



**MONASH** University

# **Conscious Citizenship: The Political Activism of the Filipino Diaspora in Australia Through the Lens of Hannah Arendt**

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BA, LLB, MIP

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# Abstract

In today's globalised world, minority groups such as immigrants and migrant workers are constantly marginalised and excluded as full members of a political community. Their presence in a host country like Australia poses difficult questions regarding their citizenship rights and protection under international and domestic law. The central problem of minority groups' oppression still lies within the current neoliberal ideology of the state that produces great disempowerment, depoliticisation and apathy in society.

This thesis explores an alternative way of looking at the idea and practice of citizenship from the point of view of a migrant group's collective consciousness and activism within its diaspora. I call this type of citizenship a 'conscious citizenship', which is about becoming politically conscious and engaged in the political community. Being conscious citizens entails contestation and resistance against the neoliberal policies of the sending and receiving states at a transnational level. It also involves group solidarity and collective action that transform the individual to become part of a collective political community.

In the thesis, I utilise Hannah Arendt's body of work and theories, especially her concept of the 'conscious pariah' (the rebel hero) to investigate the political activism of Migrante Australia, a Filipino migrant grassroots organisation in Australia. I argue that an Arendtian approach is the most suitable theoretical framework for this thesis because of Migrante's method of activism, which demonstrates the pariah's rebellious character in contesting the state's neoliberal policies. To test my hypothesis, I employ qualitative methods to gather data from my informants, using in-depth semi-structured interviews and ethnographic observations. I explore three general questions regarding Migrante's activism: political participation and practices; political views and awareness; and the significance of Filipino collective identity in the diaspora.

In exploring these questions, the thesis discovers several key themes that emerge from the data of the interviews and field observations. First, Migrante's transnational activism is unique in that its counter-hegemonic political engagement, which is different from that of other non-governmental organisations (NGOs) and civil society groups, transcends migrant and social justice issues on a transnational level, effecting changes both in its homeland and in its diaspora.

Second, Migrante's particular style of activism, known as 'step-by-step organising', is important in raising the political consciousness of its members as a way of sustaining a deeper level of political awareness and involvement in the wider community. It reveals why Filipino culture and community spirit are important facets of Filipino migrants' lived experience and how this group experience can become a rallying point for the political activism of Filipinos abroad.

Finally, the thesis illustrates how the cultural-community aspect of political action paves the way for the emergence of a new Filipino collective identity in Australia which is based on personal agency, political awareness and positive emotional attachment to group collectivities. It concludes by recognising two significant implications of this new collective identity, which I dub 'movement identity', in Australia: first, it points to the emerging 'micro-collective' identity of Migrante as a subgroup of Filipino diasporans in Australia; and, second, it depicts the transformation of collective identity from 'being Filipino' (having a sense of 'who we are') to 'becoming political' (having a sense of 'what we have become'), which shows the true essence of conscious citizenship.

# Declaration

This thesis contains no material which has been accepted for the award of any other degree or diploma at any university or equivalent institution and, to the best of my knowledge and belief, this thesis contains no material previously published or written by another person, except where due reference is made in the text of the thesis.



Reyvi Mariñas

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# Abbreviations

AMCB	Asian Migrants Coordinating Body
AMSR	Annual Market Salary Rate
APEC	Asia-Pacific Economic Cooperation
APDP	Action for Peace and Development in the Philippines
APMM	Asia Pacific Mission for Migrants
BACNI	Bayanihan Australia Community Network Inc
BAYAN	Bagong Alyansang Makabayan
BES	Bureau of Employment Services
CBD	central business district
CFO	Commission on Filipinos Overseas
CPCA	Centre for Philippine Concerns Australia
DHA	Department of Home Affairs
DIAC	Department of Immigration and Citizenship
DIBP	Department of Immigration and Border Protection
ENS	Employer Nomination Scheme
EOI	export-oriented industrialisation
ERFFP	Emergency Relief Fund for Philippines
EVP	Exchange Visitor Program
FCCVI	Filipino Community Council of Victoria Inc
FTAA	Financial Technical Assistance Agreement
GCM	Global Compact for Safe, Orderly and Regular Migration
GCM	Group of Contacts of Migrants
GCIM	Global Commission on International Migration
GFMD	Global Forum on Migration and Development
GSM	General Skilled Migration
ICRMW	<i>International Convention on the Protection of the Rights of All Migrant Workers and Their Families</i>
IELTS	International English Language Testing System
ILO	International Labour Organization
IMA	International Migrants Alliance
IMF	International Monetary Fund
IOM	International Organization for Migration
ISI	import substitution industrialisation

JIL	Jesus is Lord
LEP	Labour Export Policy
MDW	migrant domestic worker
MPS	Mont Pelerin Society
MSN	Migrante Sydney Neighbourhood
MUA	Maritime Union of Australia
NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organization
NESB	non-English-speaking background
NGO	non-government organisation
NSB	National Seamen Board
NSW	New South Wales
OECD	Organisation for Economic Co-operation and Development
OEDB	Overseas Employment Development Board
OFW	overseas Filipino worker
PACSI	Philippine–Australian Community Services Inc
PASA	Philippines–Australia Solidarity Association
PASG	Philippine Action Support Group
PAWA	Philippines–Australia Women’s Association
PO	people’s organisation
POEA	Philippine Overseas Employment Administration
PR	permanent residency
RMP	Rural Missionaries of the Philippines
RSMS	Regional Sponsored Migration Scheme
SAF	Skilling Australians Fund
SAP	structural adjustment program
SI	social investigation
TSMIT	Temporary Skilled Migration Income Threshold
TSS	Temporary Skill Shortage
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
VIC	Victoria
WA	Western Australia
WTO	World Trade Organization

# Chapter 1

## Introduction

In August 2013, an overseas Filipino worker (OFW), Jessie Cayanan, spoke in front of the office of the then Minister for Employment and Workplace Relations, Bill Shorten,<sup>1</sup> to demand that the Australian Government intervene in his case and grant him permanent residency. In his statement at the rally, he said: “I want to seek justice. Maybe the Minister can help me to ask the government to make them aware of my situation. It is unfair, and I know that Australia is a fair country. I came here to have better life. I did not expect this. I worked in Saudi Arabia and I didn’t experience something like this”.<sup>2</sup> Behind him were placards that said: ‘Justice for Jessie’ and ‘Don’t Deport Jessie – Permanent Residency for All 457 Visa Workers’.<sup>3</sup>

Jessie began working in Australia in February 2013 as a temporary migrant worker on a subclass 457 visa.<sup>4</sup> His employer demanded that he return \$520 a week in cash out of his \$977 weekly salary, because he was not competent enough to do the welding job that he was hired for and was threatened with deportation. The financial stress, which included paying back \$129 a week to his work-placement agent, left him feeling depressed and hopeless. He was worried that he would be deported back to the Philippines if he did not find another job within the 90-day period that the immigration law allowed.<sup>5</sup>

Jessie’s situation prompted a Filipino community organisation, Migrante Australia,<sup>6</sup> to engage in various political actions and campaigns including rallies, public fora and petition signing. Migrante mobilised its member organisations and its Australian-based networks to stage a protest at Bill Shorten’s office to pressure the Minister and the Australian Government to act in favour of Jessie’s case. Migrante believed that the plight of Jessie and many other temporary migrant workers on 457 visas in Australia is the direct result of the Philippine Government’s Labour Export Policy (LEP), as well as the neoliberal economic policies pursued by both countries.<sup>7</sup> His case was referred

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<sup>1</sup> Bill Shorten is currently the Leader of the Opposition.

<sup>2</sup> Jessie Cayanan’s statement at the rally while being interviewed by SBS Television.

<sup>3</sup> See Fig 6.2 in Chapter 6 for the flyer and a photo of Jesse Cayanan during the rally.

<sup>4</sup> The 457 visa was commonly used by Australian and overseas employers to sponsor temporary skilled workers to work temporarily in Australia. This visa has been abolished by the current Liberal coalition government and replaced by the new Temporary Skill Shortage (TSS) visa (subclass 482) on 18 March 2018.

<sup>5</sup> In 2016, the law was amended to reduce the period that 457 visa holders can remain in Australia after ceasing employment with their sponsors from 90 days to 60 days: see *Migration Legislation Amendment (2016 Measures No. 4) Regulation 2016* (Cth).

<sup>6</sup> Migrante Australia is part of a broader alliance of Filipino migrant progressive groups around the world commonly known as Migrante. The word ‘Migrante’ will be utilised to refer to Migrante Australia as well as its head organisation in the Philippines, Migrante International, to describe a Filipino transnational migrant movement organisation.

<sup>7</sup> Migrante Australia, ‘Press statement on 457 visa holders’, April 2013.



to the Minister for Immigration's office for a ministerial intervention on compassionate and humanitarian grounds. In March 2017, the Minister decided that it was not in the 'public interest' to intervene in favour of Jessie's case. In May 2017, Jessie departed Australia to re-unite with his wife and three children in the Philippines.

