor brokers took note. They would be the group of nonworkers most affected by a discontinuation of extension fees. After the Council of Labor Affairs handed over the authority to Philippine officials to set extension fees, labor agents lodged their protest and made threats to end the importation of Filipinos. Speaking for the organization calling itself the Taipei Association of Manpower Agencies, Wu Mei-ling said that if the Philippines insisted on eliminating (or reducing significantly) the extension fees, then brokers would cancel job orders with the Philippines and turn to newly approved Vietnamese workers instead (Feliciano 1999h). Philippine officials were unfazed by the threat. In response, Virginia Calvez, the Philippines's labor representative in Taipei, said: "in the final analysis it is the employer, not the broker, who makes the decision," adding "brokers still pick Filipinos because their clients prefer Filipinos" (Feliciano 1999h: 3). In response, the Association announced it would only charge N.T. \$12,000 (U.S. \$366.30, N.T. \$32.76 = U.S. \$1) in fees to extend workers' contracts an extra year, a significant reduction over the fees charged by other brokers (Feliciano 1999i).

## DISCURSIVE CONSTRUCTIONS

### **Foreign Workers, Health and Social Order**

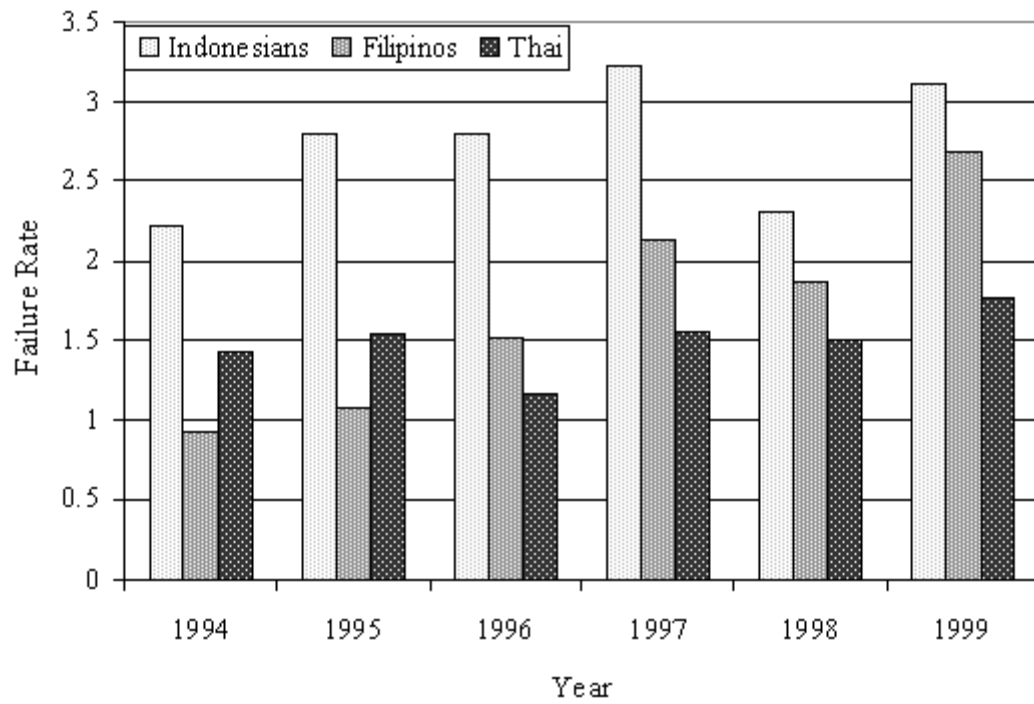
The deteriorating view of foreign workers accompanied the increase in their overall numbers. Much of this concern about increasing numbers revolved around two main subjects: the displacement of local workers by cheaper imported labor, and the potential for foreign workers to present a genuine health hazard to the general population. Efforts by Taiwan government officials to regulate the flow of workers included a statement by Council of Labor Affairs Chairman Hsieh Shen-shan who encouraged the idea of importing workers for further promotion of technological advances for Taiwan, while criticizing the influx of general laborers. Expressed in their public distaste for low-skill workers was the belief by Council officials that such workers offered little to Taiwan society while simultaneously implying that their presence fostered rising crime rates and caused deteriorating hygienic conditions for the island (*China News*, March 8, 1996). Lawmakers, too, in their concern over crime rates, opposed further importation whenever the Council of Labor Affairs Chairman attempted any increase in foreign laborers by citing statistics that indicated a rising crime rate among foreign workers (*China News*, December 4, 1997). The Council also cited rising numbers of failed medical exams (Figure 6-2, Figure 6-3) as a warning of the negative impact of foreign workers in Taiwan, statistics that would only supply more fuel to the xenophobic fire (*China News*, January 27, 1998).

In their criticism about hygienic conditions, lawmakers and Council of Labor Affairs officials came to the same conclusions, albeit from different points of interest.



**Figure 6-2: Number of Health Check Failures by Nationality, 1994-1999**

Source: Department of Health, Executive Yuan, R.O.C., 2000



**Figure 6-3: Percent Health Check Failure by Nationality, 1994-1999**

Source: Department of Health, Executive Yuan, R.O.C., 2000

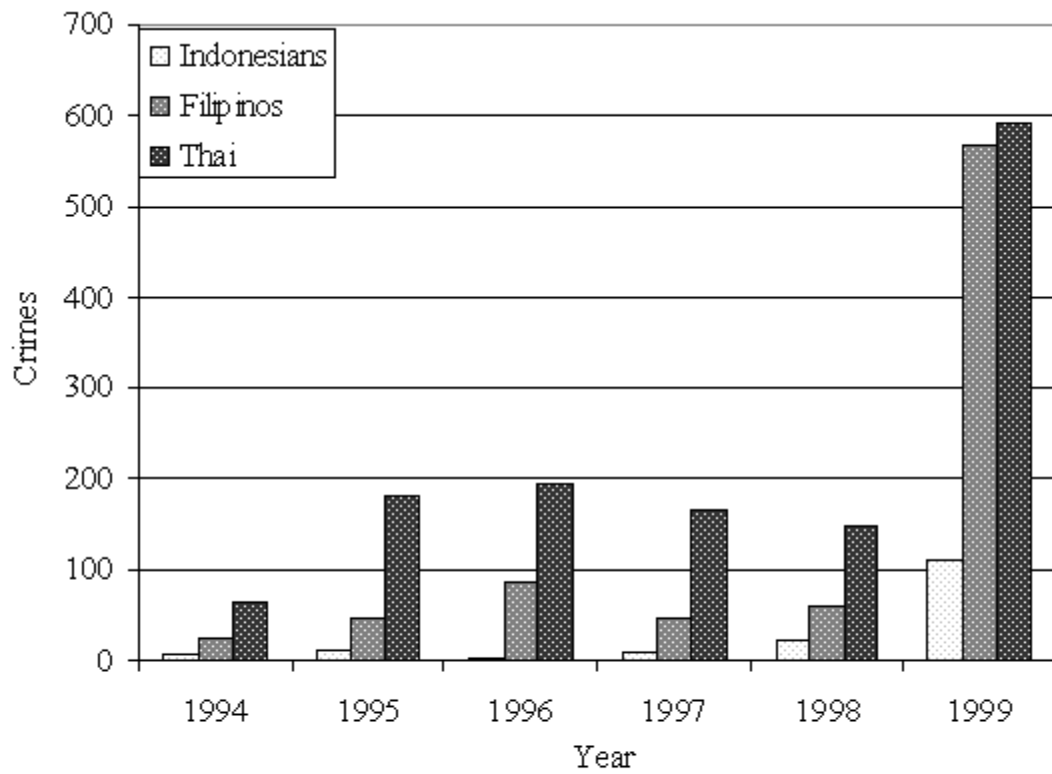
The stereotype of workers as a potential health menace continued to be pushed upon the public and the Council of Labor Affairs. This was achieved by citing statistics on the number of workers found to be HIV-positive – 35 of 21,534 that arrived in the period between July and December 1995 (DGBAS 1996) – and suggesting that illegal workers posed an even more serious health threat because they would not be monitored by the bi-annual medical check that is part of the workers' employment contract in Taiwan (*China News*, October 2, 1995). In association with this image, some construction companies that employed foreign laborers banned their workers' participation in sex while employed in Taiwan out of fear that they would transmit sexual diseases and affect (and infect) the general population (*China News*, May 13, 1996). In addition to the perceived health risks, Taiwan government officials became concerned about foreign workers' adaptation or, in fact, need to adapt to Taiwan cultural practices and laws. In response to this concern about workers' unfamiliarity with Taiwan's rules and customs, the Taiwan Provincial Police Administration produced a video detailing life in Taiwan and made it mandatory viewing for all foreign workers with the hope that it would reduce the number of crimes committed by foreign workers (*China News*, July 21, 1998). Just as the fear about HIV-positive workers was by no means supported by statistics as anything remotely resembling an epidemic, the number of crimes committed by foreign workers was also negligible.

Statistics show that in its first full year of having foreign workers there were 136 criminal cases (out of 16,000 workers) and in 1997, from a foreign worker population of over 250,000 workers, criminal cases amounted to only 304 incidents (*China News*, July



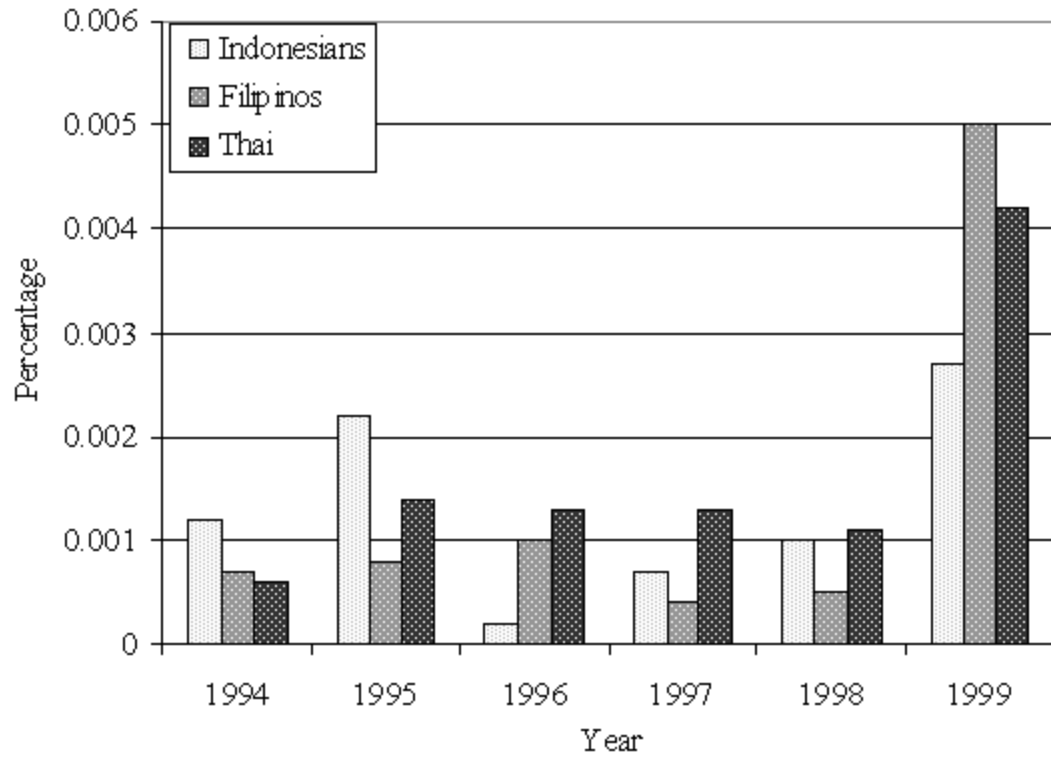
21, 1998). Official statistics indicate decreasing levels of crime until 1999, when a riot between Filipino and Thai workers led to many arrests (Figure 6-4). Those committing crimes represented minute percentages of the greater number of foreign workers employed on contracts in Taiwan (Figure 6-5). Charges that foreign workers were a danger to social order were dubious. Actual statistics tracking the failure rate for medical examinations of different foreign workers by nationality showed the lack of support for such widespread fears. Of the 36,995 foreign workers who participated in medical exams in Taipei between July 1, 1996 and June 30, 1997, only a handful of workers failed, and that failure could be for an ailment as insignificant as intestinal worms (*China News*, July 22, 1997). Over the course of the entire labor-importation policy failure rates were very low.

The social construction of identities of the foreign workers as being flawed either physically or psychologically became something that drove the physical construction of foreign workers. An Indonesian company sending workers to Taiwan carried out tests to ensure that the workers they were supplying were of sound health and mind. Antoni Amir, a representative of PT Bunawan of Mataram, West Nusa Tenggara, Indonesia, stated that “the workers have already undergone psychological and physical tests, as well as some training and motivational courses,” all of which were aimed at guaranteeing the quality of the workers (*China News*, July 17, 1997). The battery of physical and psychological tests, preparation, and motivation suggest that all of these aspects were important problems that had to be addressed in order to get approval from the employer or Taiwan officials.



**Figure 6-4: Crimes Committed by Foreign Workers, 1994-1999**

Source: Employment and Vocational Training Administration, Council of Labor Affairs, R.O.C., 2000.



**Figure 6-5: Percent of Foreign Workers Committing Crimes, 1994-1999**

Source: National Police Administration, Ministry of Interior, R.O.C., 2000

## **Social Constructions of Foreign Worker Identity by Local Management**

Following close behind the deep concern for foreign workers as carriers of the next epidemic was the image of managing workers who, in the best case, were regarded as educated with the ability to communicate in English (Filipinos), to Thai workers whose education was, in many cases, limited and whose English fluency was often extremely limited. Foreign laborers were also characterized negatively in the newspapers and in surveys conducted by the various regulatory agencies. A Council of Labor Affairs report released in early 1996 related the opinions of employers of foreign laborers. The survey results reported that 66% of the employers described management of foreign workers as “difficult” and nearly 25% of companies responding that they had previously experienced foreign workers who had abandoned contracts with them. The report also portrayed foreign workers as unclean in work or living quarters, and 20% of employers complained of having to expend large amounts of time on instructing foreign workers on Taiwan culture and work habits (*China News*, February 24, 1996).

The social construction foreign worker identities as being skilled and efficient was juxtaposed by management fears that they could be disruptive and aggressive. A Catholic priest in Kaohsiung chronicled the treatment of a group of Filipino workers who made demands for the correct calculation of their wages and paid holidays as stipulated by their contracts. Company representatives instead called in police to escort the foreign workers to the airport where they were then deported. Even though they had not committed any criminal act they were handled and seen in the public eye as criminals. The police escort was likely to keep workers from alerting any labor advocates, NGO or Philippine

representatives, who might interfere in the action by questioning the workers or halting the deportation (Ciceri 1996). Such public displays only added to locals' suspicions of wrongdoing by foreign workers.

### **Social Construction of Identity of Female Contract Workers**

Specific social constructions of female worker identities made by locals were plentiful and ran the gamut: painting female workers as being lazy and thieves to being loyal and dutiful. As was usual practice in the newspapers, the arrests of foreign workers took on monumental proportions that in nearly every case did not fit the incident's significance. Such arrests often portrayed workers as dishonest lawbreakers. An example, from October 1996, drew a big headline: "Two Filipino maids arrested" when two Filipinas were picked up and charged as illegal domestic helpers. The Filipinas were arrested based on testimony provided by two illegal brokers who were in the custody of Taiwan police on charges of making and distributing false passports which they then used to "legalize" workers (*China News*, October 23, 1996). While the crime of making and distributing counterfeit passports, as well as the brokering of illegal labor, were very serious crimes, the headline drew attention to the two unauthorized Filipina workers and not the illegal brokers.

Export state officials (and labor brokers) also participated in the construction of identity. In response to the significant charges of sexual harassment and incidents where labor officials were removed from their posts because of sexual contact with those they were entrusted to help, Wilhelm Soriano, head of the Philippine government-run

Overseas Workers Welfare Association, instituted a “papaya a day” policy for labor-center workers (*China News*, September 15, 1996). More significant were the comments made by Soriano as to the root cause of such unwanted attention. He was quoted as saying “In Taiwan and Hong Kong, the [Filipina] women are really sweet so if you don’t have strong self-control, you will really give in to temptation” (*China News*, September 15, 1996). The implication was that Filipinas induced unwanted sexual overtures even though the purpose of those Philippine officials stationed in Taiwan was to protect them from harassment. This construction of the identity of Filipina workers was commonly repeated by labor officials from the Philippines and Taiwan, and also used by labor brokers as a selling point for potential employers. Gendered social constructions of Filipina identity by Filipino men contributed to an already-firmly established interpretation of women from the Philippines. An article about Filipina caregivers demonstrates this perception in an answer to the question of what people in Taiwan should do about taking care of elderly parents.

A Kabayan<sup>5</sup> caregiver is the answer. A companion to the old, housekeeper and babysitter, a Kabayan maintains the chores so indispensable to transforming even a small dwelling-place into a home. By keeping the house tidy caregivers help welcome her employer’s family to a home instead of a pigsty. By helping prepare meals and other chores, caregivers become a source of consolation for the woman of the house. By caring for the elderly, they help strengthen respect for human life. (Ramos 1998: 14).

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<sup>5</sup>Kabayan is a Tagalog term (Tagalog is also known as *Pilipino*, one of two national languages in the Philippines – the other being English) which literally means countryman but is understood to mean “one of us [Filipinos].”

Social constructions of the identities of male contract workers were not put forth in such glowing terminology. In most cases Filipino workers were viewed with contempt. Male contract workers were the targets of identity construction that included the aforementioned suggestion that they spread diseases (by implication sexually transmitted diseases), but were also the subject of insinuations about violence. Rumors of rapes of university students at Fujen Catholic University, located in an industrial area outside Taipei, alleged that Thai and Filipino foreign workers from the surrounding factories were to blame for the sexual assaults because of their campus presence to attend mass and socialize on Sundays, their only day off. Male students at the university expressed suspicion of foreign workers, with one saying “every time I see a group of them, full after eating, with nothing to do, staring at a female student that way, I just feel disgusted” and another saying “they shouldn’t just be allowed to come in and out [of campus] freely” (Meyer 1997: 3), a reflection of the sexist and racist attitudes toward overseas workers which underlie Taiwan society.

### **Heroes of the State: Social Constructions of Identity of Filipino Workers by the Philippine State**

Flor Contemplacion – the Filipina maid who was executed in Singapore – is the martyr of the collective Filipino overseas contract worker and was the first to be hailed as a national hero (Shenon 1995). Seeing the power of this acclamation, Philippine President Ramos used this phrase repeatedly to construct (and reconstruct) the image of poor Filipina maids into that of national heroes. One example was a case in Singapore

where a Filipina maid saved the three children she was in charge of from a fire. In her praise Ramos celebrated the maid's efforts by describing her act as "confirm[ing] our belief that our overseas workers, indeed, are our modern-day heroes" (*China News*, December 30, 1995). The use of this nationalistic rhetoric has continued since then, becoming an essential part of the lexicon of Philippine government representatives. The director of the Manila Economic and Cultural Office in Taipei, Armando Fernandez, echoed President Ramos's discourse at an open forum on topics related to overseas work in Taiwan. At that forum, Fernandez made the connection between overseas workers and the level of resources expended to help them abroad, thus placing a value on what they provide for the state. He said "the overseas contract workers remitted U.S. \$4.7 billion to the Philippines last year. That's why you are the living heroes of the country" (Feliciano 1996d: 4).

### **Social Constructions of Identity of Filipino Workers by Locals**

Chinese and Taiwanese impressions of Filipino workers did not share the Philippines's view of them as heroes. Social constructions of Filipino identity were frequently negative, even though factory owners, managers, and potential employers of domestic helpers all overwhelmingly wanted Filipino workers over other available nationalities. News articles offered Taiwan society information on the illegal activities of Filipinos, for example, undocumented employment and falsification of passport identification (*China News*, October 23, 1996). News reports succeeded in sensationalizing events involving foreign workers and alarmed the public about the



impact of employing foreign workers. A report of a Filipina domestic helper who lost her temper and set fire to her employer's house certainly sent a warning to all employers of domestic helpers (*China News*, July 29, 1996). Less sensational were the instances when foreign workers were the victims of crimes, as was the case of Cesaria Mindanao, a Filipina worker who was clubbed to death while walking to her shift at an electronics factory, and the two Thai workers who were injured in the attack (Feliciano 1996j). Sister Bernadette Chen, then-director of the Migrant Workers' Concern Desk and a Taiwan native, made no excuses for her compatriots in describing their treatment of foreign workers. She placed the blame for this on Taiwan's value system in assessing people from different parts of the world in saying: "There is a certain degree of racism... and our people [of Taiwan] should admit this. We tend to adore Caucasians but we tend to look down on people who come from poorer countries, especially from Southeast Asia," and laid part of the blame on the Taiwan media and media bias in reporting stories of crimes committed by foreign workers (Sarsoza 1997: 1).

### **Social Constructions of Identity of Thai Workers**

Thai workers have been, for the most part, characterized differently from Filipino or Indonesian workers. Local labor brokers had long sung the praises of Thai workers by characterizing them as having "mild temperaments" and a "willingness to accommodate the wishes of their employers" (*China News*, June 14, 1998). However, Thai workers were not immune to social construction of identity and regulatory changes that were meant to curb their perceived behavior. Just as had occurred to Filipino domestics,

incidents involving Thai workers received huge headlines – while similar cases involving local residents did not generate similar headlines. A July 1996 article heralded the news “Thai worker stabs manager, authorities suspect mental instability...,” a report that in essence served as a warning to employers: watch out, your Thai worker could go crazy and kill you. Within the body of the article the accused Thai worker was praised for his previous diligence and hard work, but also constructed his recent behavior as abnormal. The news report was not simply limited to his actions. The end of the article carried an unrelated news item about a Filipina domestic helper who committed arson (*China News*, July 29, 1996). Other news reports characterized Thai workers as sexual disease carriers (*China News*, May 13, 1996). The fear of a spread of the AIDS virus to Taiwan (which has remained relatively untouched) was the message behind such reports and was further fueled by newspaper articles such as “Migrant workers spreading AIDS in Southeast Asia,” which ran in one of the large English-language dailies (*China News*, October 9, 1996).

Foreign workers had always been considered a “problem” by the police, especially those workers who had abandoned their contracts. Thai workers became increasingly constructed as threats to social order by Taiwan police. Taipei county authorities offered up statistics that portrayed Thai workers as committing 75% of the crimes perpetrated by foreign nationals in the county. A second concern for police were women arrested on prostitution charges. The report quickly shifted from foreign women prostitutes brought in on the pretense of marrying Taiwanese men, to a police crackdown on foreign prostitutes that included the inspection of hotels, Thai restaurants, and Thai pubs (*China*

*News*, December 20, 1998). Police in Taichung (in central Taiwan) also reported similar cases for 11 Thai women. In both cases they were identified as “foreign laborers charged with prostitution,” rather than women fraudulently entering Taiwan to work as prostitutes. The inference is that Thai workers are prostitutes. The end of the article summarized the results of a police survey of Taichung employers which gave Thai workers high marks for being “obedient” and “having a strong work ethic.” However, further results of the survey characterized their weaknesses as “they like to drink alcohol and generally have a relaxed attitude about sex which can cause problems for employers” (*China News*, January 1, 1999). Ironically, the same could have been said for Westerners who made up the bulk of English teachers, but no such sweeping criticisms were ever levied.

Issues involving the behavior of Thai workers and pressure to adjust that behavior is clear. In response to a growing number of complaints lodged against Thai workers’ conduct after consumption of alcohol, a campaign was initiated to encourage Thai workers to reduce their alcohol intake and thus repair their image as workers among their current employers. The sensitivity toward negative perceptions of Thai workers was of significant concern to the Thai Trade and Economic Office’s Labor Center, especially in light of high unemployment in Thailand. A directive from the Thai government pushed Thai officials to promote overseas job opportunities for their nationals after it became concerned over falling employment rates for Thai workers in Taiwan (*China News*, June 14, 1998). Cases detailing Thai workers’ involvement in a scheme to have drugs smuggled into Taiwan added another dimension to mounting suspicions of foreign workers in Taiwan (*China News*, October 1, 1998).

## **Social Constructions of Identity by Export State Officials**

The social construction of foreign workers identities as everything from slaves to criminals to prostitutes was compounded by the workers' own fatalistic and unclear understanding of the role that government officials played in their treatment in Taiwan. Since their government representatives hailed Filipino workers as new heroes, the workers in many cases accepted their newly-constructed identities i.e., "heroes" to the nation. Thai workers understood the crisis conditions in their home country and did not have to be convinced that their employment abroad was helping the nation at home. Many times Thai workers had demonstrated their devotion to country, and especially to the King and Queen of Thailand, by engaging in voluntary garbage collection to mark and honor the Queen's birthday (O'Neill 1998a).

Although some Filipino workers viewed the label of "new heroes" sarcastically, they rarely denounced the Philippine government or government officials for their incompetence. Most often state officials were seen as helping workers or attempting to help workers. Strong criticisms of Philippine government officials characterized them as weak and inefficient. Reverend Bruno Ciceri of the Catholic Diocese of Kaohsiung, commenting on the Philippine government's performance in protecting workers from abuses, said "we don't need to be called 'new heroes' because we are not heroes but 'martyrs' of the inefficiency of a poor country" (Ciceri 1996: 9). While he saw through the rhetoric of new heroes, he reinforced old stereotypes associating economic weakness with a lack of political power.

## **Social Constructions of Taiwan as Site of Employment**

The elaborate construction and widespread belief among incoming overseas workers that Taiwan was the “United States” of Asia (in economic terms) was a shock to many of those workers who expected a modernized, efficient, and morally responsible society in which to work. Although Taiwan was seen as a place of immense opportunity for those still in the Philippines, the well-known facts to those who had migrated there to work stood in stark contrast to those perceptions. Foreign workers in Taiwan were introduced to the finite freedoms placed upon them in society and the enormous expectations and demands made of them as workers. One worker, in a letter to the *China News*, expressed her disgust with the image and reality of working in Taiwan: “please think twice, even three times, about flying to Taiwan. Contrary to what we were led to believe, Taiwan is NOT a land flowing with milk and honey” (*China News*, October 20, 1996). She wanted to return to the Philippines after only six months’ work, a situation which would mean she had accumulated no savings whatsoever.

### **SUMMARY**

At a practical level nongovernmental organizations and their representatives have provided immeasurable aid to workers and have helped those workers to manage the difficult task of negotiating daily life as a migrant worker in Taiwan. However, the importance of labor activist NGOs in Taiwan far exceeds this role. NGO involvement in Taiwan labor-import is vital to protection of foreign workers. Support lent by nongovernment organizations spearheads efforts to procure expanded rights for overseas

workers, as well as buttresses efforts to ensure that Taiwan government officials adhere to national laws protecting foreign workers. NGOs' adept use of media also represents an important independent factor of resistance against worker exploitation. By taking a strong leadership role – in the absence of a decisive leadership role among export-state officials and local labor brokers – NGO representatives have been able to communicate to regulatory officials what export state officials have been unable or unwilling to do: speak out for foreign workers and force state-level dialogue on immigrant labor issues without fear of repercussion.

As evidenced above, the creation of a social belief system that characterizes individuals by gender and nationality first has a widespread impact on ideas of class and social value, use, performance, and, ultimately, control of overseas contract laborers. For example, the characterization of foreign workers of Southeast Asian origin as unclean (hence the need for biannual health checkups) forces and reinforces social beliefs about their relative inferiority.<sup>6</sup> Other social constructions of workers' identities included management difficulties and the knowledge of contract abandonment in other contexts contributed to the widespread paranoia surrounding employment of foreign workers. Those social constructions of identity certainly influenced the degree to which foreign workers were controlled and likely affected the outcome of some contract abandonments.

Gender-based constructions of overseas workers' identities were, and continue to be, a serious problem, mainly for the workers themselves. The image of people leaving

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<sup>6</sup>Foreign workers of North American origin were not treated with an equal amount of suspicion (Western nationals were obligated to have only an annual health screening).

their relatively poor country to work in Taiwan is the beginning of the social construction of contract worker identity (a belief in the power of the rich over the poor). This becomes intertwined with local gender-constructed identities of women's roles and status (women have a low level of social standing and power in Taiwan), to place many overseas laborers in a doubly exploitive situation because they are poor women there to engage in employment that in many cases is seen as "women's work." Sadly, as seen in the comments of the Philippines Overseas Workers Welfare Association officer Wilhelm Soriano, even state officials responsible for protecting women workers engage in a discourse that places them in greater danger of being manipulated and abused. Finally, the continually evolving construction of identity of overseas workers as heroes by the representatives of their own governments, and the praise of workers' self-sacrifice for the good of their nation, perpetuates a twisted image of what is required of the citizens of these countries. If overseas workers are heroes, then perhaps (alternatively) those who do not seek out and participate in overseas employment are de facto cowards.

Resistance from all areas of society has been rising. Those resisting include the public and political representatives, but also include laborers both local and foreign. While resistance among the public figures has been nativist and xenophobic, among local laborers it has been directed broadly at the capitalist mode of production, especially the use of less costly foreign workers in production. In some cases local and foreign workers have united against the forces of capitalism. Rising resistance among foreign workers has addressed inadequate policing of laws and an increasingly vocal disgust with second-class treatment afforded to them.

All told, laborers employed from the Philippines, Thailand, and Indonesia face challenges that are the product of a different cultural ethos that exists between them and those that employ them in Taiwan. From simple misunderstanding to intense distrust to unequal protection from the law, foreign workers are forced to deal with adversity. Rising levels of complaint offered by either NGO representatives or by the workers themselves should usher in more equal and tangible protection. However, many members of Taiwan society still hold a common perception that guides thinking: those workers that come should feel fortunate that Taiwan invites them to have a job and the chance to make more money than their poor countries can provide.



## CHAPTER 7

### OFFICIAL DATA, FIELD SURVEY DATA, AND INTERNATIONAL LABOR MIGRATION

The investigation of labor- “importing” and labor- “exporting”, i.e., international labor migration to Taiwan, was carried out in an effort to answer the questions posed by some researchers, challenge the ideas of others, and to ascertain the depth of reasons that people migrate temporarily as overseas workers. For example, Massey (1990), in making a case for a theory of cumulative causation in migration, made an impassioned plea for the integration of diverse types of approaches into a theoretical synthesis, and simultaneously lamented that the “balkanization” of migration studies has hindered its explanatory power. Stark (1991) tapped household-level analyses to comprehend household strategies of earnings maximization and risk minimization. Goss and Lindquist (1995), in support of a structuration theory approach to migration, proposed that the questions that should be asked are how migrant institutions can be compared and how individuals are articulated with institutions at both the community and global scales. Hamilton and Stolz Chinchilla (1996) noted the need to recognize the relationship between economic restructuring and international migration, and the effects on the countries involved. This chapter introduces the results of foreign worker surveys that I conducted to create a picture of migrant workers and understand their situation in Taiwan.

My fieldwork was conducted from January 1998 through March 1998 and during May 1999. Fieldwork entailed substantial archival research of periodicals (as noted in previous chapters), but also the administration of surveys to determine the characteristics and composition of foreign workers from the three main labor-exporting states: Thailand, the Philippines, and Indonesia. Surveys were provided to workers from these three states to collect data on overseas contract workers. Surveys were written and conducted in English for Filipino workers, in Thai for Thai workers, and in Indonesian for Indonesian workers (see Appendix for samples). In the end a total of 170 surveys were completed by workers, with 68 Filipino, 54 Thai, and 48 Indonesian workers consenting to aid my research by filling out the survey. Filipino workers were approached at several different sites. Initially, Filipino workers' help was solicited at a busy McDonald's fast food restaurant near the main Catholic church and adjacent to a crowded bus stop and transfer station. While I believed that this site would be a promising place to survey, Filipino workers were uncomfortable and only marginally willing to participate. I was forced to solicit help from workers enjoying their day off in the public parks in the Chungshan district of Taipei.

Other Filipino workers were surveyed at their jobsite in the Tachih district of north Taipei, where workers were building high-rise public housing apartments to house retired soldiers. Surveys of these workers were conducted in the workers' dormitory mess hall. Several other surveys of Filipino workers were conducted at the main Taipei rail station. Thai workers were surveyed at worker dormitories adjacent to the Taipei rail station – where the construction sites for Taipei's new subway were located – as well as

at other dormitories for laborers working to build a section of the city's subway in the Chunghsiao East Road "Ding Hao" shopping district. In addition, a number of surveys of Thai workers were filled in by factory workers in Tainan City in the southern part of the island. Most of the Indonesian workers were surveyed at a construction jobsite in the Gungkuang district of south Taipei where workers were building apartments. Several surveys were also distributed and completed by Indonesian workers at Taipei's main rail station. The results of these foreign worker surveys are chronicled below.

While I achieved success in getting a substantial number of surveys distributed, completed, and collected, there were some problems that arose during data collection. The survey was designed to take only 15 minutes to complete. This estimate was nearly the norm among Filipino workers. Few, if any, Filipino respondents took more than 20 minutes to complete the survey. This made surveying quick and easy, and enticed other nearby workers to become curious and participate. Among Filipinos no significant difficulties were faced. Respondents were asked if they would complete the survey, and those who refused were politely thanked. My relaxed attitude toward surveying was made possible by the sheer number of potential survey respondents, as well as the general approachability of Filipino nationals. Because of this approachability, I was not under great pressure to solicit informants or to resort to special incentives to encourage their participation.

Surveys of Indonesian workers posed different challenges, but did not prove too problematic. The greatest challenge to surveying Indonesian workers was their less dramatic presence, both numerically and culturally. While Filipino workers were

especially festive and active on their Sundays off – and, as a result, quite easy to identify for survey purposes – Indonesians were more reserved and difficult to distinguish. The identification of the jobsite of Indonesian construction workers was achieved through an Indonesian labor agent in Taipei who referred me to one of his clients. Subsequent to those surveys a chance meeting of Indonesian workers at the rail station netted several more survey respondents. Indonesian workers completed surveys in their native language and were generally able to fill out the survey without incident and within 15 to 25 minutes. Those workers whose reading literacy was lacking were helped to complete their surveys by other workers more literate in Indonesian. However, this lack of literacy was not a widespread problem among those Indonesian workers surveyed – even though they were nearly all employed as manual construction laborers.

Although Thai workers were the largest foreign worker group in Taiwan and tended to be relatively easy to identify, surveys of Thai nationals proved to be the most problematic. Congregations of Thai workers were identified by the tendency to fly the Thai flag over their dormitories (unlike Filipinos), and by their language which has quite a different sound to English-language speakers from that of Philippine languages (Tagalog, Visayan) or the Indonesian language (Bahasa Indonesian). Initial survey attempts among Thai workers met with little success. Even though making contact was quite simple and aid in translation was contributed by an on-site labor agency representative (essentially a language facilitator between Thai workers and Chinese foremen), Thai construction workers had great difficulty reading the Thai language surveys. Most Thai construction workers surveyed had only a rudimentary knowledge of

their written language and took upward of 45 minutes to complete the survey, even with the help of more literate co-workers. Some Thai workers gave up the task of trying to complete the survey and skipped questions or even whole sections. There was a marked difference, however, in the ability of Thai factory workers to carry out the survey. Thai factory workers, for the most part, took approximately the same amount of time to finish the survey as Indonesian and Filipino overseas contract workers and did not require help to the extent that the Thai construction workers had needed.

## DESIGN AND RESULTS OF THE WORKER SURVEYS

Samples of the survey presented to Filipino, Indonesian, and Thai workers are appended to the end of the dissertation. The design of the survey was meant to incorporate questions that delved into a broad range of factors that may have influenced contract worker international migration. An important guide to follow regarding these questions was the work of Massey (1990) and his strong reliance on the work of Findley (1987). The survey attempted to investigate and confirm, or potentially refute, their findings. As a result, questions such as the influence of other prior labor migrants' experiences and successes, and the prior activity of family members, were both extremely important. A reason to ask similar questions as those asked in previous studies was to provide a longitudinal view of household strategies to see if motivations to migrate had changed over time or if different nationalities expressed different motivations to migrate. This lack of a longitudinal methodology was a criticism levied by Massey (1990) on all migration literature. These queries were used to ask if migrants had participated in the

migration for individual reasons or for reasons of family, but they were also used to examine nontraditional types of rationale: whether migrants moved for the pleasure of travel, or perhaps to escape from bad relationships: unhappy marriages, abusive spouses, or home country legal systems that forbade divorce (Philippines). A large segment of the survey was crafted to examine the state's role and degree of influence, if any, that state activities had on the judgment of labor migrants. This was carried out via questions about government information and training, and the importance that it had upon migrants. Other questions were placed in the survey to understand the perceptions of workers with regard to the state's role, and therefore the role of national institutions, upon the migration decision-making process.