## 1.1 Background and setting

Throughout history, certain groups of people have been marginalised and excluded as full members of the polity. In ancient Greece, slaves, foreigners and women were considered second-class citizens who possessed lesser rights and lacked formal community membership. In the modern era, citizenship generally means belonging in a political community defined by territorial boundaries. Those who are included are endowed with certain rights and privileges. But not everyone enjoys these entitlements. Migrants<sup>8</sup> and other minority groups often do not enjoy these basic civil, political and social rights. They are often politically disenfranchised, susceptible to exploitation, lacking social security benefits and subject to racial slurs and discrimination.

From the late nineteenth century up until the mid-twentieth century, the world witnessed substantial increases in 'transplanetary connectivity' in communication, travel, expansion of global markets and increased takeover of finance capital.<sup>9</sup> This period also saw global movements of people on an unprecedented scale that led to the creation of major 'new diasporas' around the world, 'as about 50 million people migrated from India and China to various destinations in the tropics, while around the same number made permanent moves from Europe to the Americas, Australasia and South Africa'.<sup>10</sup> These phenomena simultaneously encouraged the formation of global organisations like the International Labour Organization (ILO) in 1919 and the United Nations (UN) in 1945 to oversee the implementation of labour and human rights norms and principles. Yet, despite the formation of these global organisations and the development of general human rights standards following the Second World War, global economic forces have proliferated to make migrants and minority groups stateless, dehumanised and isolated.

Today, nation-states are increasingly prioritising the transnational sphere of market relations, which leads to the treatment of migrants (and temporary migrant workers in particular) as mere 'commodities'. Sending countries like the Philippines have continuously relied on labour export as an institutionalised state policy to generate profit from migrant workers' remittances. On the other hand, many Western countries such as the United States of America, Canada, Australia

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<sup>8</sup> In this thesis, the term 'migrants' is used loosely to encompass both temporary residents (migrant workers, international students and irregular migrants) and permanent residents (immigrants, naturalised citizens and diasporans) in Australia.

<sup>9</sup> Jan Aart Scholte, *Globalization: A Critical Introduction* (Palgrave Macmillan, 2nd ed, 2005) 91.

<sup>10</sup> Ibid 92.

and New Zealand have shifted their policies towards a preference for temporary migration over permanent settlement as a competitive tool in the changing economic climate. Other developed countries in Asia and the Middle East have since used temporary labour migration programs as a tool of economic development for both receiving and sending countries. It was reported that during the 1990s, and again since 2000, most industrialised countries experienced significant growth in temporary labour migration (around 62 million migrant workers moved from developing to developed countries in 2005).<sup>11</sup> Migrant workers now account for 150 million among the 242 million international migrants worldwide.<sup>12</sup>

Arguably, immigrants and migrant workers bear the greatest cost of economic restructuring in both developing and developed countries across the globe. Intensive deregulation and flexible work practices have severely affected migrant workers who are employed in low-skilled or semi-skilled sectors, where their labour rights are least protected. Migrant workers are less likely to complain about their working conditions and are reluctant to join unions because of their fear of dismissal or deportation. Their temporary status in the host country adds another layer of vulnerability to abuse and exploitation. The rights of migrant workers in the host country are often still limited and may depend on their continued employment through employers' sponsorship. This condition restricts their mobility rights, and thus they are at greater risk of coercion and abuse compared to citizens and permanent residents.<sup>13</sup>

On a global level, international legal standards and measures have been put in place to protect migrant workers outside their countries of citizenship. The two ILO instruments—the *Migration for Employment Convention (Revised)*, 1949 (ILO No 97) and the *Migrant Workers (Supplementary Provisions) Convention*, 1975 (ILO No 143),<sup>14</sup> together with the *International Convention on the Protection of the Rights of All Migrant Workers and Their Families* (ICRMW),<sup>15</sup> form the basis of the international legal framework that covers humane treatment of migrants and intergovernmental cooperation relating to migration. Global and regional consultative forums have also been

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<sup>11</sup> International Organization for Migration, *World Migration 2008: Managing Labour Mobility in the Evolving Global Economy* (IOM, 2008) 32, 80: <[https://publications.iom.int/system/files/wmr\\_1.pdf](https://publications.iom.int/system/files/wmr_1.pdf)>. The IOM report does not specify the number of migrant workers who moved from developing to developed countries during the 1990s. However, a report prepared by Philip Martin for the Global Commission on International Migration shows approximately 81.4 million migrant workers moved from the least developed to more developed regions in 1990: see Philip Martin, *Migrants in the global labor market: a paper prepared for the Policy Analysis and Research Programme of the Global Commission on International Migration* (GCIM, September 2005) 9: <[www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy\\_and\\_research/gcim/tp/T\\_P1.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy_and_research/gcim/tp/T_P1.pdf)>.

<sup>12</sup> United Nations, 'UN agency data on labour migration shows 150 million migrant in global workforce' (5 Jan 2017) <<https://refugeesmigrants.un.org/un-agency-data-labour-migration-shows-150-million-migrants-global-workforce>>.

<sup>13</sup> See Chapter 2, particularly section 2.4 The rise of the precarious migrant.

<sup>14</sup> For the text of these two ILO instruments, see: <[www.ilo.org/global/topics/labour-migration/standards/lang--en/index.htm](http://www.ilo.org/global/topics/labour-migration/standards/lang--en/index.htm)>.

<sup>15</sup> For the text of the ICRMW, see: <[www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx)>.

established to enhance inter-state dialogue and cooperation on migration and development issues, such as the Bali Process in 2002, the Global Forum on Migration and Development (GFMD) in 2006 and the New York Declaration for implementing a Global Compact for Safe, Orderly and Regular Migration (GCM) adopted in September 2016, amongst others.

Yet, despite this comprehensive set of international standards and framework, the present-day policies and practices of many states remain far from fair. Major destination countries are reluctant to ratify these conventions or do not effectively enforce their provisions even where ratified.<sup>16</sup> The ICRMW, for example, took 13 years to receive the 20 ratifications required to bring the Convention into force in July 2003. As of January 2018, there were only 51 state parties to the Convention, none of which were major migrant destination countries. The slow progress in ratification of these instruments demonstrates states' reluctance to recognise the application of human rights standards to migrant workers. Such limitations on migrant workers' social protection imposed by the state ensure that their labour maintains a competitive advantage in being cheap, flexible and dispensable when not needed.<sup>17</sup>

On a domestic level, migrant workers continue to suffer widespread abuse and exploitation at the hands of recruitment agencies, government officials, employers and the general population despite reforms and progress within domestic rights framework. In Australia, for example, although in theory migrant workers enjoy the same rights and protection under Australian laws, in reality they can experience 'differential treatment' to Australian workers.<sup>18</sup> At the heart of the migrant workers' problem is the 'structural' issue, because their right to stay and work in Australia depends on continued sponsorship by their employers, which renders them less free and more vulnerable and open to exploitation.<sup>19</sup> Indeed, Catherine Dauvergne and Sarah Marsden argue that it is impossible to alleviate migrants workers' dire condition within the 'rights discourse' because 'the condition of temporary migrant work is anchored in a fundamental *subordination*'.<sup>20</sup>

The problem of the subordination, marginalisation and exclusion of migrants in a host country like Australia presents an ever-increasing challenge for scholars, advocates and activists in terms of rights protection and empowerment of migrant groups. To a greater extent, rights protection as a solution to the migrant worker issue has been valuable for advocacy because it has

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<sup>16</sup> Piyasiri Wiskramasekara, 'Globalisation, international labour migration and the rights of migrant workers', *Third World Quarterly* 29(7) (2008) 1247, 1259.

<sup>17</sup> Patrick A Taran, 'The need for a rights-based approach to migration in the age of globalization' in Ryszard Cholewinski, Paul de Guchteneire and Antoine Pécoud (eds) *Migration and Human Rights: The United Nations Convention on Migrant Workers' Rights* (Cambridge University Press and UNESCO, 2009) 150, 151.

<sup>18</sup> Peter Mares, *Not Quite Australian: How Temporary Migration is Changing the Nation* (Text, 2016) 228–29.

<sup>19</sup> Ibid 230. See also the 'Deegan report': Barbara Deegan, *Visa Subclass 457 Integrity Review: Final Report* (October 2008) 69. Available at: <[www.homeaffairs.gov.au/WorkinginAustralia/Documents/457-integrity-review.pdf](http://www.homeaffairs.gov.au/WorkinginAustralia/Documents/457-integrity-review.pdf)>.

<sup>20</sup> Catherine Dauvergne and Sarah Marsden, 'The ideology of temporary labour migration in the post-global era' (2014) 18(2) *Citizenship Studies* 224, 237 (emphasis added).

resulted in better working conditions and improvement of those rights in a concrete way. However, as Dauvergne and Marsden further contend, rights protection may only be partially effective because ‘rights protections have not challenged the underlying *social relations* that are entrenched in and supported by migrant worker programmes’.<sup>21</sup> Rights discourse, they explain, is anchored within the ‘ideological elements of rights discussion’ in that the state still possesses the paramount right to exclude migrant workers in its territory.<sup>22</sup> Thus, any attempts to articulate rights claims on behalf of migrant workers remain weak because of this fundamental right of the state to include and exclude non-citizens.