The surveys were analyzed using SPSS for data management. Maps detailing the home country location of respondents provide a visual presentation of those who completed the survey. The spatial distribution of the number of workers from each country, and the home town or village of each, points to the dissimilarity between source areas of the various nationalities. Filipino workers were represented from many different parts of the archipelago, with Manila serving as the absolute center of overseas labor recruitment and "deployment" in the Philippines (Tyner 2000). However, while Manila is prominently represented in Figure 7-1, numerous other migrants originate in areas that are a relatively long distance from the capital city and at even longer travel times. Workers hailing from towns and villages from all over the main island of Luzon were joined by laborers from many other more remote islands and locations. Indonesian workers' origins were strongly represented by the island of Java the most populous of the state's 13,000

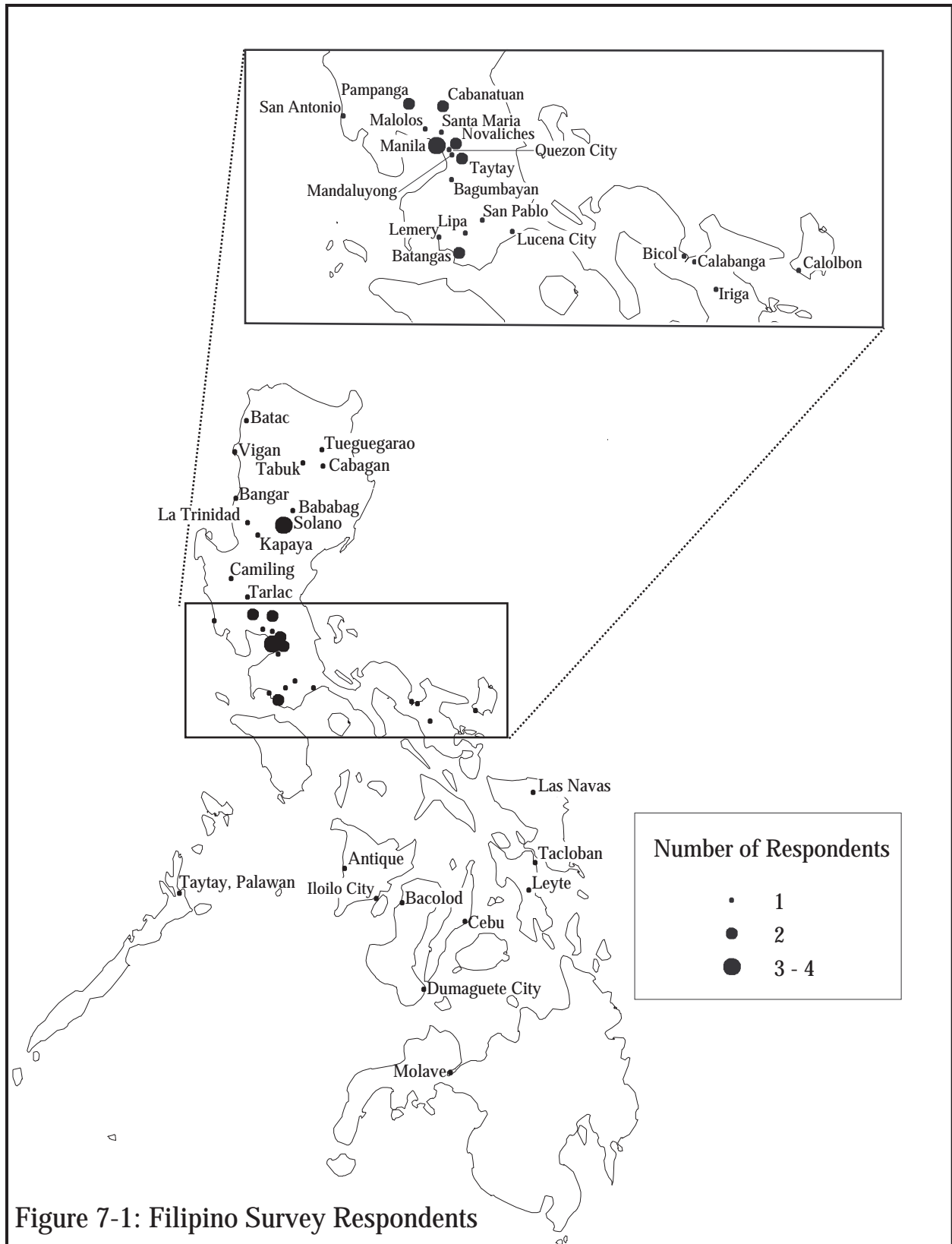


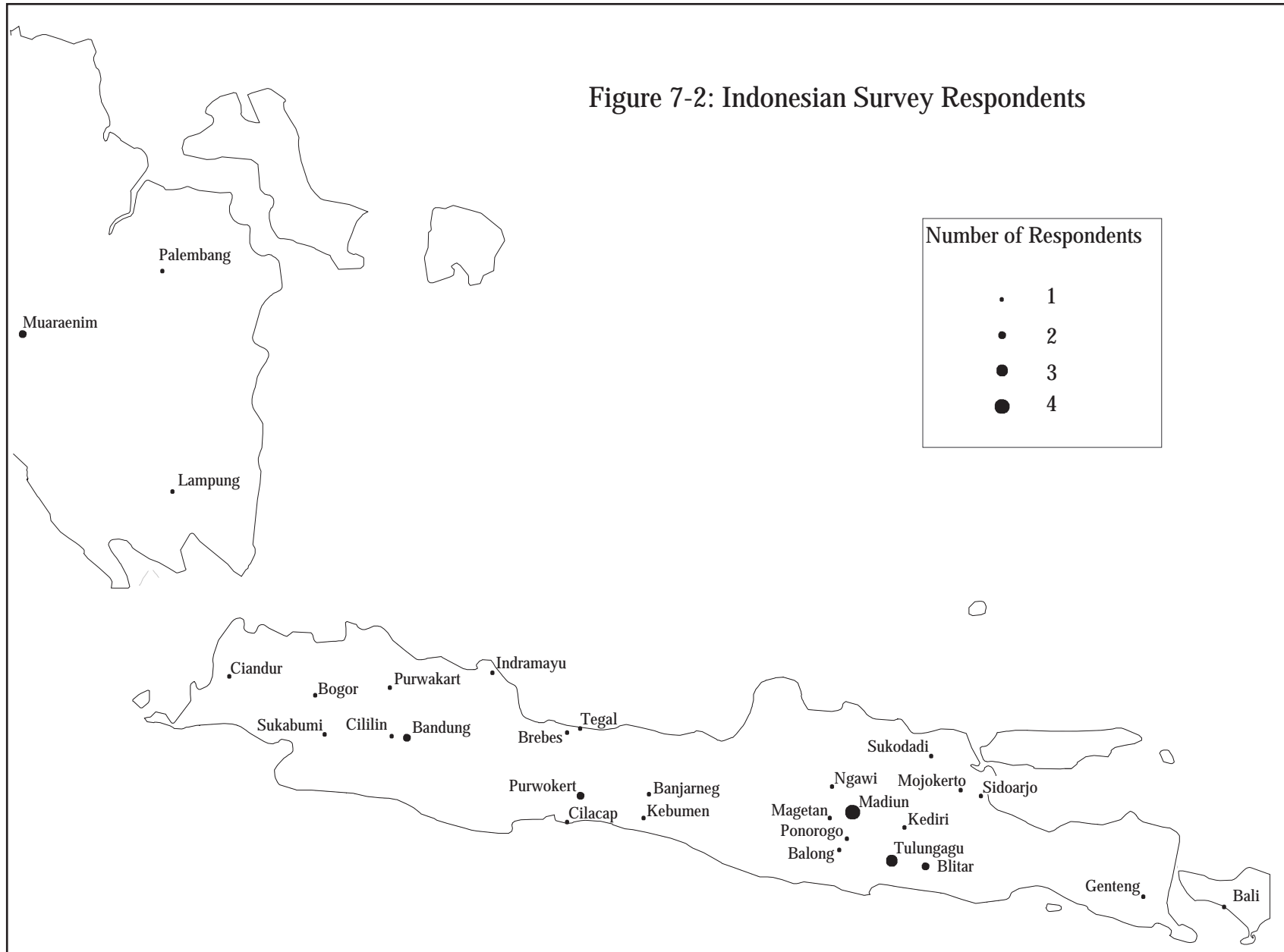
Figure 7-1: Filipino Survey Respondents

islands, but also from the provinces on the island of Sumatra, a Kalimantan province, as well as a migrant respondent from the island of Bali (Figure 7-2). Thai contract workers, however, exhibited a distinct regionality of origin (Figure 7-3), even though the surveys of Thai workers were introduced at three geographically different locations in Taiwan. The explanation of the Thai workers is quite clear when origins of the Thai contract workers are compared with their home professions: many Thai workers were farmers in what is the country's poorest and climatically most unpredictable region for rain-fed agriculture (Jones and Pardthaisong 1999).

The results of the surveys indicate that some of the findings of previous studies are supported, but other outcomes are more complicated and display the complexity of influences and motivations involved in international contract labor migration. I first attempted to collect data profiles of nationalities (Table 7-1), age (Table 7-2), age and nationality (Table 7-3), and education profiles (Table 7-6) of foreign workers in Taiwan, and then sought to uncover the migration histories for each overseas worker and members of their household. For example, the data collected that detail the age of the migrants (Tables 7-2 and 7-3) follow a typical pattern of 20-35 year-olds, but with several interesting exceptions: many Filipino workers were markedly both younger and older than migrants from other countries, while a majority of Thai workers were in the 35-39 year age range (Table 7-3).



Figure 7-2: Indonesian Survey Respondents



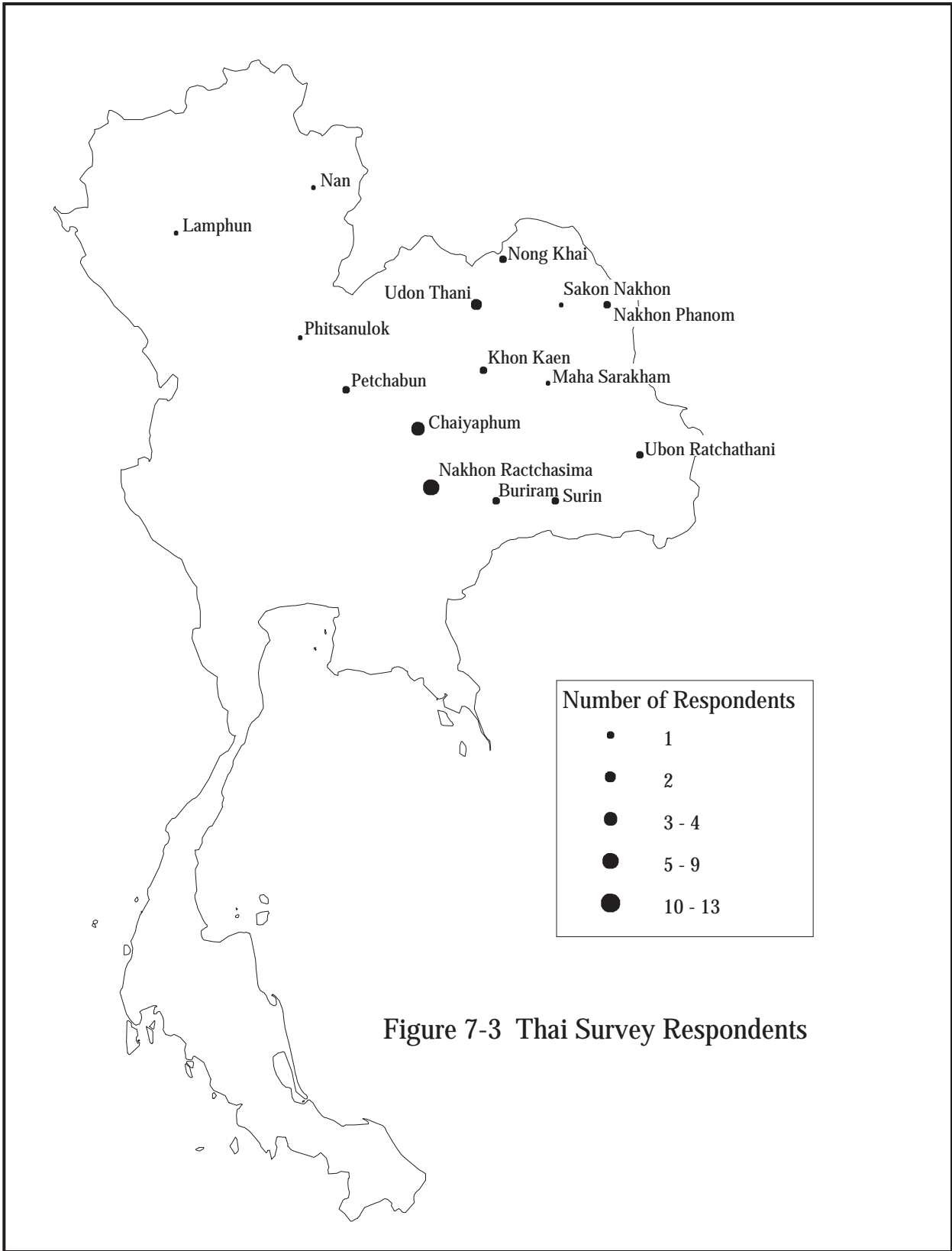


Figure 7-3 Thai Survey Respondents

Table 7-1

Survey Respondents by Nationality

<u>Nationality</u>	<u># of Respondents</u>	<u>Percent</u>
Filipino	68	40.0
Indonesian	48	28.2
Thai	54	31.8
Total	170	100.0

Table 7-2

Survey Respondents by Age

<u>Age</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
15-19 year olds	2	1.2	1.2
20-24 year olds	31	18.2	19.6
25-29 year olds	46	27.1	47.0
30-34 year olds	47	27.6	75.0
35-39 year olds	37	21.8	97.0
40-44 year olds	4	2.4	99.4
45-49 year olds	1	.6	100.0
Subtotal	168	98.8	
No response	2	1.2	
Total	170	100.0	

Table 7-3

Survey Respondents by Nationality and Age

<u>Nationality</u>	<u>NR</u>	<u>15-19</u>	<u>%</u>	<u>20-24</u>	<u>%</u>	<u>25-29</u>	<u>%</u>	<u>30-34</u>	<u>%</u>	<u>35-39</u>	<u>%</u>	<u>40-44</u>	<u>%</u>	<u>45-49</u>	<u>%</u>	<u>Total</u>
Filipino	1	2	3	19	28	17	25	16	24	10	15	2	3	1	1	68
Indonesian	1			8	17	19	40	13	28	6	13	1	2			48
Thai				4	7	10	19	18	33	21	39	1	2			54
Total	2	2	1	31	18	46	27	47	28	37	22	4	2	1	1	170

Table 7-4

Gender and Nationality of Foreign Workers Surveyed

<u>Nationality</u>	<u>Male</u>	<u>Percent</u>	<u>Female</u>	<u>Percent</u>	<u>Total</u>
Filipino	16	23.53	52	76.47	68
Indonesian	46	95.83	2	4.17	48
Thai	47	88.68	7	11.32	54
Total	109	64.12	61	35.88	170

Table 7-5

Gender and Nationality of All Foreign Workers in Taiwan (as of 5/31/2000)

<u>Nationality</u>	<u>Male</u>	<u>%</u>	<u>Female</u>	<u>%</u>	<u>Total</u>
Filipino	34,369	31.51	74,707	68.50	109,076
Indonesian	11,504	22.11	40,527	77.90	52,031
Thai	115,757	83.93	22,166	16.08	137,923
Total	161,630	54.05	137,400	45.95	299,030

Source: Employment and Vocational and Training Administration,  
Council of Labor Affairs, Foreign Division, Taipei, Taiwan, 2000.

Table 7-6

Highest Education Level Completed by Nationality

<u>Nationality</u>	<u>1st-5th</u>	<u>6th-8th</u>	<u>H.S.</u>	<u>Some College</u>	<u>B.A./B.S.</u>	<u>M.A./M.S.</u>	<u>M.A./M.S. +</u>	<u>Total</u>
Filipino		8	22	8	23	3	1	65
Indonesian	1	16	28	1		1	1	48
Thai	1	31	7	13	1	1		54
Subtotal	2	55	57	22	24	5	2	167
No response								3
Total								170

In several cases, quite by accident, data collected from the surveys portrayed close approximation to the overall composition of overseas contract workers in Taiwan (Table 7-5). For example, the surveys of women workers were approximately the same as the

national figures for the female foreign workers in Taiwan (Table 7-4). In addition, the 76% figure for Filipino women workers surveyed came close to representing 68% female overseas contract workforce from the Philippines working in Taiwan in May, 2000. The gender breakdown of Thai workers comes close to duplicating national statistics for all Thai workers. It should be noted that workers originating from the Philippines are special because of the wide range of ages exhibited and their educational attainment (Table 7-6), now a hallmark of Filipino overseas contract laborers which has been noted in other studies (Heyzer et al. 1994). However, differences existed between the gender breakdown of my Indonesian respondents and the overall numbers of Indonesian workers in Taiwan (i.e., between Tables 7-4 and 7-5). One reason for this difference is that many of the surveys of Indonesian workers were administered at a large construction site (Figure 7-4) and that when these data were collected (March 1998) Indonesian males were the overwhelming majority of migrants, a trend that has, in the few years since, become completely reversed.

Another section of the survey sought to confirm the geographic and social segmentation in the process. Data were collected to ascertain where potential migrants traveled to sign up for overseas employment (Table 7-7 and 7-8), with which type of representative they applied for overseas work, and how migrants received word about the specific job contract under which they were employed. Evidence from the Taiwan surveys suggest that home villages and provincial capitals are joining capital cities as entrepots to globalized labor opportunities (Table 7-7). In the Philippines, Manila has long dominated the geography of the labor recruitment “business” (Tyner 1999).



Figure 7-4: New, publicly-funded residences in Taipei's KungKuan district. These residences were constructed by Indonesian contract laborers.

However, as Table 7-8 indicates, international contract workers from Indonesia and Thailand exhibited contact with international work contracts at a much more regionalized and localized scale of labor recruitment and solicitation.

Table 7-7

*Where did you sign up first?*

<u>Location</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
Home village	36	21.2	21.2
Provincial capital	36	21.2	42.4
Capital city	85	50.0	92.4
Other	5	2.9	95.3
No response	8	4.7	100.0
Total	170	100.0	

Table 7-8

*Where did you sign up first (by nationality)?*

<u>Nationality</u>	<u>Home village</u>	<u>Provincial capital</u>	<u>Capital city</u>	<u>Other</u>	<u>No response</u>	<u>Total</u>
Filipino	3	6	54	2	3	68
Indonesian	14	16	14	1	3	48
Thai	19	14	17	2	2	54
Total	36	36	85	5	8	170

The dominance of private labor recruiters in the process of labor migration to Taiwan is reflected in the structure of Taiwan’s regulation of foreign workers. One structure is the design of Taiwan’s labor “import” policy which has mandated that only a limited amount of direct recruitment of workers can occur at the state level. That has almost guaranteed that in nearly all cases, interested labor migrants are compelled to seek out private labor recruiters in order to secure overseas employment. As is evident in

Table 7-9, direct recruitment activity by government officials has a very limited role in the daily operation at the recruitment level. However, other evidence (chapters 4, 5 and 6) indicated that government officials have a greater, albeit oblique, role in preserving the continuity of international contract labor migration.

Table 7-9

*With whom did you sign up first?*

<u>Contact</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
Government recruiter	15	8.8	8.8
Private recruiter	140	82.4	91.2
Other	6	3.5	94.7
Friend	3	1.8	96.5
Total	164	96.5	
No response	6	3.5	
Total	170	100.0	

While recruiters for overseas jobs are usually private agents, it is important to note that those agents are not always the source of information on specific contracts (Table 7-10). Relatives, friends, and media sources accounted for the information for nearly the same number of contract jobs as the private recruiters. This shows that in many cases the potential migrant is already aware of the job opportunity through migrant networks, but must resort to the recruiter because of the operation of the system and policy that requires the use of private recruiters.

\_\_\_\_\_ Issues of the work environment were also explored. The issues explored by the survey tried to assess worker satisfaction and the quality of overseas workers' employment in Taiwan versus previous overseas contracts in other global locations



Table 7-10

*How did you hear of this specific job contract?*

<u>Source</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
Relative	25	14.7	14.7
Friend	47	27.6	42.4
Government recruiter	9	5.3	47.6
Private recruiter	80	47.1	94.7
Newspaper/media	3	1.8	96.4
Total	164	96.4	
No response	6	3.6	
Total	170	100.0	

(where applicable). The survey also ventured to explain skill conversion among workers: the change occurring when workers – who were employed in their home countries in one profession or skill – applied for overseas work in that profession or another profession, and who, after arriving in Taiwan, were put to work in a third profession. A large majority of overseas contract workers felt that the jobs in which they were employed represented at least an experience similar to previous contracts abroad (Table 7-11). A majority answered that their jobs in Taiwan were better than jobs elsewhere. Those responses were especially surprising when examined in the context of published reports of worker abuses perpetrated by employers, and my and others’ observations of the conditions under which many foreign laborers toiled. Frequent letters of complaint sent to the local English language newspapers chronicled much of the dissatisfaction amongst the foreign worker community in Taiwan.<sup>1</sup>

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<sup>1</sup>Numerous accounts of worker dissatisfaction and reports of verbal and physical abuse can be found in *Letters to Kabayan!*: a weekly column in *The China News* by Marie Feliciano.

Table 7-11

*How does your Taiwan employment compare to other international contracts?*

<u>Nationality</u>	<u>Best</u>	<u>Better</u>	<u>Same</u>	<u>Worse</u>	<u>Worst</u>	<u>Not Applicable</u>	<u>No response</u>	<u>Total</u>
Filipino	4	33	14	2	1	13	1	68
Indonesian	2	16	24		1		5	48
Thai	9	15	9	2	1	17	1	54
Total	15	64	47	4	3	30	7	170

Listed below are the home country professions of those workers surveyed (Table 7-12). As is evident from the diversity of the list, international labor migrants were in most cases already employed at home in a great variety of jobs, from the casual to the strongly professional. Persons unemployed in their home countries accounted for very few overseas migrants. What is notable in Table 7-12 is the large number of farmers – almost all of whom were from Thailand. Only six job categories accounted for 50% of the workers surveyed representing low and semi-skilled occupations. However, what is notable are the number of respondents who had skilled or professional jobs in their home country, yet opted for international employment. What is not known from these responses is the degree to which migrant workers were underemployed in their home countries, a problem in all three of the labor source countries. In addition, some self-described home-country professional categories can be misleading. “Business” is often used as a euphemism for employment as a “vendor.” “Sales clerk” may also be an accurate description for the same job. “Self-employed,” too, can mean “vendor” or can often be a vague representation for employment in some form of sales, or the activities of day laborers, construction labor, or other casual labor.

Table 7-12

Profession in Home Country

<u>Occupation</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
Farmer	27	18.4	18.4
Business	14	9.5	27.9
Construction	11	7.5	35.4
Self-employed	8	5.4	40.8
Factory worker	7	4.8	45.6
Mechanic	6	4.1	49.7
Carpenter	5	3.4	53.1
Seamstress	5	3.4	56.5
Driver	4	2.7	59.2
Laborer	4	2.7	61.9
Midwife	4	2.7	64.6
Office clerk	4	2.7	67.3
Secretary	4	2.7	70.0
Unemployed	4	2.7	72.7
Hairdresser	3	2.0	74.7
Housewife	3	2.0	76.7
Sales clerk	3	2.0	78.7
Teacher	3	2.0	80.7
Vendor	3	2.0	82.7
Bank teller	2	1.4	84.1
Caretaker	2	1.4	85.5
Engineer	2	1.4	86.9
Government official	2	1.4	88.3
Mason	2	1.4	89.7
Nurse	2	1.4	91.1
A/C technician	1	.7	91.8
Blacksmith	1	.7	92.5
Contract worker	1	.7	93.2
Electrician	1	.7	93.9
Fish seller	1	.7	94.6
Hotel/Rest. Mgr.	1	.7	95.3
Civil works	1	.7	96.0
Librarian	1	.7	96.7
Nurse's aid	1	.7	97.4
Security guard	1	.7	98.1
Shoemaker	1	.7	98.8
Tailor	1	.7	99.5
Telephone operator	1	.7	100.2
Subtotal	147	86.5	
No response	23	13.5	
Total	170	100.0	

One of the main lines of inquiry developed in the survey was designed to determine the states' roles and how state policies have influence on international labor migration. The survey respondents were asked to answer questions about the amount of information they had received, government training or certification to do their overseas job (Table 7-13), and, if they received training, for how long they were trained (Tables 7-14 and 7-15). The results of the survey indicated variability between the three groups, with a slight majority of Filipino workers denying government training while Indonesian and Thai workers claimed that government had a significant role in training overseas labor migrants.

Table 7-13

*Were you trained by the government to do this job?*

<u>Nationality</u>	<u>No</u>	<u>Yes</u>	<u>No response</u>	<u>Total</u>
Filipino	36	30	2	68
Indonesian	16	29	3	48
Thai	9	40	5	54
Total	61	99	10	170

Table 7-14

*How long were you trained?*

<u>Duration</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
Less than 1 week	51	30.0	30.0
1 week	25	14.7	44.7
1-2 weeks	14	8.2	52.9
2-3 weeks	2	1.2	54.1
3-4 weeks	5	2.9	57.0
More than 4 weeks	12	7.1	64.1
Total	109	64.1	
No response	61	35.9	
Total	170	100.0	

Table 7-15

Duration of training by Nationality

<u>Nationality</u>	<u>&lt; 1 week</u>	<u>1 week</u>	<u>1-2 weeks</u>	<u>2-3 weeks</u>	<u>3-4 weeks</u>	<u>&gt; 4 weeks</u>	<u>No response</u>	<u>Total</u>
Filipino	13	9	7			2	37	68
Indonesian	3	7	5	2	5	3	23	48
Thai	35	9	2			7	1	54
Total	51	25	14	2	5	12	61	170

Training periods tended to be short, with 70% of respondents stating that their training lasted one week or less. This training was often established to meet labor “import” state stipulations that international labor migrants be trained for the job they will do. The training, usually overseen by the government office that regulates international labor migration from labor-“export” states, was generally designed to prepare workers for employment in the country to which they were migrating.

An important section of the survey asked respondents to begin with the statement “I came overseas to work because...,” to consider a variety of endings to that statement, and then to rank the strength of that statement to their own situations (see appendices for survey samples). Survey respondents were asked to rank the endings with a choice of “strong yes,” “more or less,” “not really,” or “not at all” for the purpose of targeting influences and motivations. The findings of 11 of these sentence endings are presented below. Six focused on the potential impact of the government and four others focused on personal motivations to migrate.

The use of government origin advertising pamphlets and information has been cited as an example of the state’s role in overseas migration for employment, especially from the Philippines (Ball 1997). However, the data for Filipino workers in Taiwan

showed a surprising absence of contact with these information-spreading devices and promotional materials produced and distributed by the state (Table 7-16). Only a slim majority of Indonesian labor migrants acknowledged having been influenced by government flyers. Thai workers exhibited the highest level of agreement that information disseminated by government sources had influenced their interest in overseas work (53%). Of all those workers surveyed, 42% acknowledged having been influenced by such sources of information.

Table 7-16

*I came overseas to work because... I read a government pamphlet*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	8	12	10	15	14	21	30	44	6	68
Indonesian	16	33	9	18	8	16	11	23	4	48
Thai	17	31	12	22	7	13	6	11	12	54
Total	41	24	31	18	29	17	47	28	22	170

I asked each worker about their government's role in encouraging overseas work through training programs and job guarantees. More positive agreement about the role of the state in individuals' migration decisions came in response to this question (Table 7-17). While a majority of Filipinos rejected the idea that government training or guarantees of employment had convinced them to work overseas and Indonesian workers were ambivalent, Thai contract workers strongly acknowledged training and guarantees as a motivation to accept an international contract laboring position.

Table 7-17

*I came overseas to work because... my government offered me training/guarantees*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	10	15	6	9	19	28	26	38	7	68
Indonesian	15	31	10	21	6	13	9	19	8	48
Thai	30	55	10	19	2	4	3	6	9	54
Total	55	32	26	15	27	16	38	22	24	170

I also asked foreign workers about other potential influences. After having conducted a series of informal interviews with overseas workers I became aware that television and print media could have been an important conduit for exposure to information. Several questions attempted to explore the impact of media sources on labor migrants, specifically newspapers (Table 7-18) and television.

Table 7-18

*I came overseas to work because... I read about Taiwan jobs in the newspaper*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	23	34	10	15	16	24	14	21	5	68
Indonesian	16	33	13	27	4	9	12	25	3	48
Thai	14	26	14	26	7	13	11	15	8	54
Total	53	31	37	22	27	16	37	22	16	170

Newspapers were cited as important sources of information for 58% of all those who responded to the question. Of the three nationalities surveyed, Indonesian workers were the most positively influenced (64% of respondents). More than 50% of Thai workers, even though possessing the lowest levels of education amongst the three surveyed, agreed that newspapers had an impact on the decision to migrate. Migrants' use of newspapers

as a source of information has not been seriously explored. Instead, migration theorists have focused on the migrant networks of friends and family as sources of information (Massey 1990, Massey et al. 1993).

I also formulated a similar question that explored the impact of television in part because of the pervasiveness of state-run television in Asia and because of the affect of widespread diffusion of television sets. The potential existed for governments to use television as an avenue to “advertise” overseas employment opportunities. I included a question on the role of television as a medium for information (Table 7-19). While some migrants felt that it was a significant inducement, the overall results did not indicate that television was a particularly important source of information for potential international labor migrants. The strongest responses (50%) came from Indonesians and Thai.

Table 7-19

*I came overseas to work because... I saw Taiwan had jobs on T.V.*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	9	13	10	15	12	18	29	43	8	68
Indonesian	14	29	10	21	7	15	15	31	2	48
Thai	15	28	12	22	6	11	14	26	7	54
Total	38	22	32	19	25	15	58	34	17	170

Responses for why people migrate from the three target states can be fitted into an almost universal standard of motivations. Those who chose to complete the prefixed statement with the suffix “I’ll make lots of money” in the affirmative are numerous and display the hope (or naïveté) of international labor migrants (Table 7-20). Not surprisingly, international contract labor migrants from The Philippines, Indonesia, and



Thailand all arrived in Taiwan in the belief that they would profit handsomely. Few thought that their temporary migration to Taiwan would not reap some financial benefit.

Table 7-20

*I came overseas to work because... I'll make lots of money*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No Response</u>	<u>Total</u>
Filipino	26	38	23	34	10	15	5	7	4	68
Indonesian	15	31	18	38	6	13	2	4	7	48
Thai	32	59	14	26	2	4			6	54
Total	73	43	55	32	18	11	7	4	17	170

Another exploration of migration theory was woven into the response in Table 7-21. In his work on remittances and social pressures, Stark (1991) has characterized local people in labor sending states as proceeding to migrate for reasons surrounding family strategies and social pressures in sending locations. In the first instance, Stark advocated that migrants are part of a family-centered rationality that is designed to minimize economic risk by sending household members to work in urban or international locations. In the second instance, Stark espoused that migrants are influenced to migrate by the successes of their neighbors in their home milieu, in essence “keeping up with the Joneses”: their neighbors who had already migrated, been successful, and had elevated their local status upon their return. A query posed to labor migrants asked this very question, that is, whether the migrant surveyed became an international contract laborer because of the success of others in their town.

The response to the questioning of that theoretical construct (Table 7-21) indicated that social pressures to profit in the wake of others’ successes are not universal.

Of the three nationalities, only representatives from Thailand could be viewed as having been spurred-on by the prosperity of their peers (Thai workers exhibited a strong positive response – 72% – to the notion). The findings indicated that for Filipinos and Indonesians migrants this was not an important factor. Filipino workers surveyed in Taiwan seem to reject the thesis of being motivated by a neighbor’s accomplishments, a finding which ran counter to studies that have cited Filipino overseas workers as having been one of the nationalities strongly influenced by the success of others (Findlay 1987).

Table 7-21

*I came overseas to work because... other people in my town got rich first*

<u>Nationality</u>	<u>Strong Yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	9	13	19	28	23	34	12	18	5	68
Indonesian	14	29	5	10	13	27	11	23	5	48
Thai	16	30	23	43	6	11	2	4	7	54
Total	39	23	47	28	42	25	25	15	17	170

In order to further evaluate the strength of Stark’s theories, several questions that were asked of foreign workers in Taiwan probed the relationship between migrant and family. I asked a series of questions regarding the migration history of other family members. The purpose was to ascertain whether migrants participated in international contract labor migration because of the experience of someone in their immediate family. This began with the question of whether migrants surveyed in Taiwan had been influenced by a family member’s migration. Additional queries sought to uncover the their family migration history and how many family members were actively working overseas at the time of the field survey.

There was a strong possibility that a migrant could have been following in the footsteps of a sibling and even in the footsteps of a parent, given the lengthy period of international labor migration among Filipinos (since 1974) and the long standing pattern of migration to the gulf states of the Middle East and other Asian states amongst all three nationalities (Table 7-22). Migrant workers surveyed rejected the idea that the migration activity of a close family member was a defining reason for their own participation. When the responses are disaggregated and viewed by nationality, an even more startling result is encountered: Filipinos were the group that logged the strongest dissent to the statement and Thai the overwhelmingly strong agreement (Table 7-23). This result is surprising in light of the global dominance of Filipino labor and relative newness of global Thai labor. In addition, the responses to the number of household members who were working overseas at the time of the survey presents an inverted pattern of dispersal of other household members overseas. Only 26% of respondents acknowledged that they had – at that time – other household members working abroad. Over half of those who responded affirmatively had only one other household member abroad (Table 7-24).

Table 7-22

*I came overseas to work because my father/mother/sister/brother was an OCW before me*

<u>Response</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
Strong Yes	31	18.2	18.2
More or less	22	12.9	31.1
Not really	30	17.6	48.7
Not at all	68	40.0	88.7
No response	19	11.2	99.9
Total	170	100.0	

Table 7-23

Crosstabulation by Nationality of the statement:

*I came overseas to work because my father/mother/sister/brother was an OCW before me*

<u>Nationality</u>	<u>Strong Yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	6	9	5	7	10	15	38	56	9	68
Indonesian	3	6	5	10	14	29	21	44	5	48
Thai	22	41	12	22	6	11	9	17	5	54
Total	31	18	22	13	30	18	68	40	19	170

Table 7-24

Number of Household Members Currently Working Abroad (HMA)

<u>Nationality</u>	<u>1 HMA</u>	<u>%</u>	<u>2 HMA</u>	<u>%</u>	<u>3 HMA</u>	<u>%</u>	<u>4 HMA</u>	<u>%</u>	<u>5 HMA</u>	<u>%</u>	<u>6 HMA</u>	<u>%</u>	<u>Total</u>
Filipino	12	52	7	30	4	17	0	0	0	0	0	0	23
Indonesian	10	59	6	35	0	0	1	6	0	0	0	0	17
Thai	3	75	0	0	0	0	0	0	0	0	1	25	4
Total	25	57	13	30	4	9	1	2	0	0	1	2	44

Filipino OCWs had the greatest overall number of household members working abroad (Table 7-24), but a slightly lower percentage (33.8%) than Indonesian workers, who reported that 35.4 % had another relative working abroad at the time of the survey. Interestingly, Indonesians were the group most adamantly against the notion that they were influenced by a previous close family member's migration. The same type of inverse relationship was found among Thai workers: they reported they were most influenced by a close family member, but had the fewest household members working abroad. Male overseas contract workers had a much higher percentage of household members simultaneously working abroad than female contract workers (Table 7-25).

Table 7-25

Number of Household Members Abroad (HMA) By Gender of Survey Respondent

<u>Gender of Migrant Worker</u>	<u>1 HMA</u>	<u>2 HMA</u>	<u>3 HMA</u>	<u>4 HMA</u>	<u>5 HMA</u>	<u>6 HMA</u>	<u>Total</u>
Male	17	7	1	1		1	27
Female	8	6	3				17
Total	25	13	4	1		1	44

The hopes and dreams of individuals looking to profit from employment overseas are illustrated in the responses to the sentence ending “when I go back I can start a business” (Table 7-26). What was clear from the surveys was the aspiration of many to raise capital to start a business upon their return. However, those businesses were often no more than food or soft drink stands, a motorcycle taxi, or a simple restaurant. The data gleaned from the survey especially highlighted the interests of Thai and Filipino overseas contract workers to develop a profession for themselves that could potentially pay longer term benefits than the high cost (and short term) contracts they secured for international employment. These findings confirmed work on the use of remittances by Sri Lankan return migrants (Athukorala 1989). Indonesians displayed as much positive response (83%) as Filipinos (83%) to the question, but perhaps were less optimistic about what they could achieve.

Table 7-26

*I came overseas to work because... when I go back I can start a business*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	44	65	19	28	3	4	1	1	1	68
Indonesian	17	35	23	48	1	2	1	2	6	48
Thai	32	59	12	22	4	7			6	54
Total	93	55	54	32	8	5	2	1	13	170

The final question that I used the survey to ask was how international contract labor migrants viewed the government and the choices that they had in their respective home countries (Table 7-27). I was curious to find out if overseas contract workers saw themselves as being victimized by the economic systems and conditions in their home countries, especially in the wake of the deflation and collapse of their home economies during the Asian economic crisis that began in 1997. Thai workers expressed the strongest feeling that they had little or no choice locally and therefore had to accept international labor opportunities as the only viable option. The responses of Indonesian workers were surprisingly mixed (given the difficulties experienced in their home country at that time), but probably reflect the uneven distribution of job options in Indonesia.