For this purpose, I would add that the ideological function of the rights discourse is also embedded in the current neoliberal ideology of the state apparatus, which this thesis identifies in the next chapter (Chapter 2) as the core problem for the subordination and disempowerment of migrant workers and other minority groups. Present-day market-driven governance is transforming the growing numbers of once rights-bearing citizens (and non-citizens) into socially excluded, internally rightless and *de facto* stateless persons.<sup>23</sup> Thus, migrants’ subordination can lead to widespread depoliticisation that limits their agency to challenge their social exclusion from the polity.<sup>24</sup> The task of this thesis is to move beyond the rights discourse (the content of these rights) and find alternative ways of addressing these issues from the point of view of migrants’ collective consciousness and activism in the diaspora (through making rights claims). This is significant because not only will the thesis advance an alternative theoretical framework, but it will also illustrate practical insights and experiences that migrant activists utilise to bring about change at a transnational level.

## 1.2 Research aim and significance

In this thesis, I aim to explore how the idea of ‘conscious citizenship’ provides a conceptual framework for understanding the transnational activism of the Filipino diaspora<sup>25</sup> in Australia. I borrow the word ‘conscious’ from Hannah Arendt’s idea of the ‘conscious pariah’ – a paradigmatic

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<sup>21</sup> Ibid 236 (emphasis added).

<sup>22</sup> Ibid 237.

<sup>23</sup> Margaret R Somers, *Genealogies of Citizenship: Markets, Statelessness, and the Right to Have Rights* (Cambridge University Press, 2008) 2.

<sup>24</sup> Shanthi Robertson, ‘Contractualization, depoliticization and the limits of solidarity: noncitizens in contemporary Australia’ (2016) 19(8) *Citizenship Studies* 936, 943–44.

<sup>25</sup> I employ the term ‘Filipino diaspora/diasporans’ interchangeably with ‘Filipino migrants’ to signify a group of people outside their homeland that has a particular type of collective identity and agency: see subsection 4.4.1 Diaspora as a framework in Chapter 4 for full discussion.

figure of a ‘dissident’<sup>26</sup> or ‘insurgent’<sup>27</sup> citizen who employs oppositional citizenship practices to bring about social and political change in society.<sup>28</sup> From Arendt’s point of view, conscious citizenship is about taking responsibility for a common world where one can speak and act meaningfully.<sup>29</sup> She speaks of ‘the right to have rights’, which entails the right to belong to a political community where one is judged by one’s actions and opinions.<sup>30</sup> It entails an alternative idea of citizenship that stages, organises and creates a political world where the marginalised and the excluded can claim rights against subordination and injustice.<sup>31</sup> For Arendt, this is the sense in which human rights are tied to our present human condition—the loss of our common world and humanity.

This thesis seeks to redefine the role of citizenship beyond the strict confines of legal citizenship.<sup>32</sup> It explores new forms and acts of citizenship through diaspora action that looks at the marginalised group as both a mode of ‘subjectification’<sup>33</sup> and a site of struggle and resistance. Under international law, citizenship is closely associated with the idea of nationality, constituting a formal legal status at the international level.<sup>34</sup> The focus is primarily on rulings and how the law or institutions can better guide the conduct of states and the status of individuals within their power. However, this thesis will show how migrants acting collectively in group, such as Migrant Australia, become agents of change in the transnational arena and how practices of citizenship can be made meaningful under the condition of globalising states.

As a result, this study shifts the focus of this dominant narrative of the bounded ‘citizen actor’ within the nation-state and transforms the construction of the ‘migrant’ in two ways: first, the migrant is not only a ‘moving’ subject but also an ‘acting’ subject with agency;<sup>35</sup> and, second, they are not only an individual agent but also a part of a collective group that enacts various ways of ‘becoming political’.<sup>36</sup> Becoming a conscious citizen (part of the essence of ‘conscious citizenship’) therefore means transcending oneself into collective consciousness as a political agent capable of judgement (thought) and action of what is right or wrong, just or unjust.

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<sup>26</sup> Holloway Sparks, ‘Dissident citizenship: Democratic theory, political courage and activist women’, *Hypatia* 12(4) (1997) 74, 83.

<sup>27</sup> Étienne Balibar, ‘Introduction: The antinomy of citizenship’ in *Equaliberty: Political Essays* (Duke University Press, 2014) 30.

<sup>28</sup> See Chapter 5 for more detail.

<sup>29</sup> Hannah Arendt, *The Human Condition* (University of Chicago Press, 2nd ed, 1958) 183.

<sup>30</sup> Hannah Arendt, *The Origins of Totalitarianism* (Harcourt, 1968) 296–97.

<sup>31</sup> Stephanie DeGooyer et al, *The Right to Have Rights* (Verso, 2018) 58.

<sup>32</sup> Legal citizenship refers to the formal status of membership in a state or nationality as it is understood in international law: Audrey Macklin, ‘Who is the citizen’s other? Considering the heft of citizenship’ (2007) 8 *Theoretical Enquiries in Law* 333, 334.

<sup>33</sup> Coined by Michel Foucault, I use the word ‘subjectification’ to refer to the construction of self-awareness vis-à-vis identity.

<sup>34</sup> Alison Kesby, *The Right to Have Rights: Citizenship, Humanity and International Law* (Oxford University Press, 2012) 40.

<sup>35</sup> Engin F Isin, *Citizens Without Frontiers* (Bloomsbury, 2012) 11.

<sup>36</sup> Engin F Isin, *Being Political: Genealogies of Citizenship* (University of Minnesota Press, 2002) 3–4.

It then follows that this collective consciousness and belonging form part of a new collective identity of the Filipino diaspora in Australia. This thesis seeks to understand whether this so-called Filipino diaspora 'in-the-making'<sup>37</sup> provides the basis on which a collective group can become political actors or conscious citizens on the 'watch' for the migrants when states fail to protect these people. This is a key feature of the thesis in exploring how Filipino migrants, through *Migrante Australia*, mobilise the Filipino diaspora transnationally to contest the Philippine state's neoliberal policies and to demand that the states (Philippines and Australia) protect migrant workers against human rights abuses.

A further aspect of the meaning of conscious citizenship is the idea of 'becoming political' in a collective manner – that is, the transformation of individual lived experience and awareness into a group experience and collective consciousness that connects the homeland (Philippines) and the diaspora (Australia). Group experience is crucial in the fostering of collective political engagement because it creates a positive attachment to the group as well as a sense of belonging in the wider political community.

Thus, I pose three main questions that drive the overall enquiry of this research project. First, how should citizenship be understood against the backdrop of neoliberal globalisation and transnational demands for labour? Second, what does conscious citizenship entail and how does this framework apply in the context of Filipino migrant transnational activism? Third, how does conscious citizenship impact on the Filipino collective identity in Australia?

In order to answer these research questions, I chose the case of *Migrante Australia* because this group embodies the ideas and practices of conscious citizenship in three respects. First, *Migrante* activists employ a counter-hegemonic strategy against the neoliberal policies of both the Australian and the Philippine governments. A counter-hegemonic approach is based on oppositional discourse, strategies and political actions that challenge, resist and contest the hegemonic agenda of today's neoliberal project implemented by the state. Second, *Migrante's* collective responsibility and commitment (solidarity) show how individual participants can become involved in an organised political community. Third, *Migrante's* activism shows how group experience and consciousness create a positive collective identity for Filipino migrants in Australia, which is vital for the group's continuous activism in the diaspora. Conscious citizenship is about the creation of collective belonging and identity that enlivens Filipino migrants' political action and public life.

I have chosen to focus my study on the Filipino diaspora in Australia because of my particular background as a Filipino-Australian as well as my deep involvement with political and social issues that affect Filipinos both in Australia and in the Philippines. These issues include migration status, migrant workers' abuse and labour trafficking (the 457 visa issue), exploitation of

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<sup>37</sup> E San Juan Jr, 'Contemporary global capitalism and the challenge of the Filipino diaspora' (2011) 25(1) *Global Society* 7, 21.

international students, family violence towards Filipino women and the social justice and human rights situation in the Philippines. Since 2003, at the height of the Iraq invasion, I have been actively involved with Migrante Melbourne,<sup>38</sup> a Filipino migrant community group that advocates for the rights and welfare of Filipinos in Victoria. Being a part of this transnational migrant movement organisation has not only deepened my understanding and experience of the issues that confront Filipinos in Australia, but also helped me realise the importance of political engagement and activism in the public sphere as part of a collective group.

Likewise, my interest in the works of Hannah Arendt began in 2004 while undertaking a Master of Arts in philosophy at the University of Melbourne. I discontinued this course in 2006 and the following year commenced a Master of International Politics (by coursework and minor thesis) at the same university. My passion for Arendt's works and theories continued. In my minor thesis, I explored Arendt's (and Jacques Derrida's) notions of political friendship to draw out implications for the modern-day political action and resistance of migrants by looking at the International Migrants Alliance's (IMA)<sup>39</sup> transnational advocacy work for migrants and refugees.<sup>40</sup> In many respects, this doctoral thesis is the continuation and offshoot of this long-held interest in Hannah Arendt and my personal experience of political engagement in grassroots activism with Migrante.