Table 7-27

*I came overseas to work because... I feel this was the only choice my government offered me*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	8	12	9	13	17	25	24	35	10	68
Indonesian	8	17	11	23	10	21	12	25	7	48
Thai	22	41	9	17	7	13	10	19	6	54
Total	38	22	29	17	34	20	46	27	23	170

Finally, a question that inquired if overseas migration was a patriotic act engaged in by the workers identified Filipino workers and Thai workers as being cognizant that their participation in overseas labor migration was aiding the operation of the government and health of the country's economy (Table 7-28). The sentiment of international contract workers was understandable given that fragile economies deeply affected by the Asian financial crisis were actively promoting overseas migration as a remedy for the ills

of their nations. Both the Thai government and Philippine government vigorously pursued policies that enable the state to use nationalist rhetoric to “cash in” on citizen aid efforts. Within Thailand such things as donations by citizens of stockpiled gold propped up the currency locally while the creation of global laboring opportunities were sought to stabilize the economy internationally. The Philippine government simply continued nationalistic rhetoric begun years earlier (when the economy was in a shambles) and re-energized the migrating masses by citing the 1995 trial and execution of a Filipina overseas in Singapore as a reason to view the efforts of all Filipino overseas workers as heroic.

Table 7-28

*I came overseas to work because... my country needed my help most*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>No response</u>	<u>Total</u>
Filipino	30	44	15	22	6	9	12	18	5	68
Indonesian	10	21	16	33	9	19	7	15	6	48
Thai	29	54	7	13	5	9	6	11	7	54
Total	69	41	38	22	20	12	25	15	18	170

One factor that has not been accorded much recognition in the literature was that migrants may participate in these long distance moves as a means to travel (Table 7-29). While many of the migration theories place much of their weight on the rationality of laborers engaging in rural-urban or international migration, they failed to take into account that individuals simply wanted to escape the regularity of life in their home village, province or country and engage in international labor migration as a means to see, live, and work somewhere different. In answering this question about migrants’ desire, over 50% maintained that travel was an important element of a decision to become an

international migrant. These results are even more interesting when they were broken down by nationality, gender, and age. In terms of nationality, Filipino contract workers were the group most interested in international migration as international travel (Table 7-30). More than 50% of Filipinos concurred with the statement that international labor migration was meeting their long to travel. Contract workers from the Philippines also expressed the largest number of positive responses (73%), thus acknowledging that travel was a significant inducement. Conversely, the strongest rejection of the statement was made by Indonesian workers. Thai workers' opinions were mixed, to say the least. When the data are crosstabulated by gender (Table 7-31) a striking outcome is realized: Filipina labor migrants were the ones most interested in using work abroad as a technique for traveling. This suggested the need for more research on female labor migrants from Indonesia and Thailand who are working in Taiwan, as well as female labor migrants in other places to understand if this is new or unique to Filipinas.

Table 7-29

*I came overseas to work because... I wanted to travel*

<u>Response</u>	<u>Frequency</u>	<u>Percent</u>	<u>Cumulative Percent</u>
Strong yes	52	33.8	33.8
More or less	30	19.5	53.2
Not really	28	18.2	71.4
Not at all	44	28.6	100.0
Total	154	100.0	
No response	16		
Total	170		



Table 7-30

*I came overseas to work because... I wanted to travel (by Nationality)*

<u>Nationality</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>Total</u>
Filipino	33	52	13	21	11	17	6	10	63
Indonesian	4	9	8	18	8	18	24	55	44
Thai	15	32	9	19	9	19	14	30	47
Total	52	34	30	19	28	18	44	29	154

Table 7-31

*I came overseas to work because... I wanted to travel (by gender)*

<u>Gender</u>	<u>Strong yes</u>	<u>%</u>	<u>More or less</u>	<u>%</u>	<u>Not really</u>	<u>%</u>	<u>Not at all</u>	<u>%</u>	<u>Total</u>
Male	25	25	20	20	19	19	37	37	101
Female	27	52	10	19	9	17	6	12	52
Total	52	34	30	20	28	18	43	28	153

The findings of surveys displayed by gender were significant because women expressed the desire to travel at a response rate of 71%, while males responded affirmatively at only a 45% rate. The female response rate is constituent of the feelings of Filipinas who make up nearly the entire positive response to the statement (Table 7-32). Of the 47 Filipinas who answered the question, 77% expressed agreement with it and, as a result, saw international contract labor migration as a bona fide method of exploring the world. For Indonesian female contract workers and Thai female contract workers the samples are too small to judge the importance of travel to migrants of the two countries or to make broader statements about the significance (or lack of significance) that travel away from their home country has as an inducement for them to seek overseas work.

Table 7-32

*I came overseas to work because... I wanted to travel* (by gender and Nationality)

<u>Nationality</u>		<u>Response</u>	<u>Male</u>	<u>%</u>	<u>Female</u>	<u>%</u>	<u>Total</u>
Filipino	I wanted to travel	Strong yes	6	18	27	82	33
		More or less	4	31	9	69	13
		Not really	3	27	8	72	11
		Not at all	3	50	3	50	6
		Total	16		47		63
Indonesian	I wanted to travel	Strong yes	4	100			4
		More or less	7	88	1	12	8
		Not really	8	100			8
		Not at all	23	96	1	4	24
		Total	42		2		44
Thai	I wanted to travel	Strong yes	15	100			15
		More or less	9	100			9
		Not really	8	89	1	11	9
		Not at all	12	86	2	14	14
		Total	44		3		47

## SUMMARY

This chapter has provided evidence from international migrant laborers in Taiwan that can be placed into already established theoretical frameworks attempting to explain international labor migration and can, in some cases, suggest new theoretical insights. Foreign workers in Taiwan fit nicely into the age-old template of international labor migration established well before Ravenstein (1885, 1889) produced his “laws of migration”: most migrants fall within an age range of 20-35 and most are men. However, when the more intimate details of the migration are examined, many of the past stereotypes fell prey to new patterns and processes prominent in contemporary international migration (Piore 1979). For example (as seen in the surveys of Filipinos), women can and do dominate in patterns of some migration streams. In addition, migrant attributes such as high educational attainment levels and stable previous employment

were quickly sacrificed in the search for international opportunities, just as environmental conditions in Thailand could force poor farmers to do the same. What was clear from the data was that no single reason or reasons can accurately be gleaned from the motivations of international contract labor migrants. However, data indicating a number of migrant laborers' interest in travel should be seen as an important motivation to consider in theoretical constructions of migratory motivations.

What was not as apparent as I had theorized was the conspicuous role of the state (in the minds of workers) in creating, managing, and perpetuating international labor migration. In some cases foreign workers identified the state as having a role (Tables 7-13 and 14), but in other cases they were reluctant to ascribe too much blame to their governments for what was for them a severe dislocation (Table 7-27). Although the role of the state was not a strong factor identified by the survey respondents, an important finding was the lack of strength that government advertising pamphlets had as a source of information for migrant workers (Table 7-16) and the surprising strength of newspapers<sup>2</sup> as quality information sources (Table 7-18). Media sources, therefore, warrant closer examination as a primary origin of information for potential migrant laborers.

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<sup>2</sup>Tyner (1998) has investigated the creation of internet sites as places for prospective employers to find Asian labor seeking international employment.

## CHAPTER 8

### THEORETICAL CONSIDERATIONS ON THE STATE IN LABOR IMPORT AND ECONOMIC RESTRUCTURING, THE STATE AND LABOR EXPORT, AND THE ROLE OF THE STATE IN GLOBALIZATION

Throughout the previous chapters I have chronicled the origins, growth, and development of international labor migration to Taiwan. To analyze the events I have drawn upon a number of literatures: those of the state and economic development, international labor migration, and globalization. By looking at the state and economic development I show the role of the Taiwan state in fusing international capital with imported labor to restructure production, revitalize export production, and create new national flexibility. In pursuing an emphasis of the state in international migration theory I suggest that theory be redirected in its assessment of states' roles, especially in light of the results of my research and the responses from interviews of government officials from labor export states and Taiwan. Furthermore, in analyzing the globalization literature and debate within this case study I am able to soften the rigidities of the debate and create a more informed and less amorphous structure to globalization theory by emphasizing the role of the state as an important political economic actor, whether as a labor export or import state.

## ECONOMIC GEOGRAPHY: THE STATE AND ECONOMIC DEVELOPMENT

The work of Harvey (1985) delineated important issues that have driven the Taiwan state and state officials to choose the labor importation path toward continued economic development. He noted that capitalism requires certain fundamental characteristics to function properly and ensure growth: the backing of the credit system by state and financial institutions, the capacity to move commodities via a stable transport system – to “facilitate and secure exchange”– and the mobility of labor (Harvey 1985: 148). With respect to labor, Harvey conceded that capitalist development appears to need free and easily adaptable labor yet prefers “a stable reliable workforce and captive labor supplies” (Harvey 1985: 148). The employment of foreign sources of labor – which the Taiwan government helps to provide – serves to meet both conflicting conditions by simultaneously being “free” labor power (or at least labor that is easily adaptable to accelerative shifts in production, as well as decelerations in times of low demand), as well as a workforce that is reliable, with stability of status and cost: workers that are literally captive to their work contracts. Taiwan’s pro-capitalist flexible labor structure has furthered its ability to control workers by removing social infrastructure allowing labor organization, thus reducing the effective strength of local labor. Beyond those structural impediments to labor organization, the strength of national labor laws are diluted through lax and sometimes non-existent enforcement (Lauridsen 1996), which undermines foreign laborers’ already tenuous positions of power as expatriate and temporary contract workers.

In the Taiwan case, the accumulation strategy has been (and remains) the preservation of historically-generated capitalist and national wealth most recently acquired through exports, with the recognition that continued export growth – and the generation of high profits and national wealth – must involve a flexible state process based on an accumulation strategy. The Taiwan state’s labor import policy (as seen in the previous chapters) strongly supports accumulation for the economic interests of producers at all levels (ranging from the corporate to small enterprise) in the short term, but also the economic interests of both local producers and foreign producers in the longer term – as witnessed in the linkage between national investment targets and unrestricted labor imports. The organization of this hegemonic project is tied to national economic and political survival and is able to be carried out without significant resistance under the state-corporatist/authoritarian system (Wade 1990) in place in Taiwan. As Jessop recognized, “economic crises necessarily have repercussions on the other levels (and vice versa) so that a restructuring of the state as a system of political domination may be a precondition for solving an economic crisis” (Jessop 1990: 44). States are therefore convinced that a policy of employing economic restructuring now can stave off larger problems in the future.

States increasingly view events and trends outside of the control of national territory as vitally important to national economic health, future economic growth, and political stability. In their efforts to achieve national economic success states are increasingly forced into a re-articulation of scales (Jessop 1999). Examples of how states view events and issues outside their territories (as have been presented in earlier chapters)

are the Thai foreign ministry's call upon overseas offices to attract jobs for Thais to work abroad, the nationally planned escalation of employment for Indonesian overseas workers, and the Philippine push for acceptance, preference, and maximization of opportunities for Filipino workers in Taiwan. These activities add fuel to arguments of the state's large and increasing role in international labor migration (Hugo 1995, Ball 1997, Massey 1999). The activities of state agencies, officials, and national institutions to forge overseas opportunities for national laborers create a condition whereby national territory is expanded to include abstracted territories not directly under its control. The expansion of labor into Taiwan also involves a more significant economic link than direct trade. Global economic issues can now have an effect on the states not normally affected: a downturn or upswing between Taiwan and the United States may impact the number of foreign workers employed and tangentially the income derived from the export of labor.

Government leaders and cabinet ministries understand that expatriate workers represent something analogous to national certificates of deposit from which the national economy will reap guaranteed returns and national rewards. By being employed abroad, international labor migrants, in essence, extend the boundaries of national productive territory as if these jobs were located within the local. This action is increasingly becoming the activity of labor exporting states to secure revenue generated from without. This is especially important for labor-exporting states which need to maintain political stability via short-term foreign exchange as a key to the longer-term attraction of larger amounts of foreign investment – which should lead to continued national economic health. Therefore, the actions of government ministers and branches of state government

to expand international labor migration must be seen as a strategy for the enhancement of the scale of national production, as if the area of production of labor exporting states had actually expanded. This is an important motivation driving the state.

As relations between states become more complex, and the components of policy also become more intricate, international migration can not be defined as simple descriptive movements of people but instead must be seen as part of the broader international relations and power relationships, economic or political vulnerability, or as part of a larger foreign policy strategy (Mitchell 1989). Four of the now five approved labor supply states – Indonesia, the Philippines, Thailand, and Vietnam – view the migration of their nationals abroad for what they can supply in remittances and for what that income can add to wealth already being created within territory under their control. Each has established either a governmental office or has institutionalized labor migration via a special branch within a national department of labor, a reliable indicator of the importance of international labor migration and, more importantly, the significance of the global within the national scale.

The establishment of this level of infrastructure must be viewed as more than the protection of each state's nationals abroad. Why a state would go to such lengths to ensure that their nationals were not be exploited begs the question: *qui bono* (who benefits)? By viewing the actions of state officials in their service to the state it is necessary to remember that those states that engage in labor export are faced with a crisis: an oversupply of labor. The export of redundant labor by third world states is a geographical response to local crisis, with the state being involved in capitalism by



searching out overseas employment and thus participating in a spatial fix (Harvey 1985) which allows it to reap the benefits of labor expansion into spaces that “can open up considerable breathing space for its own survival” (Harvey 1985: 156). Although Harvey’s theory was aimed at the activities of capital, a substitution of the state for capital illuminates the method by which the state can act as an entity under capitalism and can explain the breadth of effort made by labor-export states to create employment abroad. Officials representing the labor-export states therefore cooperate with the Taiwan state in ways to ensure continuance of the flow of labor to Taiwan.

Although he detailed the opposite case, that is, the venting of labor from industrial spaces back to less developed places, Samers (1998) argued that the vent worked in a similar way for states attempting to cure economic and political maladies associated with high national unemployment. The spatial vent therefore releases populations that, if left unchecked, could be potentially volatile elements of national discontent with the government and creates another line of reasoning to support a role for state theory in the promotion of international labor migration and a globalization of labor. Samers contended that viewing labor migration as a spatial vent “emphasizes the export of labor/labor-power, rather than only the export of capital, as a strategy of crisis resolution” (Samers 1998: 201). States that must rely on labor-power exports as a significant hedge against crisis have exercised the spatial vent at least politically by attempting to stave off a deeper crisis that can affect officials’ ability to govern effectively and to defend facets of development policy that could falter under a financial crisis such as reduced foreign

exchange and increased trade imbalance, a condition witnessed during the Asian financial crisis (Chalamawong 1998).

The Indonesian state reaffirmed its efforts to attract foreign exchange via wage remittance through its escalating targets for international labor migrants sent abroad. The results of those efforts within the national development plans have indicated that national goals for expanding international labor migration have been exceeded in every period (Hugo 2000). What is rarely discussed in the literature is the speed with which national, institutionally encouraged or supported labor migration can create money capital advantages for use within the national economy. This can be seen in Indonesia, which had a negligible 10,000 international laborers in 1979 (the first year that a target number was generated for overseas workers) but by 1999 had more than 400,000 international labor migrants annually, adding to the numbers already engaged in international labor contracts that generally extend over a multi-year period. An estimated total of more than 2.5 million Indonesian contract workers are abroad which represents more than three percent of the total Indonesian labor force (Hugo 2000). This reflected the Indonesian state's desire to promote overseas employment.

Geographically, there is notable propinquity amongst the states involved in the export and import of labor to Taiwan (Figure 1-1). While this nearness has fostered sub-regional economic zones in other parts of East and Southeast Asia (Chia 1996), the coalescence of these states reaches far beyond shared borders or strong cultural ties such as overseas Chinese communities. Although some have portrayed such migrant movements as being geographical patterns based upon the importing state's "zone of

influence”(Sassen 1998), such portrayals may only hold true for colonial/neo-colonial state interactions while breaking down when examined in conjunction with the many migrations where colonial associations are absent. Even though Taiwan has had ties to the nations of labor export through private investment, the temporary contract labor policy and choice of states to supply expatriate labor follow different criteria.

In some ways Taiwan’s creation of a labor import policy falls in line with research work that has characterized the island’s economy within a broader group of economies – especially in Asian countries – closely tied to decision-making within the government: state-directed capitalism (Johnson 1982). At issue has been whether East Asian economies have gained their “miracle” status under free-market capitalism or some variation. Wade (1990) determined that the strength of the economy of Taiwan involves significantly more than a free market. He identifies a state role by exploring the types of economic relationships that exist between the state and capital in Taiwan. In describing Taiwan’s approach to capital and investment, he has characterized Taiwan as “state corporatist”, that is simultaneously carrying out an authoritarian and a corporatist approach between itself and interest groups, including labor (Wade 1990). Taiwan’s state corporatist ideology dictates to groups how the power of the state is to be dealt out or shared – for example, rules that place limits on labor organizing and restrict labor unions from attempts at national levels of organization. This partly explains the weakness of labor’s standing and the relationship that it has with the central government (until the year 2000, dominated by the Kuomintang party). Wade (1990) asserts that the economic growth and development in Taiwan, while being in part a result of free market and

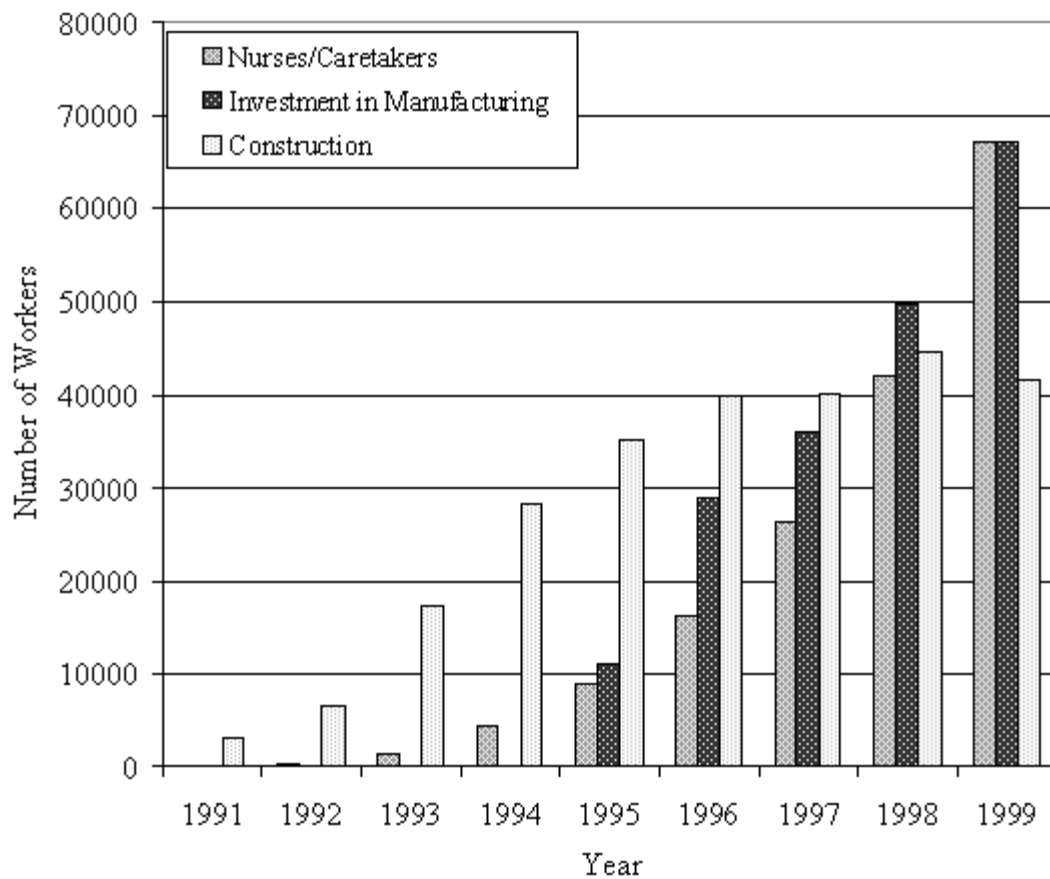
simulated free market attributes, is also the result of the state's role in creating a "governed market," rather than a neo-classically devised free market. His theory of the governed market in Taiwan (and East Asia) stipulates particular types of interactions between the state and the private sector. Wade claims that government actions led to high levels of investment and were designed to accelerate the competitive process (Wade 1990: 297).