Thus, this thesis is significant in numerous ways. First, one intended outcome of the study, on a theoretical level, is to contribute to the growing scholarship on Hannah Arendt, particularly her scholarship on the concept of the 'conscious pariah'.<sup>41</sup> There is only a handful of literature (mainly journal articles) that directly deals with Arendt's work in terms of the condition of non-citizens, particularly undocumented migrants, and their political participation.<sup>42</sup> Most discussions of her work are confined to issues of social identity and gender,<sup>43</sup> and no study has been conducted

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<sup>38</sup> I purposely did not include Migrante Melbourne as one of the community group participants in this research as I was an officer of the organisation at the time of conducting the study.

<sup>39</sup> Established in July 2008, IMA is a transnational formation of grassroots migrant groups around the world that 'constitutes itself as distinct from and, in many ways, opposed to these venues for the practice of international migration politics': Robyn Magalit Rodriguez, 'Beyond citizenship: emerging forms of political subjectivity amongst migrants' (2013) 20(6) *Identities: Global Studies in Culture and Power* 738, 740.

<sup>40</sup> My Master's thesis, 'Togetherness in difference: the politics of friendship in Arendt and Derrida', was submitted in October 2008 in partial fulfilment of the requirements of the degree of Master of International Politics (by coursework and minor thesis).

<sup>41</sup> See my brief exposition of Arendt's concept of the 'conscious pariah' below (section 1.3).

<sup>42</sup> Monika Krause, 'Undocumented migrants: an Arendtian perspective' (2008) 7(3) *European Journal and Political Theory* 331; Mariana San Martin, 'Immigrants' rights in the public sphere: Hannah Arendt's concepts reconsidered' (2009) 4 *Societies Without Borders* 141; Cristina Beltran, 'Going public: Hannah Arendt, immigrant action, and the space of appearance' (2009) 37(5) *Political Theory* 599.

<sup>43</sup> See Bonnie Honig (ed) *Feminist Interpretations of Hannah Arendt* (Pennsylvania State University Press, 1995); Norma Claire Moruzzi, *Speaking Through the Mask: Hannah Arendt and the Politics of Social Identity* (Cornell University Press, 2000); Hanna Fenichel Pitkin, *The Attack of the Blob: Hannah Arendt's Concept of the Social* (University of Chicago Press, 1998); Hanna Fenichel Pitkin, 'Justice: on relating private and public' (1981) 9(3) *Political Theory* 327; Jennifer Ring, *The Political Consequences of Thinking: Gender and Judaism in the Work of Hannah Arendt* (State University of New York Press, 1998); Jennifer Ring, 'The pariah as hero: Hannah Arendt's political actor' (1991) 19(3) *Political Theory* 433.

that applies her work, particularly her concept of the 'conscious pariah', to the Filipino diaspora's political activism and collective identity in Australia. Many studies of overseas Filipinos, mainly those of Filipino women, focus on certain themes such as exploitation, family violence and sexualised citizenship.<sup>44</sup> Thus, this project is a major contribution to Arendtian scholarship, especially in relation to the study of citizenship, diaspora activism and identity formation in the Australian context.

Second, on an empirical level, the thesis' findings aim to provide a different view of the Filipino community's image and identity in Australia. It intends to dispel the negative stereotypes of Filipinos as maids, trafficked and exploited persons, and 'mail-order brides' by showing that there is a positive and progressive aspect of overseas Filipino identity that is embedded in migrants' lived experience and history of resistance and struggle from colonial times up to the present era. Indeed, there are growing numbers of studies that show overseas Filipinos are not a submissive and apolitical group, but in fact are transnational activists and political actors.<sup>45</sup> Furthermore, the thesis' results may provide a comparative guide and analysis for current and future studies of other ethnic migrant communities in Australia and other migrant host countries such as the United States, Canada, New Zealand, the UK and the European Union.

Finally, on a personal level, I trust that this study will make a significant impact in terms of institutional and policy change, and/or provide inspiration and guidance for fellow human rights defenders and social justice activists in continuing their fight for a better society. Migrante organisations, and other similar progressive Filipino groups around the world, have been at the forefront of fighting for Filipino migrants' rights and welfare since the 1990s and continue to do so until now. Migrante's experience of activism, as explored in this thesis, will surely serve as a model for other advocacy groups in building awareness, and mobilising and organising immigrants and migrant workers to protect their rights and welfare, as well as contributing to genuine change transnationally. For me, the practice of conscious citizenship is not about the strict confines of the law or institution, but about shaping our attitude and our culture, and making a difference in the world.

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<sup>44</sup> See Nicole Constable, *Maid to Order in Hong Kong: Stories of Migrant Workers* (Cornell University Press, 2nd ed, 2007) and Rachel Salazar Parreñas, *Servants of Globalization: Women, Migration and Domestic Work* (Stanford University Press, 2001). In Australia, Filipino women immigrants are typically explored in terms of the stereotypical image of a 'mail-order bride' and the surrounding family violence within the mixed-marriage relationship: Chris Cunneen and Julie Stubbs, *Gender, 'Race' and International Relations: Violence against Filipino Women in Australia* (Institute of Criminology, 1997). See also the new book by Shirlita Africa Espinosa, *Sexualised Citizenship: A Cultural History of Philippines-Australian Migration* (Palgrave Macmillan, 2017), which explores the relationship between the production of cultural materials and the sexualisation of the Filipino community due to a large number of marriage migrants from the Philippines to Australia.

<sup>45</sup> Hsiao-Chuan Hsia, 'The making of a transnational grassroots migrant movement: a case study of Hong Kong's Asian migrants' coordination body', (2009) 41(1) *Critical Asian Studies* 113; and Robyn Magalit Rodriguez, 'Philippine migrant workers' transnationalism in the Middle East', (2011) 79 *International Labor and Working-Class History* 48.



### 1.3 Research framework and methods

This thesis has been informed and motivated by the body of work and theories of Hannah Arendt. As mentioned earlier, her concept of the conscious pariah is of particular importance in the formulation of my notion of conscious citizenship. In this thesis, I follow an Arendtian approach as my overarching theoretical framework to examine the meaning of conscious citizenship and why this concept and its practice are relevant to Filipino migrants' activism, group experiences and collective identity in Australia. Many scholars of Arendt's work have come to view her approach as difficult to categorise in terms of accepted labels of 'political science', 'conceptual analysis' or 'history of ideas'.<sup>46</sup> Some call her approach an 'exercise in political thought' which contains 'the endless effort of human beings to make sense of what they experience'.<sup>47</sup> She writes in an eclectic style containing a mixture of idioms and elements of paradox and complexity on the subject matter.<sup>48</sup> Her unconventional views, style and methods are evident in her political writings and in her personal life.

Arendt's personal experience as an independent thinker and political theorist reveals her as somewhat of a pariah (an outsider) within the conventional academic sphere. In an interview broadcast by a West German television station in October 1964, she insisted that she never regarded herself as a 'philosopher' nor felt that what she did was 'political philosophy', believing that this discipline 'is extremely burdened by tradition'.<sup>49</sup> She maintained that her profession 'if one can speak of it at all, is political theory'.<sup>50</sup> She kept some distance from academic and public life, a position which might seem peculiar from a theorist who praised political action and the importance of the public realm in her writings.<sup>51</sup>

Arendt's style and the content of her political writings also reveal a type of 'rebellion' against academic orthodoxy. In some of her writings, she insists that a distinction must be drawn between philosophy and politics, a distinction she wishes to illustrate as part of her conscious attempt to write against the philosophical tradition that sees politics in a way that abstracts it from its real and

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<sup>46</sup> See particularly Margaret Canovan, *The Political Thought of Hannah Arendt* (JM Dent, 1974) 1.

<sup>47</sup> Ibid 3. See also Seyla Benhabib, 'Hannah Arendt and the redemptive power of narrative' (1990) 57(1) *Social Research* 167, 171.

<sup>48</sup> Steve Buckler, *Hannah Arendt and Political Theory: Challenging the Tradition* (Edinburgh University Press, 2012) 2.

<sup>49</sup> Hannah Arendt, "'What remains? The language remains": a conversation with Günter Gaus', in Jerome Kohn (ed) *Essays in Understanding 1930-1945: Formation, Exile and Totalitarianism* (Schocken Books, 1994) 1, 2.

<sup>50</sup> Ibid 1.

<sup>51</sup> See in particular the Preface to Arendt's biography: Elizabeth Young-Bruehl, *Hannah Arendt: For Love of the World* (Yale University Press, 2nd ed, 2004) xxxviii-xxxix.

unique character as political practice.<sup>52</sup> This rebellious outlook in her writings also reveals the ‘novelty’ of her approach to analysing things, in that she believes that ‘with each birth something uniquely new comes into the world’.<sup>53</sup> It is by way of saying that we can bring something new to the table and can make a difference to the world in many ways.

Therefore, I consider an Arendtian approach to be the appropriate framework for my thesis because of its element of ‘resistance’ and ‘rebellion’ towards the state’s neoliberal agenda. This also shows that her approach is far from constant and complete, pointing to its ‘openness’ that continuously seeks to illuminate the meanings of our past and present experiences. I argue that this approach is not so much a methodology or a method in a strict academic sense, but, as I said earlier, it is more of an ‘attitude’ or a ‘culture’—‘a singular disposition to politics and human life’<sup>54</sup> that guides our present understanding and future actions.

In this thesis, I apply an Arendtian approach to a study of conscious citizenship within the context of Filipino diaspora activism around migrant workers in Australia. In my investigation, I will not only rely on Arendt’s theories per se, but also utilise other notable theoretical approaches put forward by prominent scholars like Engin F Isin, Antonio Gramsci, EP Thompson, Jacques Rancière, and Filipino academics such as Renato Constantino and Epifanio San Juan Jr, amongst others, to supplement and improve my Arendtian approach. Furthermore, I will employ other analytical frameworks including the concepts of diaspora, counter-hegemony, transnationalism, social movements and Filipino psychology to situate my investigation in the appropriate context. With this, my overarching approach unravels a different way of studying citizenship that is grounded in a dialectical relationship of different interactions and dynamics between solidarity and contestation, thought and action, the individual and the community, and the homeland (Philippines) and the diaspora (Australia).

To fully explore the concept and practice of conscious citizenship, I have used qualitative methods to gather information and the stories of my informants, through in-depth semi-structured interviews and ethnographic observations.<sup>55</sup> I have deliberately excluded undocumented Filipinos, Filipino international students, Filipino 457 visa workers and Filipino women on spouse visas as my informants in the interview because of their vulnerable positions in Australian society, as most of these groups have experienced some form of exploitation at some level. Their unlawful and temporary visa status was not strictly relevant to the central conceptual framework of my thesis,

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<sup>52</sup> See in particular Hannah Arendt, ‘Philosophy and politics’ (1990) 57(1) *Social Research* 73. The full version of this article was later published in the book edited by Jerome Kohn: see Hannah Arendt, ‘Socrates’ in Jerome Kohn (ed) *The Promise of Politics* (Schocken Books, 2005) 5–39.

<sup>53</sup> Arendt, *The Human Condition*, above n 29, 178.

<sup>54</sup> Shiraz Dossa, *The Public Realm and the Public Self: The Political Theory of Hannah Arendt* (Wilfred Laurier University Press, 1989) 15.

<sup>55</sup> My application for ethical approval was granted by the Monash University Human Research Ethics Committee in July 2012.

that is the acceptance of responsibility of the conscious pariah to engage in political action in the public sphere. Thus, my decision to narrow down my selected informants to leaders and active organisers of community organisations is relevant to answering the core overarching framework of this thesis – the political engagement of the conscious pariah citizen.

Fieldwork for the thesis was conducted between July 2012 and April 2014 mainly in Melbourne and Sydney, where more than half of the Filipino diaspora (Philippine-born population) in Australia resides. The research specifically sought out leaders and active organisers of Filipino community organisations because of their deep knowledge, understanding and experience in organising overseas Filipinos in Australia. Access to informants was obtained via personal networks and contacts in the so-called umbrella organisations of the Filipino community in Melbourne and Sydney, most of whom I already knew through my active involvement with Migrante. These umbrella organisations include the Bayanihan Australia Community Network Inc (BACNI), Centre for Philippine Concerns Australia (CPCA) – Victoria Chapter, Filipino Community Council of Victoria Inc (FCCVI), Philippine Fiesta of Victoria and Migrante Australia (Melbourne, Sydney and Perth chapters).

I also draw on my own personal experience as a Migrante activist for several years. Although I share my informants' experience of activism in Australia, their experience and stories of their activism would be different from mine in many respects because of their diverging lived experiences, struggles, memories of the homeland and the diaspora (Chapter 8). As stated earlier, I had been actively involved with Migrante and within the Filipino community since 2003. As a legal practitioner over the years, I have also witnessed various legal and social issues facing Filipino migrants in Australia through Migrante's provision of pro bono legal and welfare services as well as through consultation with other Filipino community organisations. Being a participant observer with Migrante as well as having an extensive historical and legal knowledge and experience with the Filipino community have provided me with a valuable tool to analyse and present my informant's personal stories and the Filipino diaspora's community problem in general.

Fifteen informants from the above organisations participated in the interviews. Interviews were conducted face-to-face using tape recording (with the exemption of one in Perth via Skype) in the informants' homes, organisations' offices and public places like cafés and restaurants. Interviews normally lasted between 60 and 90 minutes, and were conducted mainly in English and sporadically in the Filipino language (Tagalog). Open-ended questions were utilised in the interviews to capture each informant's personal biography, stories and experiences. Questions asked of informants included the following themes: first, the political participation and practices of individuals in the organisation; second, the political views and awareness of members and the organisation as whole;

and, third, the meaning of Filipino collective identity in Australia and the role of the Filipino diaspora as an agent of transnational change.<sup>56</sup> Recorded interviews were transcribed subsequently.

However, the selection of analysed data after the interviews encountered major difficulties. One major issue was the differing subjective views of some individual informants, particularly when it came to the question of political engagement and collective identity. For instance, on the question of collective identity, some of my informants associated Filipino identity with religious connotations such as being a good Christian (i.e. Catholic) or someone who holds and practises traditional Filipino values like *utang na loob* (gratitude) and *pakikisama* (yielding to the will of the leader or the majority).<sup>57</sup> One informant even expressed his doubt about whether there is such a thing as a Filipino collective identity in Australia because of his experience of the divisiveness and disunity of Filipino community leaders amongst themselves within their own organisation as well as their relationship with other Filipino groups.

Another issue was that some of these subjective views were also attributed to the different aims and objectives of the different community organisations mentioned above. Some of these organisations focus on providing settlement services funded by the Australian Government or organising events that are non-political in nature such as dinner dances, cultural events and fundraising activities. These activities are somewhat different from the Arendtian approach (being conscious and political in the public sphere) that I explore in the thesis. It was problematic to discern the common themes arising out of some of the interview results because of these diverging views and outlooks.

The third issue pertained to the difficulty in recruiting participants who may or may not be activists or leaders and organisers of Filipino community groups. Following the approval of my Ethics application on 31 July 2012 (Project Number: CF12/2220 – 2012001170), I applied in April 2013 for an amendment to my Ethics approval to include a survey questionnaire to gather data from a wider group of Filipinos in Australia. However, problems occurred during the recruitment stage of the survey because of the difficulties in setting up meetings with the participants or the contact person of a group (either they were too busy or simply not interested). There was also the issue of follow-up with the contact person of the group to collect the completed survey questionnaire, which caused a heavy load in terms of time and energy. Furthermore, during the analysis of the data gathered in the questionnaires, I also found that some data were missing because the participants had incorrectly answered or may have misunderstood the questions. The lack of crucial details meant that it is inaccurate to create generalisable results for the targeted group of Filipino diasporans that is broader in size than the leaders and organisers of a community organisation. Thus, I decided to abandon the survey questionnaire method because of these issues. Ultimately, I decided to focus

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<sup>56</sup> See Appendix: Interview Questions.

<sup>57</sup> The nuances of these traditional Filipino values will be further explored in Chapter 8 of the thesis.

my findings on data from interviewees from Migrante Australia and to limit my analysis based on the narratives of eight informants from various affiliate organisations of Migrante Australia.<sup>58</sup>

Following an Arendtian approach, I have chosen to focus on my findings from the eight leaders and organisers of Migrante Australia because these informants embody the real essence of the conscious pariah figure. As mentioned in the previous section, the conscious pariah (and in this thesis, the conscious citizen) holds this rebellious character of a dissident citizen who goes out in the public sphere to represent and fight for the oppressed people and minority groups in society. Migrante leaders and activists employ oppositional discourses and practices in a collective manner that contest the neoliberal policy of the state on a transnational level. The main premise of this thesis is about 'conscious citizenship', which entails contestation and rupture on the one hand and the building of solidarity and collective political community on the other.

The other main reason why I have decided to focus on Migrante's leaders and organisers is that this group of people plays an important role in providing political, moral and intellectual leadership in educating the community and its members when it comes to political and social justice issues of Filipinos in the Philippines and in Australia. These leaders develop a strong sense of political responsibility, which also represents as one of the key features of the conscious pariah's responsible and collective actions on behalf of others (Chapter 5). For these reasons, Migrante leaders and organisers are the appropriate informants for this thesis not because of their status or prestige in the organisation, but because of their rich knowledge and experience of political activism in the homeland and in the diaspora.

Table 1 below summarises the biographical details of my informants from Migrante Australia. The informants are identified through pseudonyms to maintain their privacy and confidentiality. They were aged between 30 and 60, and arrived in Australia between 1984 and 1999. They were current leaders and active organisers of affiliate organisations of Migrante Australia. More than half (6/8) of the informants organised in the Filipino migrant/women sectors. The other two informants focused on Filipino young people and another one on a solidarity group with non-Filipino activists (Australians) that campaigns on political issues affecting both Australia and the Philippines. Nearly all of them (except one from the youth sector) had prior experience of being an activist in the Philippines before they arrived in Australia.

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<sup>58</sup> Migrante Australia as a case study will be fully explored in Chapter 6.