Deyo (1987b) submitted that a key aspect of Taiwan's economic success was the political/ethnic/military domination of mainland-origin leaders over Taiwanese businessmen, which effectively negated opposition to the implementation of export-orientated policies. In line with theories about the state's role, Cerny (2000) has theorized transition of the capitalist (nation)state to what he calls a "competition state," whereby a state increases marketization to "make economic activities located within the national territory, or which otherwise contribute to national wealth, more competitive in international and transnational terms" (Cerny 2000: 122). Gereffi (1990), in noting the absence of foreign-owned firms amongst Taiwan's largest companies, argues that the sharing of economic power between state-owned and privately-owned firms hinders an effective (state-orchestrated) industrial policy. Where the Taiwan state has been effective is in assessing the domestic needs to continue pursuit of an internationalized strategy based upon export-orientated industrialization and production.

## **The State and Economic Development: Taiwan**

The initial importation of foreign labor from Thailand, Indonesia, the Philippines, and Malaysia to Taiwan traversed a number of important stages. First, expatriate labor was needed to carry out and complete construction projects vital to its continued economic success (Figure 8-1). It is clear from the beginning that different state factions such as the Council of Labor Affairs and the Council for Economic Planning and Development were at odds over the labor import issue and the decision to institutionalize the unregulated and undocumented labor that had begun to enter Taiwan in the early 1980s. Other state factions were strongly against a legalization of foreign workers or the regularization of labor migration. Those factions included: the Ministry of Foreign Affairs, which has powers and responsibilities similar to the United States Immigration and Naturalization Service; the National Police Administration, which has powers of enforcement; the Department of Health, which dissented based on the exposure to diseases such as HIV, as well as the logistical burden of regulating the health of foreign workers; and even the Ministry of Economic Affairs, which was concerned about delays in technological advancements in manufacturing (*China News*, June 7, 1989).

The factions that clearly triumphed were those that had command of economic issues and pushed an agenda that represented long-term economic interests and parallel national political (security) interests. Industries and manufacturing concerns that struggled to find workers were rescued by the policy. These included specific categories such as chinaware or for expanding industries, but also for a hodgepodge of labor-intensive industries targeted for assistance: the 68 industries (Appendix B). Employment



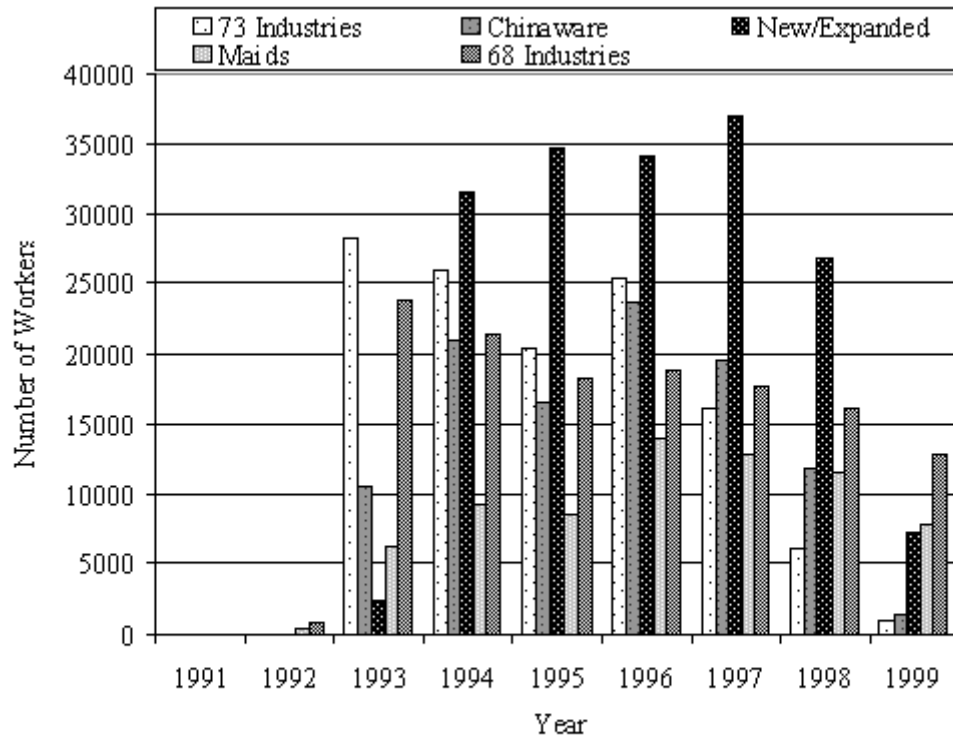
**Figure 8-1: Job Categories of Increasing Demand, 1991-1999**

Source: Employment and Vocational Training Administration, Council of Labor Affairs, R.O.C., April 2000.

in these segments has been declining rapidly (Figure 8-2). In other targeted industries and job categories, including export processing zones (EPZ) and the Hsinchu Science-based Industrial Park (SBIP), demand for foreign workers has ceased (Figure 8-3). All of these parts of the economy are (were) considered important to national economic health.

Taiwan's unique political quandry means that political interests are inextricable from economic policy. That quandry was no more evident than in the flap over the sea-lanes agreement negotiated between Taiwan and the Philippines in which Taiwan leveraged the Philippines to make an official government-to-government pact (and, with it, de facto political recognition of Taiwan) in exchange for the uninterrupted flow of Filipino laborers into the economy. Such an agreement satisfies the dual motivations of the Taiwan government and are in line with Cheng's (1990) assertion that security issues were an important consideration, second only to issues of economic distribution. The economic focus makes sense because economic distribution is a method by which Taiwan's preeminent Kuomintang political party secured its power base, as well as how it created and retained its organizational dominance and hegemony.

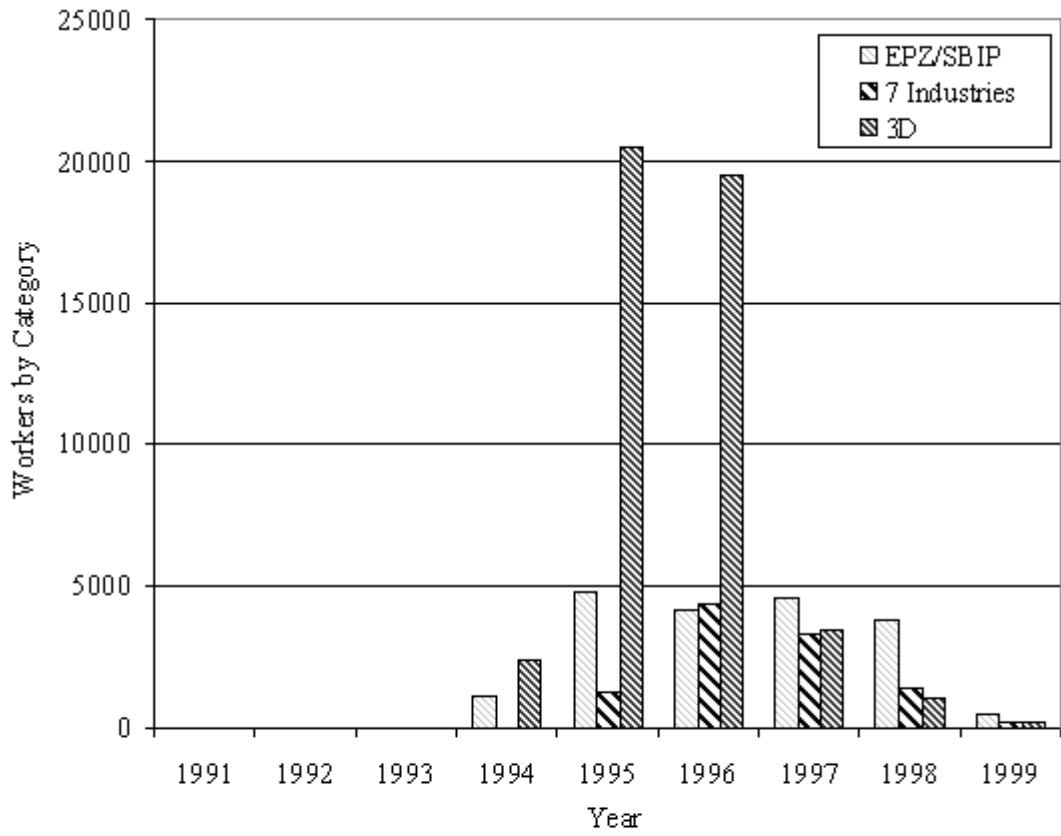
Taiwan's move to accept the reality that labor importation was required to keep the economy growing was implemented using the same gradual approach employed in its shift to export-orientated industrialization in the 1970s. The Taiwan government accomplished the acceptance of an influx of foreign workers slowly and carefully, a methodical pace that successfully sidestepped any of the social backlash that was to be expected when the labor import policy was being conceived and constructed. Therefore,



**Figure 8-2: Job Categories of Declining Demand, 1991-1999**

Source: Employment and Vocational Training Administration, Council of Labor Affairs, R.O.C., 2000.





**Figure 8-3: Job Categories of Concluded Demand, 1991-1999**

Source: Employment and Vocational Training Administration, Council of Labor Affairs, R.O.C., 2000.

the development of the labor import policy evolved even over the objections of those government agencies that would eventually craft and regulate the influx of foreign workers. The development of the policy did, however, have the strong economic and political backing from Taiwanese-dominated business sectors. National economic interests trumped national regulatory difficulties in an effort to protect Taiwan's place as one of the world's most successful and solvent export economies, a position that Taiwan equates with political strength.

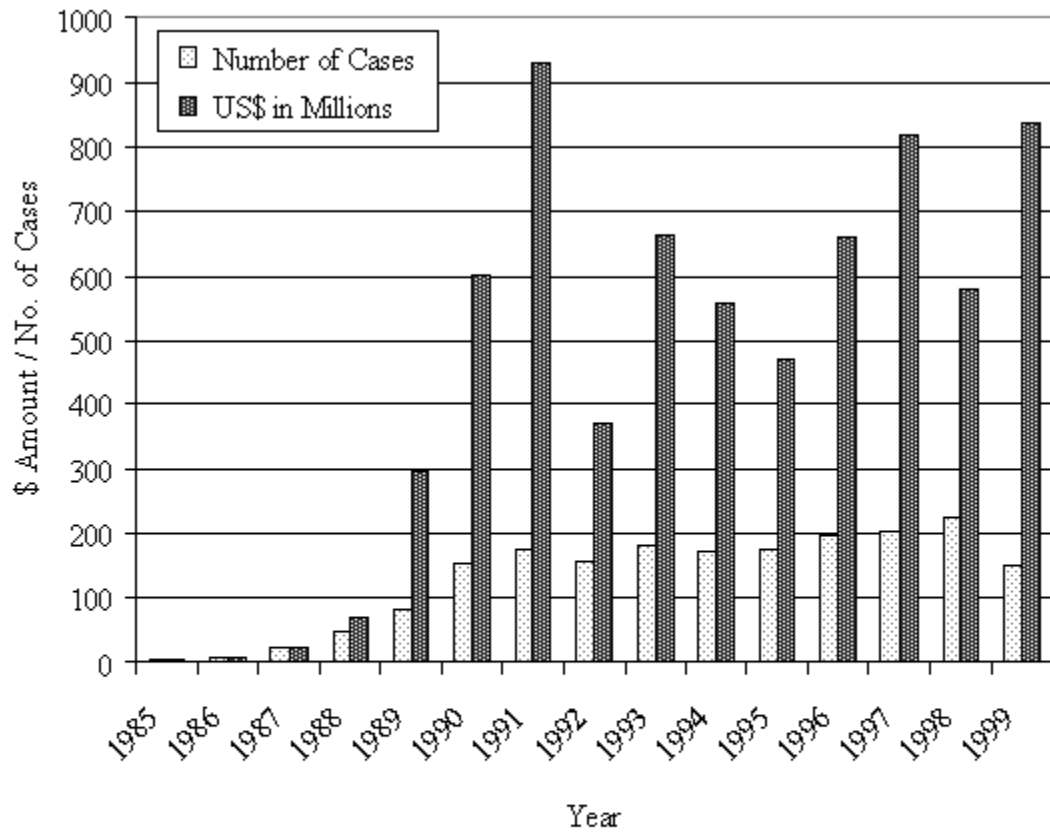
Those who benefitted the most from the creation of the policy, aside from the economic planners, were businesses that spanned a great spectrum of interests – from chinaware to textiles to electronics – which could, in effect, restructure their production without investing any capital. In terms of interaction with TNCs, international relations and changes in the relationships between firms and states have changed long-held beliefs of how business is conducted (Strange 1994). Contemporary interaction between states and transnational firms in what Strange (1994) has called “state-firm diplomacy,” occurs when alliances between states and TNCs are created as attempts by both to compete for shares of the world market. Importantly, she cited the drive on the part of states to acquire economic strength as a contemporary substitution for what was traditionally military strength. In support she contends that “wealth is the means to power – not just military power, but the popular or electoral support that will keep present ruling groups in their jobs” (Strange 1994: 108). These are strategies that Taiwan officials have long employed in recognition that political strength and survival are equated with economic strength. In keeping with an international strategy that Taiwan had employed since the

early 1960s, they sought to upgrade skills and technology in manufacturing in an effort to keep capitalist production in Taiwan internationally competitive (Deyo 1987). Many efforts of the Taiwan government have been made to target information and machinery, including investment partnerships with transnational corporations such as Philips (Schive 1990). A similar time frame (the early 1970s) was cited as the period in which Taiwan lost its comparative advantage as a production site based mainly upon its surplus labor and sought other ways to remain formidable (Wade 1990). The importation of foreign labor performs much the same task as prior local labor surpluses did by introducing high-quality labor that works at a fixed rate of pay, a rate that had proven to be unsuccessful in attracting local laborers. The result of Taiwan's labor import policy is an artificial labor surplus made up of expatriate workers.

The Taiwan state has created an environment that can and does attract investment into sectors deemed important for economic growth, continued economic strength, and national security. Attraction of capital is achieved, in part, by having a labor policy that enables workers to be supplied as part of an overall package of incentives in return for financial investments in business that total at least N.T. \$200 million, or approximately U.S. \$6 million (N.T. \$33 = US\$1). Since 1994 no sector has attracted more investment than electronics and electric appliances, a sector especially reliant upon foreign workers within computer products manufacturing. Links between foreign investment and expatriate labor tend to center upon skilled workers, the development of skills among local workers, and skilled expatriate workers (Lloyd 1996). Even though there have been cases of the import of unskilled laborers in conjunction with international contracts –

especially in oil-producing Middle East states – the inclusion of unskilled third country labor within Taiwan’s efforts to attract foreign investment is unusual.

Liberalization of the Taiwan economy has occurred for both inbound and outbound investments as well as the labor policy. The lifting of restrictions on outward foreign investments in 1987 led to the relocation of many labor-intensive industries abroad particularly in Asia (Figure 8-4). The translocation of manufacturing facilities from Taiwan to Mainland China have aided the overall industrial restructuring of the Taiwan economy (Chia 1996). Taiwan’s welcome to immigrant laborers from the four states and those states’ cooperation in the indirect provision of such laborers can be summed up in comments made by Sassen (1998) about immigration policy. She theorized that states engaged in immigration (and, I suppose, emigration) craft their policies as a relatively simple movement of people, but she suggested that such a state is “likely to be dealing with a complex, deeply embedded and transnational process that it can only partly address or regulate through immigration policy” (Sassen 1998: 13). Sassen (1998) professed that research on immigration policy and the state needed to include within the equation such interest groups as manufacturing, humanitarian groups (NGOs), and unions, and it needs to consider the impact of their influence and power, especially as it pertains to economic globalization (Sassen 1998: 21). In Taiwan those interest groups are, however, strongly represented by manufacturing interests (the owners of production) while NGOs and unions are placated or ignored by the hegemonic state. The treatment of unions, whether by the labor laws that regulate them or by the lax



**Figure 8-4: Taiwan Investment to Other Asian Countries, 1985-1999**

Source: Investment Commission, Ministry of Economic Affairs, October 2001.

enforcement of laws, derails any effort to shake up the Taiwan state's status quo toward meaningful labor reform.

### **International Migration and the State**

This research was also carried out to address theories of international labor migration proposed elsewhere. These theories represented diverse approaches to the explanation of international labor migration, from the “new economics of migration” (Stark 1991), to those who have explored the motivations of such migrants (Findley 1987), to the migrant networks and cumulative causation (Massey 1987, 1990, 1993) and those who attempted to tackle the international migration via its underlying structure (Goss and Lindquist 1995). I am able to add support to some of their analyses and question other analyses through the findings of my own research.

As documented in Chapter 7, the results of my surveys do not bear out the positions of Findley (1987) or Stark (1991) as to the importance of the household as the prime decision-making force behind an individual labor migrant's departure overseas. Migrants that were surveyed were split over whether their participation was for family (the household) or for themselves. The success of other migrants as a source of motivation for those surveyed was confirmed as an important factor of encouragement as Findley (1987) and Stark (1991) had reported in their previous works and as Massey (1988, 1990) had incorporated into his cumulative causation theory of migration. What were not confirmed in the Taiwan labor import scheme were the migrant networks which were a major component of the cumulative causation theory espoused by Massey. This is

a result of several characteristics of the migration policy: the strong regulation of the state (especially by the state in Taiwan), unwillingness by the Philippine state to support what is referred to as “name hiring”, i.e. one migrant providing the names of additional friends or family members to work at the same firm (a key building block for the formation of a network of communications among migrants), and because networks for illegal labor migration to Taiwan – although significant very early – are now very limited, unlike the subject of Massey’s work on Mexican migration to the United States.