**Table 1:** Biographical details of informants (all names are pseudonyms)

Name and location	Personal information (age, year of immigration)	Organisation/community sector
Robert, Melbourne VIC	60s, arrived in Australia in 1985	Migrante Australia, migrant sector
Grace, Sydney NSW	60s, arrived in Australia in 1996	Philippines–Australia Women’s Association (PAWA), women’s sector
Crystal, Sydney NSW	50s, arrived in Australia in 1997	PAWA and Philippine-Australian Community Services Inc (PACSI), women’s/migrant sectors
Nenita, Sydney NSW	60s, arrive in Australia in 1995	Migrante Sydney Neighbourhood (MSN), migrant sector
Marcia, Melbourne VIC	60s, arrive in Australia in 1984	GABRIELA Australia, women’s sector
Dalisay, Melbourne VIC	60s, arrived in Australia in 1986	Philippines–Australia Solidarity Association (PASA), solidarity sector (non-Filipinos i.e. Australians)
Marie, Melbourne VIC	30s, arrived in Australia in 1999	Anakbayan Melbourne, youth sector
Reyna, Perth WA	50s, arrived in Australia in 1989	Migrante WA, migrant sector

## 1.4 Outline of the chapters

The thesis is structured into four main parts comprising the eight remaining chapters.

**Part I Policies** provides the historical and contextual background whereby the rise of neoliberal citizenship has taken shape under conditions of globalisation, international movements of people and the growing precariousness of migrant workers. It also explores how state citizenship laws of Australia and the Philippines have configured a particular type of neoliberal ‘migrant-citizen’ subject for immigration and emigration purposes throughout the countries’ history. **Chapter 2** explores the idea of neoliberalism as both a process and a political project, and how it developed simultaneously with the advent of globalisation. The chapter analyses the growth and expansion of neoliberal citizenship as a form of governance that makes people become more flexible, competitive and responsible for their own wellbeing. It specifically looks at the Australian 457 visa regime as a neoliberal design that shows how the state can maximise its competitive advantage based on market-based calculations about migrant workers. The final section outlines how neoliberal citizenship produces migrants’ vulnerability and precariousness, which hinder their sense of belonging and political agency in the community.

**Chapter 3** then focuses on both the Australian and Philippine states' citizenship laws, policies and institutions. Using an historical narrative, I analyse and compare how early citizenship law of both countries comprised exclusionary laws and practices that prohibited certain types of people coming into the country. The chapter also describes how neoliberal restructuring of citizenship in both countries from the 1970s until the present has created an 'ideal' migrant-citizen that facilitates a market-oriented approach under the guise of neoliberal governance. In Australia, for instance, neoliberal citizenship has been facilitated mainly through multicultural policies that narrowly define national belonging and through the re-emergence of xenophobic national discourse. In the Philippines, on the other hand, neoliberal citizenship has been associated with the rise of the labour brokerage state, whereby the state's nationalist discourse (such as the portrayal of OFWs as 'new national heroes') has become a way in which the state incorporates overseas Filipinos into its polity to fulfil its competitive advantage under the rubric of neoliberal governance.

**Part II Theories** considers the conceptual framework of the thesis. The main focus is the development of the idea of conscious citizenship as a useful theoretical framework in exploring Filipino diaspora activism in Australia. In **Chapter 4**, I introduce a different type of citizenship which is grounded on the diaspora activism of overseas Filipinos in Australia. I first explore the different ambiguities of citizenship, focusing on three aspects, namely: status, rights and identity. Here, I bring out the central dilemma of the notion of citizenship based on status, rights and identity, and that is—it both includes and excludes certain groups of people. I then move on to discuss how the notion of counter-hegemony has reconfigured the terms by which individuals and groups orient themselves towards political actions against the hegemonic tendency of neoliberal projects. Using Engin F Isin's idea of 'activist citizenship', the chapter concludes by putting forward a new model of citizenship that highlights how diaspora activism, as acts of political contestation, opens up migrants' political engagement and participation in the host country.

**Chapter 5** outlines the central conceptual premise of the thesis—the notion of conscious citizenship. The chapter builds upon the previously outlined concept of activist citizenship (Chapter 4) but this time, I utilise Arendt's idea of the conscious pariah to develop a theoretical framework to study the Filipino diaspora's activism in Australia. In my discussion, I consider in great detail Arendt's main theories, which can be found in her major works that include *The Jewish Writings*, *The Human Condition* and her later work, *The Life of the Mind*. I argue that an Arendtian approach to my notion of conscious citizenship serves as an appropriate theoretical framework for the thesis because of its dialectical aspect that enhances solidarity, belonging and collective action on the one hand, and plurality, distinction and contestation on the other.

**Part III Practices** essentially synthesises the findings of the study based on the interviews conducted with the selected informants. In **Chapter 6**, I introduce Migrante Australia as a case study of a Filipino migrant transnational movement organisation and consider how Migrante enacts the

idea of conscious citizenship in a way that demonstrates solidarity, contestation and commitment at a transnational level. My overarching argument in this chapter is that Migrante's transnational activism should be understood as part of the historical continuity of social transformation and the struggle of the Filipino people both in their homeland and in their diaspora. I invoke a social movement framework to examine Migrante's various types and levels of activism, and argue that Migrante differs from other non-state actors, which are mainly funded non-government organisations (NGOs) and civil society groups, because of its counter-hegemonic strategy and its connections to the broader mass movement in the Philippines and other Filipino grassroots organisations around the world.

**Chapter 7** explores the role and importance of collective consciousness in Filipino diaspora activism in Australia. It shows how Migrante's particular style of activism, known as 'step-by-step organising', is vital in raising the political consciousness of its members as a means of sustaining a deeper level of political awareness and involvement in the wider community. I draw on Rancière's theories to explain the role of political consciousness and, in particular, the role of education in migrants' political organising and mobilisation. I also demonstrate how EP Thompson's notion of 'group experience' can be transformed into what Constantino calls the 'counter-conscious' practice of overseas Filipinos as a way of contestation and resistance to the neoliberal policies of the state. The chapter concludes by highlighting the significance of the cultural-community aspect of political action as a way of community belonging for Filipino migrants who share a common experience and struggle away from their homeland.

**Part IV Implications** looks at the results and future directions of the research project. In **Chapter 8**, I examine in more detail how this cultural-community aspect paves the way for the emergence of a new Filipino collective identity in Australia. I propose a different way of looking at the notion of collective identity (I call it 'movement identity') which is based on personal agency, political awareness and positive emotional attachment to group collectiveness. I identify that this movement identity originates from two sources—one that comes from universal values and principles of solidarity and commitment; and the other that originates from Filipino cultural norms and practices that are deeply entrenched in this indigenous perspective. I conclude by recognising two significant implications and how this new collective identity (movement identity) impacts on the questions of 'being Filipino' and 'becoming political' in Australia at the same time. The first implication points to the emerging 'micro-collective' identity of Migrante as a sub-group of Filipino diasporans in Australia. The second implication depicts the transformation of collective identity from 'being Filipino' (having a sense of 'who we are') to 'becoming political' (having a sense of 'what we have become'), which in essence depicts the idea and practice of conscious citizenship.

**Chapter 9** concludes with a summary of the themes and findings of the thesis, as well as an assessment of its implications for future research.



# Part I

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## Policies

# Chapter 2

## The Rise of Neoliberal Citizenship: Globalisation, Migration and Precarious Lives

### 2.1 Introduction

This chapter sets out the general context in which the rise of neoliberal citizenship has taken place as an outcome of globalisation, international migration and widespread precariousness in the twenty-first century. Neoliberal citizenship, as opposed to the conscious citizenship briefly discussed in Chapter 1, is a phenomenon that denotes a form of governance that encourages citizens and non-citizens alike to become flexible, entrepreneurial and self-sustaining. Behind the emergence of neoliberal citizenship is the core political project of neoliberalism, which is being used as a mechanism for governing people under the rubric of market rationality, flexibility and self-sufficiency. Neoliberalism's effect on a global scale has virtually restructured the relationship between the state and its citizens (and non-citizens) in such a way that it has produced new forms of ideology, techniques and governance on a global scale.

The migrant figure is central to the idea of neoliberal citizenship because migrants are encouraged to become self-sufficient and self-enterprising—they are 'disciplined'<sup>59</sup> to become productive, entrepreneurial and dependent on their own capacities as 'free individuals' in the market economy.<sup>60</sup> Whilst neoliberal citizenship promotes self-sufficiency and flexibility, it also creates precarious lives especially for migrant people because of their socio-legal status, labour market position and other institutional restrictions. This is the paradox of neoliberal citizenship that I will explore in this chapter. The first section of the chapter commences with an exploration of the idea of globalisation and its relationship to the practices of neoliberalism. Section 2.2 serves as the historical and ideological backdrop of the chapter. It analyses the notion of neoliberalism as both a process and a political project which developed hand-in-hand with globalisation. Section 2.3 then moves on to identify the advent of neoliberal citizenship as a mode of governance that requires individuals to become flexible and responsible in different spheres of their everyday economic life. In this section, I also analyse the different neoliberal devices used in the context of Australia's

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<sup>59</sup> The term 'discipline' comes from Foucault and referred first to the notion of punishment and coercion: see Michel Foucault, *Discipline and Punish: The Birth of the Prison* (Vintage, 1995) 137. The second notion points to the idea of sets of skills and forms of knowledge that must be mastered in order to achieve success in particular fields: see Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France 1977–1978* (Palgrave Macmillan, 2007) 44–47.