From the standpoint of Taiwan, the importation of labor was a matter of maintenance of the successful economy via upkeep of exports and labor productivity, whether in the form of factory workers, maids to release local women workers back into the economy, or upgrading shipping and transportation infrastructure. As chronicled in Chapters 3, 4, and 5, the push for creation of a state-regulated policy of short-term labor immigration (in addition to the calls from capitalist producers) was from those involved in long-term economic planning, namely the Industrial Development Bureau, the Council for Economic Planning and Development, and, lastly, the Ministry of Economic Affairs. The structural factors of maintaining and enhancing economic strength to maintain political strength and to avoid what Samers (1998) referred to as a “legitimation crisis” are an important result of this investigation. Clearly, local conditions have an effect on the global by enticing foreign labor to Taiwan to rescue the economy from short-term crisis and long-term legitimation problems.

In chronicling the history of international labor migration to Taiwan and the development of policy, I have shown that the state has occupied an exceptional place in

facilitating this migration. My research of Taiwan's labor import policy answers the call made by Goss and Lindquist for more research on processes and helps to clarify and simplify their vision of international labor migration: "a complex articulation of individuals, associations, and organizations" (Goss and Lindquist 1995: 319). I contend that the critical institutions are, in practice, state officials from labor exporting states and, on the import side, labor agents representing the desires of private enterprise and state institutions that are intent on meeting the needs of business within a larger frame of the national and, as a result of international connections, the global economy. The national economy issue is of primary concern for both supplying and employing states. The important labor agents and labor representatives, and the institutionalized labor centers, are in place for the purpose of main-streaming agreeable migrants to sites of labor demand. In Taiwan, labor migrants do not have the freedom nor the facility to make these international employment connections, thus negating the arguments set forth in theories which favor knowledgeable individuals and migrant networks as the foundation for international labor migration. While Goss and Lindquist (1995) made room in their theory for multiple institutions, including labor attachés, government regulation and licensing, and government-run recruitment agencies, they failed to assert an initial and enduring role for the state through its official representatives (referring instead to migrant institutions), thus avoiding any declaration of a strong role of state policy in international labor migration. They chose instead to focus on linkages in the local community for individuals to secure overseas employment.



My analysis reinforces the importance of these labor centers discussed by Ball (1997). The presence in Taiwan of labor centers from Thailand and the Philippines indicates the level of state support for overseas contract workers. With respect to the Philippine case, the existence of north-south coverage in Taiwan not only indicates an investment in international labor migrants that exceeds service and protection but also suggests a nationally organized effort of recruitment and expansion. The efforts of states outside of the use of labor centers adds even more evidence to support a strong state role in international migration.

### *Indonesia*

As noted previously, Indonesian workers have been involved in international labor migration for quite some time, most notably in Malaysia (Guinness 1990), Singapore (Spaan 1994), and Middle Eastern states, especially Saudi Arabia (Hugo 1995), with the Indonesian state providing institutional direction for international labor migration as early as 1979 in *Repelita III* (the third in a continuing series of five-year development plans created to serve as a guide for economic and social growth). Successive development plans have only escalated Indonesian state emphasis on international labor migration (Government of Indonesia 1994). The introduction to *Repelita VI* summarized the mission and purpose of the five-year plan and, as in the previous plans since *Repelita III*, includes the labor policy for overseas workers and targets for total numbers of participants during the five-year period from 1994-1998. The policy is overt and the goals of the state's policy are clear: "Policies related to exports of services will be aimed

at increasing foreign exchange earnings from services, mainly from tourism, transfer of remittances from workers abroad, and from constructions services” (Government of Indonesia 1994). Recognition by government officials of the windfall that is collected from the activities of overseas workers has led to a greater institutionalization and nesting of overseas employment into the national strategy of economic development.

For example, intermediate-level structures – added to the existing macro-level structure – have been created to aid in the expansion of Indonesian labor opportunities overseas (Hugo 1995). New training programs developed for future domestic servants’ employment overseas, operated by a state-run subsidiary company, indicate the greater emphasis placed upon overseas jobs by the state. The labor department of the state serves as a promotional agency and quasi-recruitment agency luring workers to migrate while simultaneously understanding the great national meaning tied to their activities. While the state is not the sole influence in the process of recruiting Indonesians to work abroad (Spaan 1994), it must be viewed as being active in the process rather than being passive to the idea of the international migration of its nationals for employment. The absence of an *in situ* labor representative for Indonesia in Taiwan likely reflects the relatively small numerical presence of Indonesian workers in Taiwan at the time that the fieldwork was carried out. With the recent explosion of Indonesian migrant workers in Taiwan, the likelihood of a Taiwan-based Indonesian official with duties similar to those of the Thai and Philippine labor centers increases.

## *Thailand*

Through newspaper searches I was able to reconstruct at least a partial picture of the activities and role of officials of the Thai state in its dealings with Taiwan. As was in evidence in earlier chapters, Thailand's state officials were thoroughly involved in the process. These activities fall within discernible categories which can then be used to create a theory of state involvement in international labor migration.

Public and private efforts by Thai state officials have aided migration of Thai contract workers since the inception of Taiwan labor import policy. Those efforts are displayed in the work to improve conditions for Thai workers in advance of such workers' legal standing. For example, early in the transition from illegal to legal labor migration, Thai state officials confronted the Taiwan government over the treatment of Thai workers illegally working in Taiwan (*China Post*, March 16, 1989). Even though that intervention was met with resistance by Taiwan state officials, it demonstrates the Thai state's interest in protecting expatriate workers abroad. The Thai state's acceptance of the terms of Taiwan resistance, however, shows how Thai state officials adopted a political stance that favored the placement of international laborers over the protection of said laborers. The Thai government's compromising stance to Taiwan officials represented an acquiescence that could be construed as a quasi-commodification of Thai laborers for the structural benefit of the state. That is also evident in most of the procedures used by Thai officials in later years. In one instance, pressure was placed upon Taiwanese investors in Thailand. This represented a different strategy by Thai state officials to counter moves by Taiwan to oust illegal workers: Taiwan investors doing

business in Thailand were asked to convince officials in Taiwan to desist from a proposed forcible repatriation of illegal Thai workers, a move that would impact economic conditions through a reduction of remittances and return of unemployed persons in Thailand. In addition, the use of overseas investors implied that Taiwanese investments could be affected through an act of retribution.

Conscious efforts were made by Thai officials to promote and negotiate legalization of Thai overseas workers in Taiwan. Attempts by Thai officials to promote the employment of Thai laborers under a new legal labor importation policy were, in the beginning, publicly reported. Efforts included visits to Taiwan by high-ranking government officials for the purpose of promoting and securing commitments from Taiwan about future labor export (*China Post*, April 6, 1989). This has significant meaning for the approach that international migration theorists have accepted and employed to view the process of migration. Although the active participation of the state has been chronicled (Heyzer et al. 1994, Ball 1997), work on what state officials have actually done has been limited (Ball 1997). What has not been well documented has been the interaction between labor importing and exporting states. There is good evidence for how Thai state officials interacted with Taiwan state officials.

Before the moves by Taiwan officials to legalize their participation in the labor import policy, Thai workers had earned the reputation as hard workers during their previous employment stints in the Middle East (in some cases for Taiwan-based companies) and as illegal immigrant workers in Taiwan. In efforts by Thailand to build a viable labor export program, government officials reinforced that perception in hopes of

being officially tapped by Taiwan as a labor supplier. At junctures where resistance was necessary Thai state officials applied political pressure to Taiwan to show their disappointment with the policy directions. Most significantly, in events that necessitated dialogue between Thai and Taiwan officials, Thai officials cooperated with Taiwan officials to urge illegal workers to return to Thailand.

In cases where Thai officials confronted Taiwan officials and their policy, their efforts were either rebuked or led to the punishment of the state for their indiscretions. That degree of engagement by the Thai (labor exporting) state shows three important elements of a state-centered theory of labor migration. First that the state has involvement, second how deeply states are involved in the process of labor migration, and finally that – no matter how thorough the involvement of state officials in the process – states abdicate responsibilities for protection of international labor migrants and roll-over to the demands of labor importing states rather than resist those demands. While migration theorists such as Massey (1990, 1993) have concentrated on the roles of individuals with only token recognition for the state (Massey 1999), state institutions and state officials representing those institutions have been promulgating an international labor migration – albeit out by individual labor migrants – that is a commodification of expatriate labor for national and nationalistic gain. Thus, these actions at the level of the state have widespread influences on the geography of international labor migration.

## *Philippines*

The most extreme promoter and beneficiary of international labor migration was clearly the Philippine state. In addition to having a lengthy history as a labor exporter with a broad international scope, the Philippines had the most developed infrastructure in support of international labor migration. It is because of its prior success that the Philippines has been promoted as a world model of labor export for potential adoption by other states possessing labor surpluses and seeking to capitalize upon their global employment (ILO 1987).

In its dealings with Taiwan on the subject of labor migration, officials of the Philippine state were the most aggressive of the three labor supplying states researched. The long history of labor migration was, at least in part, a catalyst for the success the Philippines has had in exploiting what officials referred to as “the Taiwan market.” Government officials entrusted with anticipating future labor needs abroad – and as a result future markets – identify potential new markets for employment of Filipino labor. With the Taiwan labor market targeted, Philippine officials attempted to seize as many opportunities as possible. The number of visits and representation level of the official delegations sent to Taiwan by Philippine Presidents Cory Aquino and Fidel Ramos from 1989-1997 showed the importance that Taiwan held for the Philippine state. The reports of meetings between Philippine and Taiwan officials demonstrated two things: the aggressiveness exercised by representatives of the state to affect employment opportunities for their nationals abroad, and the role of political association and political legitimacy in the migration process. If judged on the basis of securing a large number of

jobs and creating a stable employment abroad for Filipinos, then these promotional strategies were immensely successful.

In a gesture that stands out amongst the other labor exporters to Taiwan, Philippine labor officials on assignment in Taiwan continually promoted the importance of Filipino workers through festival and holiday gatherings. Manila Economic and Cultural Office-organized gatherings were staged to keep Filipino workers pacified into believing that the Philippine government was promoting and protecting their interests in Taiwan and that Filipino workers abroad were vital to stability at home. These holiday parties always were attended by Manila Economic and Cultural Office officials and used as a forum for praise of overseas workers, especially through the use of nationalistic discourse that proclaimed overseas workers as “heroes” and as venues to provide information to workers (another way of convincing workers that state officials were serving their needs). The festivals and celebrations kept workers happy and gave them access to government officials from both the Philippines and Taiwan. For Philippine officials, the gala events provided a stage from which to appear to give something back to workers who were clearly instrumental to the relative stability of the Philippines.

While Overseas Filipino Workers were undeniably vital to stability at home, there is scant evidence that the Philippine government was able to protect workers’ interests, aside from ensuring that nothing interrupted the continuity of their overseas employment in Taiwan. The indications are that Philippine government officials’ only successes were piecemeal concessions by Taiwan officials. In cases that longed for strong support from Philippine officials – such as the protracted disagreement over labor agents charging

workers for third year contract extension (when no fee was authorized) or over regulatory issues like the forced savings plan – the Philippine state and its representatives failed to live up to its self-proclaimed purpose of protecting Filipino workers abroad. More derelict in their mission than that, state officials consented to the charging of third-year extension fees even after Taiwan state officials had determined that the charging of such fees by labor brokers was illegal.

These acts represented the amount of cooperation and collusion that the Philippine state officials had with Taiwan state officials. A strong argument can be made that the Philippine state's role in international labor migration has been the identification of global sites for the spatial venting of labor, the promotion of the skill and availability of national sources of labor, the cooperation with state officials at locations (both locally and globally) to, if not hasten, then perpetuate the flow of labor to overseas destinations, and to engage in discourse that encouraged workers to continue to go abroad and kept them happy once they got there. On important issues like summary deportations of legal workers prior to the expiration of their contracts, the Philippine state was an infrequent force applied to prevent such abuses.

## BUILDING A THEORY OF THE STATE IN INTERNATIONAL MIGRATION

A review of states' roles in international labor migration points to a series of activities that can be combined to construct a theory of state action. First, international migration was a result of direct state-to-state negotiations that included overt recruitment and marketing on the part of both labor suppliers (exporters) and labor receivers



(importers). The case study revealed that states have more to gain than low-cost labor and remittances, respectively. For example, Taiwan (the Republic of China) – a de facto, yet marginally recognized, state – received official recognition, including higher standards of political treatment (and therefore more respect) from all labor supplying states, recognition that it constantly sought to acquire. Labor exporting states, through participation of international labor migrants, received political stability and government legitimization by being able to forge increasing numbers of international opportunities and retain (and even expand) them in times of crisis.

Second, from its outset international labor migration was seen to have the political backing of many state officials from the highest levels of state service. Although only a few key officials in national departments of labor, economic development, immigration, foreign affairs, and health – from both importing and exporting states – supported and shaped the policy at its inception, since that time policies creating and maintaining international labor migration have eventually acquired the approval of most government officials, even those like Council of Labor Affairs Chairman Chan Hou-seng who railed against such a policy prior to taking the cabinet-level position to oversee its flow. Political backing for international labor migration was broad, whether the state was an importer or exporter, and it was supported both philosophically and institutionally at the highest levels of government by heads of state and cabinet heads for Taiwan, Indonesia, Malaysia, the Philippines, Thailand, and Vietnam.

Third, the state provided infrastructural support for the enhancement of labor migration. The existence of locally placed labor offices for both the Philippines and

Thailand (the two largest labor suppliers) accommodated demands by industry for a local site to keep track of incoming workers' status, but by doing so the state also maintained a recruiting presence long after the initial official visits that were designed to open the "market" to foreign laborers. Regional labor offices enabled the simultaneous operation of the state as facilitator, regulator, and sometimes protector of foreign labor, as well as a site to which companies in need of workers could inquire about laborers and a base from which state officials of supply states could conduct recruitment for further job opportunities. This type of institutional accessibility was in opposition to the suggestions that migrant networks are a theoretical basis for understanding international labor migration.

Fourth are the promotional activities of the state. The evidence from the case study adds to previous research that described the methods used by the state for advertising labor supplies and needs to employers of foreign labor and to potential employees. Ball's (1997) study which chronicling commodification of labor through marketing material produced by the state reminded us that the state has much to gain from the distribution of workers to states and businesses in need of labor. This study adds the use of state-run television (*China Post*, October 20, 1989) and the impact of television in general (survey results seen in Chapter Seven) as an information source for potential migrants, in addition to what was garnered from the migrant networks of participating and returning workers.

Fifth, and most important, was the amount of overall cooperation between those states exporting or looking to export labor and the labor importing state. While many

case studies and empirically-based theoretical works have focused on things such as migrant networks (Massey 1987, 1990, Massey et al. 1993) and migrant institutions (Goss and Lindquist 1995), the scale of those studies has excluded interactions and events that characterized how labor-exporting states cooperate with the labor-importing state. Chronicled in the previous chapters were how the labor-importing state held continued labor migration ransom for any conflict on any subject with the labor exporting state. That was most clearly demonstrated in Taiwan's dealings with the Philippines, although not exclusive of other labor-exporting states. The export state had a role in deciding the shape that labor migration, in this case to Taiwan, would take by allowing the import state to control the entire process and by failing to counter processes of regulation employed by the import state. This has been a significant aspect ignored by international labor migration theorists. One could argue that the import-state controls the process absolutely, however the export-state, by taking its cues from the desires and motivations of import-state officials, served to discipline itself into whatever the import-state requires. Attempts at influencing policy have been reprimanded with short-term suspensions and threats of suspension. However, the export states have rarely countered with their own threats of suspension of the flow of labor. This strongly refutes the claims by Ball (1997) and Battistella (1992) that the state – at least in the case of the Philippines – is “impotent.” A declaration of the so-called impotence of the state ignored the direct actions of cooperation that lead to a self-constructed weakness among those states. In addition, claims that the Philippine state is “too weak to oppose an industry which is so valued because of the foreign exchange it brings in” (Battistella 1992, quoted in Ball

1997) obscured the necessity of foreign exchange for the state's own national preservation and the government regime's legitimization. These proclamations intended to characterize the state as morally weak rather than what it really was: politically and economically astute.

No mention has ever been made about the state's inability to resist unfair practices applied to overseas contract workers. That point draws out the sixth factor of the role of the state: confrontation with the labor-importing state. The act of defiance against Taiwan labor import policy was carried out by all the states except the Philippines. Although many facets of Taiwan's labor-import policy were not favored by the Philippines, at no time did the Philippine state take the strong measure of suspending its deployment of overseas workers in protest against any disagreeable segment of the policy. Thai, Indonesian, and Malaysian government officials, however, challenged Taiwan on a variety of subjects related to the treatment of workers or broader policy concerns. Those challenges proved largely symbolic, although one such stand by Thai government officials led Taiwan to suspend Thai labor imports for one month. Still, each of those states acted and attempted to force the Taiwan government to change their policy with regard to each state's expatriate workers.

Lastly it must be pointed out that the state engaged in the use of rhetoric to "spin" or socially reconfigure the international labor migration from its negative (the difficulties involving individual overseas workers abroad) to a positive message intended to keep expatriate workers at least pacified, if not glorified. The Philippines has been the global leader in attempts to create the international labor migrant as a national icon. Beginning

with the execution of Flor Contemplacion, the Filipina maid hanged in Singapore in 1995, the Philippine government adopted the practice of referring to Filipino overseas workers as “heroes” of the republic. Since that time the rhetoric has escalated to credit overseas workers as people who have “saved the economy” and has extolled Overseas Filipino Workers as “heroes of our land” (*China News*, December 16, 1996). The rhetoric has persisted and activities of the Philippine state in Taiwan have expanded to include the organization of mass celebrations for Christmas, Easter, Mother’s Day, and Philippine Independence Day, all to acknowledge the role of Overseas Filipino Workers, to lift and maintain high morale among workers, and, in the end, to keep the remittances flowing.

The speed, the size, the wages, the duration, and the regulation of international labor migration were all factors decided by the state and outside of the control of the individual migrant decision-maker. The results of the research illuminate the extensive methods and contacts used to increase labor migrant opportunities, and the intensive efforts employed in situ to locate jobs and to service current and future employers’ demands for international contract laborers.

## SUMMARY

Much of the migration literature and migration theory would suggest that the migrant’s role, either as an individual or as part of a migration network, is the most important subject of study. The findings of my research have crafted a more realistic and comprehensive picture of the structural facets of international labor migration. In

viewing the migration of international contract workers through the ideas surrounding globalization, theorists on both sides of the globalization debate should take note of the state's increasing role in the operation of economy in opposition to those theorists who predicted the state's antiquation in the face of transnational dominance and the rapidity of global investment finance flows. What was clear is that states have become more aggressive and, instead of providing a pretty picture of infrastructure and political stability for foreign investment to choose, the state has made structural changes – and in Taiwan even changing the social milieu in the case of welcoming expatriate workers – in part for the purpose of enticing investment dollars and advantages that come with higher levels of technology. The arguments against globalization can also be questioned, especially since they rely so heavily on the aggregate of data about world labor and trade flows in the early 20<sup>th</sup> century. Today's labor migration activities involve the temporary sale of labor without the benefit of permanent settlement. Today's globalization of labor creates extra-national opportunities to work but not to live. Furthermore, large labor migration activities have occurred at smaller local scales and have had impacts that far outstrip the impacts that could be conveyed at the global scale. Those who have denied contemporary globalization in favor of historical “globalization” in the early 1900s must consider the impact of local-global labor markets like the Taiwan situation and view how the globalization of foreign direct investment and the globalization of labor meet to form a complex globalization that fits neither the assertion of the state's demise nor the deriding of globalization as a myth.

## CHAPTER 9

### CONCLUSIONS: CONTRIBUTIONS, STUDY LIMITATIONS, AND CONSIDERATIONS FOR FUTURE STUDY

This research has been carried out to help explain the movement – across international borders – of numerous individuals who engaged in migration for the purpose of employment. In its most basic reading this type of international labor migration is simply a temporary migration of individuals. I have attempted to show that such international migration is complex, and involves many different actors motivated by numerous different goals. For the purposes of this study it was necessary to view many individuals en mass mainly because – en mass – these individual migrants are being utilized (for various ends) and are having the greatest national effect, whether in their country of origin or Taiwan. As chronicled throughout the study, the states of origin, which are benefitting handsomely from this mass migration, do not view them as individuals but as a collective body of labor, laborers, “manpower,” or even patriots and heroes. Taiwan state officials and employers, too, for the purpose of staying internationally competitive, view imported workers as a whole. The information herein provides evidence for additional paths to be considered within theories for international migration, labor geographies, state theory, economic restructuring, and the complexities of the intersection of culture, politics, and economics that drive and shape geographies.

## CONCLUSIONS

The findings of this dissertation provide strong backing for state involvement at differing scales and in differing contexts. While investment capital may be relatively free to land nearly anywhere, labor does not have that freedom and is either more constricted for social and political reasons or welcomed for the same social, economic, and political rationale. A globalization of contract labor working abroad in the short term – in most cases without the ability to settle in their country of employment – diverges from the type of labor migration/globalization argued for by Hirst and Thompson (1999) for the period of great migration in the early 20<sup>th</sup> century. As witnessed in the literature on globalization, recognition of the state and its continuing viability in economic matters is the rule rather than the exception. The findings of this research agree with many others' view of the state in globalization: indicating that the state remains a vital link to economic processes that are quantified under a globalization thesis. However, this research also makes a case for state involvement in a process of globalization of labor. Although not distributed at a true “global” scale (of course, neither is finance), labor-supplying states have clearly taken steps to actively promote and secure overseas employment for their nationals and have done so in multiple locations. This practice, engaged in by state officials, is creating a globalization of labor via the exploitation of niches of employment demand in numerous locations. Each of the labor supplying states has capitalized on the opportunities abroad to, in effect, extend the productive space of its territories. The revenue from this quasi-expansion of territory empowers state officials and encourages state cohesion, as well as officials' own hold on power.



For states and officials attempting to maintain national economic health through the introduction of foreign labor, the benefits are equally numerous. Taiwan has held economic growth steady in spite of the challenges of the Asian economic crisis and increased competition from other economies, in part through the introduction of labor from outside its territory. State officials claim that this action saved the jobs of many by enabling production to continue to occur in Taiwan instead of becoming a site of mass deindustrialization with plant closures and capital flight. Taiwan's economic growth has also been aided by the completion of new infrastructure built with the help of introduced labor.

The research also details how benefits from international labor migration accrue at multiple scales for multiple beneficiaries. Individuals view the potential benefits as numerous. Overseas contract workers believe they will prosper at least somewhat through their migration for employment elsewhere. The reality of that belief is, however, impinged upon by the actions of state officials, employers, labor brokers, and sometimes the workers themselves. This impingement occurs at the level of the state through regulation of employment by changing old policies and including new ones; at the level of employers via discipline, manipulation, and unilateral contract termination; at the level of labor brokers by control of employment fees and intimidation (contract cancellation and deportation); and at the level of the workers themselves through savings squandered in the euphoria of spending their newly acquired "wealth."

## CONTRIBUTIONS

The contributions to existing literature begin with the enrichment of population theory, especially with regard to international migration and international contract labor migration. The most significant contribution is the identification of a pervasive role of government at all levels of the migration process. Government officials in labor supplying states and government officials in labor seeking states are active throughout the duration of the migration and, as such, must be part of any study of temporary international migration for employment. Beyond the influence of national government officials and offices in operation at both origin and destination, officials representing nations at both origin and destination actively engage in mutual discourse that controls and manages the flow of laborers. This constitutes the role of the state in creating and maintaining flows of international labor migration and labor migrants, a role that has been ignored or only lightly considered by international migration theorists.

Findings in this research also contribute to a growing literature on labor geography. The fact that the migration of Indonesians, Filipinos, Thai, Malaysians (and now Vietnamese) is for a prescribed time limit – without the possibility of permanent settlement – adds to the relevance of the migration in a context other than that of the physical movement of population only. Because migrants are invited to Taiwan to exercise their labor (and little more) they constitute a labor geography, one that is inextricably linked to the crests and troughs of capitalism. Earlier tables and figures point to a labor geography that not only metamorphoses along with trends in production (and, as a result, is a good indicator cycles of capitalist production and competition), but that

also drives production and finance trends. The availability of large numbers of laborers has helped to attract investment which has, in turn, heightened demand for an escalating stock of contract laborers. While this is quite unlike a labor geography created by resistance activities of organized labor, the result is similar: a milieu is created that must be credited to laborers' ability and willingness to participate in international migration and, as such, "shape the location of economic activity and the economic geography of capitalism" (Herod 1997a: 25).

Theories of the state have for the most part depended on a role for the state as an instrument of capital or for its potential hegemonic power. Discussions of the state as engaging in capitalism through the exploitation of national labor supplies abroad and the effort involved in creating "productive" space outside its territory of control (a space over which it has very little control) contributes a facet that is important to theories of how the state operates and for what purposes.

This dissertation also makes a contribution through its chronicling of the social construction of identity and treatment of international contract laborers. By addressing how labor is identified, commodified, marketed, and controlled this research sets a course for changing the way migration is viewed. This study also adds to literature on how gender is constructed, commodified, marketed, and controlled within international labor migration. The structure and methods of control of labor, especially for control of women workers, suggest that hegemonic power structures affiliated with the state are having a significant impact on the heightening flows of international contract labor migrants in the contemporary global economy. The politics of being female is a global

and geographic issue as well as a local and social issue. The research contributes to growing geographic perspectives on gender issues.

The restructuring of a great number of global economies brings the issue of contract labor to the economic forefront. Economic restructuring creates situations where alien labor forces are being chosen to keep labor-intensive sectors afloat in a last gasp attempt to avert crisis. In terms of capitalist production and the need for factory workers, Taiwan does not differ significantly from Singapore (already a strong labor importer) and South Korea (where “trainee” foreign laborers have been employed for some time). While Japan has redirected a considerable amount of production abroad it still wrestles with the decision whether to import laborers in the near future. Thus the contributions of the research should be cogent to other political contexts in the maturing economies of Asia and elsewhere in the near future.

A final contribution I hope will accrue to the migrants themselves. My findings suggest that these migrants should be portrayed not as cheap labor but as cheapened labor. By doing so I seek to make clear to the public (the future workers) in the states participating in the export of labor-power the situation in which workers are placed and to challenge states to adjust their policy to either guarantee higher wages or real enforcement of labor laws in the countries where international contract labor migrants work. Such an adjustment does not cater to the desires or demands for an imported work force that – for producers – is a relative bargain compared to local labor. Labor organizations, in possession of that type of information, can possibly resist the cheapening to which

overseas contract workers are subjected and bring about equitable treatment for all international contract laborers through alliances with local labor.

## LIMITATIONS

The limitations of the research include the potential biases of news periodicals, the validity of anecdotal information gleaned from secondary sources, and data collection limitations related to the worker surveys. In the case of the newspapers, the two oldest and most widely circulated English language newspapers provided a wealth of information. *The China News* (now known as *The Taiwan News*) has clearly been the best source for news regarding foreign workers in Taiwan as several reporters have been assigned to this important policy issue. In addition, the editorial staff has, and in spite of some ill-created and sensational headlines, taken a progressive political position with an emphasis on fair treatment of workers and respect for human rights, especially when compared to Chinese language newspapers. The combination of a column by Feliciano (“Letters to Kabayan”) and the liberal editorial writing is a sign that the newspaper was either sympathetic to the plight of workers or recognized that the English-language daily had acquired a massive new readership (and was therefore seeing to it that the new group of consumers for their paper were being informed and cultivated). The letters from overseas workers to written to “Kabayan” and printed in Taiwan are open to question given that they are self-reported narratives detailing their working conditions. Likewise, the number of unhappy workers cannot be determined by the number of testimonials to poor, improper or illegal treatment of workers by their bosses that are sent into the paper

and printed. The few accounts of contented workers do not provide data for determining the overall job satisfaction of foreign workers in Taiwan. However, patterns of treatment and situations involving illegal use of foreign workers within the letters provide accounts of abuse and the unevenness of treatment received by various workers in different situations.

The other English-language daily newspaper, *The China Post*, seemed to take a similar sympathetic stand, but did not report foreign worker news as well or as consistently. Both of these sources could have been biased in their reporting, although my use of the newspapers – in most cases – were used to garner news about the labor policy and capture quotations from those individuals shaping or connected to the policy.

#### FUTURE STUDY CONSIDERATIONS

Given the data collected in this study, future studies could attempt to decipher if there any strong geographic linkages between places in the migrants' home country and their employment in Taiwan. Research questions can pursue whether individuals from particular places (a village, a town, a province, a country) are being recruited for particular jobs (construction, domestic work) to trace the process from beginning to end. This may not be difficult to uncover, but if such linkages exist a study begs for those linkages to be investigated.

Future research in international migration theory must grapple with the roles that states play and include a role for the state similar to what has previously been accorded the individual or household in the decision making process. It will also have to take the

strong role of government officials and competing factions into account in both the country of origin and country of destination.

Issues of labor importing are becoming widely debated and considered in other economies in other settings. In the future, when Korea's currency regains much of its lost value, when Japan climbs out of recession, or when – as in the case of Taiwan – there occurs a massive shift of production (both overseas and locally from labor-intensive to high tech) in any rapidly maturing economy, the idea of searching for less expensive laborers will re-surface. The lessons from this research could likely be carried out to study different import and export states' relationships in future labor "import" contexts.

In an important divergence and corollary from the research conducted here, another line of research should investigate thoroughly the impact that the labor import policy has had upon attracting foreign investment to Taiwan. The data indicate that the policy has been successful in this regard, but it might also be a coincidence. If it is not a coincidence (and I rather doubt it is) it is an exceptionally intelligent means of enticing important international sources of capital for development. Such a study could look at the impact over a broad spectrum (all industries), an industry, several firms or a single firm that has had a significant impact of the economy. In the case of a single firm, the combination of a low-cost, stable workforce is likely a large factor in investment and expansion decisions.

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## APPENDICES

- APPENDIX A      OVERSEAS CONTRACT WORKER SURVEY
- APPENDIX B      LIST OF 68 INDUSTRIES APPROVED TO HIRE FOREIGN  
WORKERS

APPENDIX A

OVERSEAS CONTRACT WORKER SURVEY

Labor Migrant Survey

PLEASE CIRCLE RESPONSE

Nationality: Filipino Indonesian Thai

First Name Only \_\_\_\_\_

Home Province \_\_\_\_\_

Home city/village \_\_\_\_\_

Survey # \_\_\_\_\_

Date \_\_\_/\_\_\_/\_\_\_

Gender M F

Age:

<15 15-19 20-24 25-29 30-34 35-39 40-44 45-49 50-54 55-59 >59

Education level completed: No school

Grade 1-5 6-8 9-12 Some college B.A./B.S. M.A./M.S. >M.A./M.S.

First time contract worker: Yes No

\*Before this contract, how many int'l work contracts did you have 1 2 3 4

Where: \_\_\_\_\_ 2 \_\_\_\_\_ 3 \_\_\_\_\_ 4 \_\_\_\_\_ 5 \_\_\_\_\_

\*Any household members NOW working abroad as contract workers? Yes No

How many? 1 2 3 4 5 6

Where: \_\_\_\_\_ 2 \_\_\_\_\_ 3 \_\_\_\_\_ 4 \_\_\_\_\_ 5 \_\_\_\_\_ 6 \_\_\_\_\_

\*What was your profession in home country \_\_\_\_\_

ABOUT WORKING IN TAIWAN (Identification)

1) Was Taiwan your #1 choice of deployment? Yes No

If, NO, first choice was \_\_\_\_\_ WHY?

2) Did it matter where you were deployed to work? Yes No

3) With whom did you sign up first?

a) government recruiter b) private recruiter c) \_\_\_\_\_

4) Where did you sign up first? a) home village b) province capital c) capital city

How much did it cost to sign up? \_\_\_\_\_ dollars/baht/piso/rupiah

5) How did you hear of this specific job contract?

a) relative b) friend c) government recruiter d) private recruiter e) \_\_\_\_\_

6) Who/What attracted you to accept a contract in Taiwan?

7) Did any specific information from your government attract you to work in Taiwan?

8) How does your Taiwan employment compare to other int'l contracts?

The Best Better The Same Worse The Worst N/A

9) My contract began Jan/Feb/Mar/Apr/May/June/July/Aug/Sep/Oct/Nov/Dec 19 \_\_\_\_\_

10) This is my first contract in Taiwan Yes No First was \_\_\_/\_\_\_\_\_

11) My passport is held by: a) me b) employer c) broker d) \_\_\_\_\_



- 12) My A.R.C. is held by: a) me b) employer c) broker d) \_\_\_\_\_
- 13) Were you trained/certified by the government to do this job? Yes No
- 13b) How long where you trained? <1 wk 1wk 1-2 wk 2-3 wk 3-4 wk >4 wk
- 14) Did you sign up as pooled labor (waiting for a job)? Yes No Where
- 15) How long did you wait for your current job? \_\_\_\_\_ yr. \_\_\_\_\_ mo.
- 16) How much money did you borrow to get your Taiwan job?  
 from family \_\_\_\_\_ from friends \_\_\_\_\_ from your broker \_\_\_\_\_
- 17) Are you working in your profession in Taiwan? Yes No
- 17b) If NO, did you try to find overseas work in your profession first? Yes No
- 17c) How long did you wait for a job in your profession? \_\_\_\_\_ yr. \_\_\_\_\_ mo.
- 18) "I applied as a \_\_\_\_\_, and now I'm a \_\_\_\_\_."

#### PERSONAL REASONS TO MIGRATE

"I came overseas to work because..."	strong yes	more or less	not really	not at all
my family told me to	1	2	3	4
I wanted to help myself only	1	2	3	4
I'll make lots of money	1	2	3	4
I can get free from my spouse	1	2	3	4
I learn skills to use in my home country	1	2	3	4
I wanted to travel	1	2	3	4
I read a government pamphlet/brochure	1	2	3	4
I read about Taiwan jobs in the newspaper	1	2	3	4
I saw Taiwan had jobs on T.V.	1	2	3	4
my country needed my help most	1	2	3	4
my government offered training/guarantees	1	2	3	4
when I go back I can start a business	1	2	3	4
I had no job in my home country	1	2	3	4
my true profession is overseas worker	1	2	3	4
father/mother/brother/sister did before me	1	2	3	4
other people in my town got rich first	1	2	3	4
there were no jobs in my profession	1	2	3	4
this is easier \$\$\$ than a job in my country	1	2	3	4
it was the only job in my profession	1	2	3	4
I feel this was the only choice my gov't offered me	1	2	3	4

My last job in my country paid me \_\_\_\_\_ pesos/ baht / rupiah per month.

How much money do you send back in an average month?

Officially:	<\$100	100-200	201-300	301-400	401-500	>500	0
By Friends:	<\$100	100-200	201-300	301-400	401-500	>500	0

## APPENDIX B

### LIST OF 68 INDUSTRIES APPROVED TO HIRE FOREIGN WORKERS

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#### Import and Export Industries

- 1) Textile industries
- 2) Ready to wear clothing manufacturing/industries
- 3) Leather products manufacturing/industries
- 4) Fur products manufacturing/industries
- 5) Shoe manufacturing
- 6) Canned food processing industries
- 7) Frozen food processing industries
- 8) Building equipment manufacturing
- 9) Wood paneling manufacturing
- 10) Plywood manufacturing
- 11) Wood preservative and disposal industries
- 12) Electric generators and wire manufacturing and repair industries
- 13) Household appliance manufacturing
- 14) Wire and cable manufacturing
- 15) Lighting equipment manufacturing
- 16) Data storage and management equipment manufacturing
- 17) Electric products manufacturing
- 18) Electrical components and modules manufacturing
- 19) Communications machine (FAX) manufacturing
- 20) Battery manufacturing
- 21) Bicycles and bicycle parts manufacturing
- 22) Scientific/fine instrument control and equipment
- 23) Optical machine (scanner) manufacturing
- 24) Industrial calibration equipment manufacturing
- 25) Medical and other precision equipment manufacturing

#### Important industries for Industrial Development

- 26) Paper and pulp industries
- 27) Papermaking industries
- 28) Secondary paper (recycled paper) printing and manufacturing
- 29) Paper container and other paper product manufacturing
- 30) Iron smelting industries
- 31) Steel rolling industries
- 32) Steel casting industries

- 33) Steel forging and smithing industries
- 34) Secondary (recycled steel) steel manufacturing
- 35) Heat-treated steel industries
- 36) Steel surface hardening industries
- 37) Aluminum industries
- 38) Aluminum casting industries
- 39) Aluminum processing industries
- 40) Aluminum products manufacturing industries
- 41) Copper industries
- 42) Copper casting and steel products industries
- 43) Steel Processing industries and basic non-metal industries
- 44) Plastic covering, plastic slab sheet, and PVC pipe manufacturing industries
- 45) Plastic bag manufacturing
- 46) Plastic utensil manufacturing
- 47) Plastic covering and other plastic product industries
- 48) Glass products manufacturing
- 49) Cement and cement products industries
- 50) Ordinary and specialty ceramics (porcelain) manufacturing industries
- 51) Autos and auto parts manufacturing
- 52) Motorcycles and motorcycle parts manufacturing
- 53) Industrial grinding and polishing industries
- 54) Metal mold and form industries

Dirty, Dangerous, and Demanding Jobs

- 55) Metal powder (metallurgy) industries
- 56) Tire manufacturing
- 57) Industrial rubber and other rubber products industries
- 58) Marble products industries
- 59) Construction industries
- 60) Electroplating industries
- 61) Salvage ship and auto steel re-manufacturing industries
- 62) Metal building, structure, and parts industries
- 63) Metal product perforation and other metal products industries
- 64) Metal cutting machine manufacturing and repair industries
- 65) Metal mold and folding equipment manufacturing industries
- 66) Machine manufacturing and repair industries
- 67) Non-engine powered machine manufacturing and repair industries
- 68) Down (goose/duck) products manufacturing