<sup>60</sup> Aihwa Ong, 'Mutations in citizenship' 2006 23(2–3) *Theory, Culture & Society* 499, 501.

immigration policies, in particular the subclass 457 visa scheme (now known as the Temporary Skill Shortage or TSS visa). The final section, that is, section 2.4, outlines the emergence of the precarious migrant as a result of neoliberal governance and market rationality.

## **2.2 Neoliberal globalisation: a historical and theoretical background**

Neoliberal globalisation is a new type of phenomenon that aspires to a realm of unfettered global markets and competitive freedoms. This recent development has been further intensified by successive waves of state-led liberalisation and deregulation which aims to subordinate the global economy and various national economies to the discipline of the markets, known as neoliberalism.<sup>61</sup> Neoliberalism and globalisation are two separate phenomena and it is important to understand the distinction between 'globalisation as a reconfiguration of social space and neoliberalism as a particular—and contestable—policy approach to this trend'.<sup>62</sup> As I explore below, this trend has developed at a greater pace and scale, and has had the greatest impact in the past few decades. Globalisation has encouraged the intensification of transactions across borders, particularly those of an economic nature. Simultaneously, the large-scale movements of people and labour capital have also been associated with heightened global insecurities, inequalities and democratic deficits in different regions. But one can argue that these different positive and negative outcomes did not necessarily flow from globalisation per se, but from specific economic policy and political manifestos, of which neoliberalism is the primary cause.

In this section, I undertake a closer examination of what globalisation entails, followed by an analysis of neoliberalism as a process and a project that has created the present phenomenon of neoliberal globalisation. It is important to delineate the meaning of these two concepts of neoliberalism, as they form part of the historical and theoretical context of neoliberal citizenship, which is the subject of my discussion in section 2.3.

### **2.2.1 Explaining globalisation**

Globalisation is not a term that has a precise meaning but is a complex and multidimensional phenomenon.<sup>63</sup> It remains a contested concept in terms of its meaning and effects on a worldwide scale. For some commentators, like David Held and Anthony McGrew, globalisation denotes 'the

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<sup>61</sup> Alba I Leon and Henk Overbeek, 'Neoliberal globalisation, transnational migration and global governance' in Leila Simona Talani and Simon McMahon (eds) *Handbook of International Political Economy of Migration* (Edward Elgar, 2015) 37, 39.

<sup>62</sup> Jan Aart Scholte, *The Source of Neoliberal Globalisation* (Overarching Concerns Programme Paper No 8, United Nations Research Institute for Social Development, October 2005) 2.

<sup>63</sup> David West, *Social Movements in Global Politics* (Polity, 2013) 129.

intensification of worldwide social relations and interactions such that distant events acquire very localised impacts and vice versa'.<sup>64</sup> Held and McGrew see this phenomenon as a world of 'shared social space' where interactions and distant events acquire localised impact, in that 'they become in a significant sense no longer organised solely according to a strictly territorial logic'.<sup>65</sup>

Many scholars like Held and McGrew see this form of globalisation as 'respatialisation' because of the growth of global connections between people. Within this category, globalisation can be understood as an accelerating process because of the 'deterritorialisation' and the degree and speed of contact and communication between peoples.<sup>66</sup> Jan Aart Scholte also argues that globalisation involves the spread of 'supraterritorial' relations between people, so that 'people become more able – physically, legally, linguistically, culturally and psychologically – to engage with each other wherever on Earth they might be'.<sup>67</sup> Space is inextricably connected with culture, politics, economy and environment. Thus, a reconfiguration of social space, such as that produced by the globalisation process, is also a change in our relations to knowledge production, culture and governance. Another form of globalisation, which is more relevant in this context, is the *political-economic* dimension, also commonly known as 'neoliberal globalisation'. Globalisation in the neoliberal context rests on the principles of freedom of the market and capital on a global scale. Neoliberal globalisation began as a structural or historical transformation in the global political, economic, cultural, strategic and technological spheres that consisted of three elements, namely: first, the compression of time and space; second, the rise of a market-oriented neoliberal politico-economic order; and, third, the transition in world politics from the bipolar Cold War order of system rivalry between the former Soviet Union and the United States to the present unipolar NATO–American order.<sup>68</sup>

Within this context, the overarching ideological orthodoxy of neoliberalism holds that globalisation works best if it is approached by large-scale marketisation through privatisation, liberalisation and deregulation.<sup>69</sup> Privatisation refers to the process of transferring ownership of property or enterprise from a government to a private entity. Liberalisation describes the removal of officially imposed restrictions on transnational movements of goods, services, finance and capital. Deregulation denotes the removal of rules and procedures that are likely to obstruct the smooth functioning of the market.<sup>70</sup> These three economic policies demonstrate the basic principles of the

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<sup>64</sup> David Held and Anthony McGrew, *Globalization/Anti-Globalization: Beyond the Great Divide* (Polity, 2nd ed, 2007) 2.

<sup>65</sup> Ibid 4.

<sup>66</sup> West, above n 63, 130.

<sup>67</sup> Jan Aart Scholte, 'Defining globalisation' (2008) 31(11) *The World Economy* 1471, 1478.

<sup>68</sup> Henk Overbeek, 'Neoliberalism and the regulation of global labor mobility' (2002) 581 *Annals of the American Academy of Political and Social Science* 74, 75.

<sup>69</sup> Scholte, *The Source of Neoliberal Globalisation*, above n 62, 7.

<sup>70</sup> Ibid 8–10.

neoliberal approach, which supports free markets, deregulation of the economy and private ownership.

### 2.2.2 Neoliberalism as a process

It is important to first outline the historical backdrop against which neoliberalism as a political, economic and social process emerged as a result of the aftermath of the economic and social crises of the 1970s, and later became a widespread practice on a global scale.<sup>71</sup> Neoliberalism is a term that has been used with different meanings and contextual relevance in recent political and economic debates. Its central ideological shape can often be confused and its meaning remains unclear and contestable. Politicians and the 'ruling business elite' would say that neoliberalism is 'the way things are' and 'a policy doctrine of the English-speaking world'.<sup>72</sup> Others would argue, especially from a Marxist political-economy perspective, that neoliberalism is an all-encompassing condition and political project that restores capitalist class power in the aftermath of the economic and social crises of the 1970s and the challenge posed to the rule of capital globally by the call for a 'New International Economic Order'.<sup>73</sup> Regardless of its actual meaning and form, what seems to be apparent with the notion of neoliberalism is its references to the 'tendential extension of market based competition and commodification process into previously relatively insulated realms of social life'.<sup>74</sup> Thus, it is important to briefly outline neoliberalism's historical and ideological connections with the rise of 'liberalism' in the Western world and how neoliberalism differentiates itself from the idea of liberalism.

First, liberalism denotes a commitment to the individual and a desire to construct a society in which people can satisfy their interests and achieve fulfilment.<sup>75</sup> The core values of liberalism are individualism, rationalism, freedom, justice and tolerance. Liberalism has been the most influential ideological force that shaped the Western political tradition. It was arguably the outcome of the breakdown of feudalism in Europe and the growth of a capitalist market society.<sup>76</sup> In the eighteenth and nineteenth centuries, classical liberalism in the form of economic liberalism extolled the idea of *laissez faire* capitalism, which condemns all forms of government intervention. However, from the late nineteenth century onwards, a form of 'modern' liberalism, also known as 'social liberalism',

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<sup>71</sup> Bastiaan van Apeldoorn and Henk Overbeek, 'Introduction: the life course of the neoliberal project and the global crisis' in Henk Overbeek and Bastiaan van Apeldoorn (eds), *Neoliberalism in Crisis* (Palgrave Macmillan, 2012) 1, 4–5.

<sup>72</sup> See discussion in Terry Flew, 'Six theories of neoliberalism' (2014) 122(1) *Thesis Eleven* 49, 53–55.

<sup>73</sup> van Apeldoorn and Overbeek, above n 71, 4.

<sup>74</sup> Jamie Peck, Nik Theodore and Neil Brenner, 'Neoliberalism resurgent? Market rule after the great recession' (2012) 111(2) *The South Atlantic Quarterly* 265, 268.

<sup>75</sup> Andrew Heywood, *Political Ideologies: An Introduction* (Palgrave Macmillan, 4th ed, 2007) 23.

<sup>76</sup> *Ibid* 24.

emerged which focuses more on welfare reform and economic intervention.<sup>77</sup> According to this principle, state intervention can increase freedom by helping people to help themselves. Classical liberalism highlights freedom in a negative way as the absence of constraints upon the individual, whereas modern liberalism links freedom to personal development and self-realisation of people's lives.

The historical shift from liberalism to neoliberalism was founded on the centrality of the rise of the market economy and the emergence of *homo economicus*—entrepreneurial man—which I elaborate on fully in subsection 2.2.3 below. Foucault carefully analysed this historical transition and, for him, the rise of the market in the mid-eighteenth century became the 'particular regime of truth that finds its theoretical formulation and expression in political economy'.<sup>78</sup> Foucault explains this development in terms of two related rationales, both of which derive their legitimacy from the relationship between market and nature, sometimes called 'natural law'.<sup>79</sup> First, the market economy is seen as naturally facilitating the appearance and operation of a set of mechanisms that provides an articulation between humans and nature; thus, any attempt to modify or intervene in market mechanisms will only impair and distort them. Second, it is assumed that when these mechanisms function, they will produce an 'adequate relationship between the cost of production and the extent of demand'.<sup>80</sup> Thus, for Foucault, liberalism is about the rise of the market as a regime of 'truth' against which all government policies, interventions and practices can be measured.

Neoliberalism, on the other hand, emerged as a reprogramming of liberalism, one that responded to a series of crises in liberal governance gestated by the rise of the welfare state, fascism (or Nazism), state planning and social democracy. Neoliberalism underwent a tremendous transformation after the Second World War and it is important to unpack the way in which its ideologies and configurations have been produced and reproduced through institutional forms and actions. The rise of neoliberalism did not result by accident and its 'success' was never guaranteed nor its course of action clearly planned by its founding ideologues and passionate liberal advocates—the Mont Pelerin Society (MPS).<sup>81</sup> The MPS was a small club of free market economists who think that 'the central values of civilisation are in danger'.<sup>82</sup> Rather, neoliberalism's ascendance, from the ideological critiques of the 1970s through the national state projects of the 1980s to the global hegemonic dominance of the 1990s until now, was in retrospect an expansion of a 'variegated'

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<sup>77</sup> Alan Ryan, *The Making of Modern Liberalism* (Princeton University Press, 2012) 25–26.

<sup>78</sup> Michel Foucault, *The Birth of Biopolitics: Lectures at the Collège de France 1978–1979* (Picador, 2008) 29.

<sup>79</sup> In this context, the idea of 'natural law' refers to the use of reason to analyse human nature, 'and it is by having this specific, and natural, characteristic of being rational that men resemble each other and differ from the brutes': see for more detail Margaret Macdonald, 'Natural rights' in Jeremy Waldron (ed) *Theories of Rights* (Oxford University Press, 1984) 21, 23–26.

<sup>80</sup> Foucault, *The Birth of Biopolitics*, above n 78, 31.

<sup>81</sup> The MPS was founded on 10 April 1947 at a conference organised by Friedrich Hayek and named after Mont Pelerin, the Swiss resort where it convened.

<sup>82</sup> See the founding statement of the society: <<https://www.montpelerin.org/statement-of-aims/>>.

form of regulatory and institutional restructuring that ‘produces geoinstitutional differentiation across places, territories, and scales’.<sup>83</sup> Adam Tickell and Jamie Peck calls this process ‘neoliberalisation’,<sup>84</sup> which has expanded beyond national and local enclaves and had its base and control centres in the United States and the UK in the 1970s to 1980s. It has also embraced much of the global South, which has ‘entailed so much “creative destruction”, not only of prior institutional frameworks and powers (even challenging traditional forms of state sovereignty) but also of division of labour, social relations, welfare provisions, technological mixes, ways of life and thought, reproductive activities, attachments to the land and habit of the heart’.<sup>85</sup> In order to demonstrate the process of neoliberalisation, I outline three major shifts in which neoliberalism has developed from the 1970s until now.

The first of these major shifts happened in the 1970s, when the so-called Keynesian-welfarist state that focuses on full employment, economic growth and the welfare of citizens began to break down. As observed in the previous section, the oil crisis also reprogrammed the way countries facilitated movement of people around the world as a way of overcoming these social and political dilemmas. The meltdown was triggered by the emergence of competition from newly industrialised countries, a slowdown in productivity growth in the UK and the United States, the internationalisation of capital flows, the oil shocks and rising inflation and unemployment.<sup>86</sup> This period is dubbed by Tickell and Peck ‘proto-neoliberalism’, referring to the rise of ideological impetus influenced by Milton Friedman and Friedrich Von Hayek.<sup>87</sup> Friedman’s and Von Hayek’s influences remained in the margins until they began to move centre-stage in the early 1970s because of the social and economic problems of that period. Well-financed think tanks began to emerge such as the Institute of Economic Affairs in London and the Heritage Foundation in Washington, as well as through the growing influence within academic institutions known as the ‘Chicago School’, where Friedman dominated.<sup>88</sup> Prior to the 1980s, neoliberalism remained largely within the realm of ideas rather than policies. However, the overthrow of Salvador Allende in Chile in 1973 marked a ‘real’ test case for the emergent neoliberal doctrine. The result was a brutal experiment of economic ‘shock treatment’ that led to dire recession and mass unemployment.<sup>89</sup> By the end of the 1970s, proponents of the neoliberal project had found support in the United States and the UK, with the Reagan and

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<sup>83</sup> Peck, Theodore and Brenner, above n 74, 269.

<sup>84</sup> Jamie Peck and Adam Tickell, ‘Neoliberalizing space’ (2002) 34(3) *Antipode* 380, 383–84.

<sup>85</sup> David Harvey, *A Brief History of Neoliberalism* (Oxford University Press, 2005) 3.

<sup>86</sup> Ibid 12.

<sup>87</sup> Peck and Tickell, above n 84, 384.

<sup>88</sup> Harvey, above n 85, 22.

<sup>89</sup> The notion of economic ‘shock therapy’ is that it requires not only a change in monetary policy, but also changing the behaviour of consumers, employers and workers. The idea is that a sudden, jarring policy shift quickly alters expectations—the faster that expectations of inflation are driven down, the shorter the painful period of recession and high unemployment: see Naomi Klein, *The Shock Doctrine: The Rise of Disaster Capitalism* (Picador, 2007) 100.

Thatcher governments 'both committed to inflicting the monetarist shock as a prelude to wider neoliberal reforms'.<sup>90</sup>

The second shift was in the 1980s, when neoliberalism changed from being an emerging state project to becoming a dominant state policy.<sup>91</sup> This period is known as 'roll-back neoliberalism' because the state was actively mobilised behind marketisation and deregulation projects which aimed at restructuring the central institutions of the Keynesian-welfare system.<sup>92</sup> The rhetoric of political leadership under Reagan and Thatcher shifted dramatically towards fostering individual freedom and entrepreneurial spirit. This was the period when wholesale privatisation became the central policy agenda and reduction of public spending on welfare and education was implemented.<sup>93</sup> During this period, it is apparent that the neoliberalisation process was guided by a clear set of programmatic principles that sought to liberalise and constitute competitive relations between firms and between places, deploy supply-side rather than demand-side measures in its attempts to effect competitive restructuring, and embodied an explicit rejection of both social partnership and traditional forms of welfarism.<sup>94</sup> Major reworking of industrial relations law and practices, and attacks on trade unions were also widespread under the Reagan and Thatcher administrations. Key examples here are the air traffic controllers' strike in the United States and the steel and coal strikes in the UK.<sup>95</sup> The guiding principle of this major shift in industrial relations was that of an individualistic and competitive process or way of categorising labour, also known as a 'flexible' labour market, compared to the 'rigid' and institutionalised employment systems that were prevalent during the postwar Fordist period.<sup>96</sup>

The third main shift of neoliberal transformation occurred in the 1990s, when the neoliberal project gradually evolved into more socially interventionist and ameliorative forms, epitomised by the so-called 'third-way'<sup>97</sup> appropriation of the Clinton and Blair administrations. This recent phase can be portrayed as one of 'roll-out neoliberalism', underlying a sense in which 'new forms of institution-building and governmental intervention have been licensed within the (broadly defined)

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<sup>90</sup> Paul Mason, *Meltdown: The End of the Age of Greed* (Verso, updated ed, 2010) 126.

<sup>91</sup> Peck and Tickell, above n 84, 389.

<sup>92</sup> Ibid 388.

<sup>93</sup> Rachel S Turner, *Neo-Liberal Ideology: History, Concepts and Policies* (Edinburgh University Press, 2008) 131–32.

<sup>94</sup> Jamie Peck and Adam Tickell, 'Jungle law breaks out: neoliberalism and global-local disorder' (1994) 26(4) *Area* 317, 318.

<sup>95</sup> Harvey, above n 85, 52–53, 59.

<sup>96</sup> 'Fordism', named after Henry Ford, is a term used by some scholars that derives from the notion of a modern economic social system based on an industrialised and standardised form of mass production. For more discussion on the concept of Fordism (and 'post-Fordism'), see Bob Jessop, 'Post-Fordism and the state' in Ash Amin (ed) *Post-Fordism: A Reader* (Blackwell, 1994) 251, 252–54.

<sup>97</sup> The idea of the 'third way' refers to 'a framework of thinking and policy-making that seeks to adapt social democracy to a world which has changed fundamentally over the past two or three decades ... it is an attempt to transcend both old-style social democracy and neoliberalism': Anthony Giddens, *The Third Way: The Renewal of Social Democracy* (Polity, 1998) 26.



neoliberal project'.<sup>98</sup> Compared to the simple and shallow form of neoliberalism based on the 'roll-back' of the Keynesian-welfarist state and various experimentations with market-competitive rationality, the 1990s saw a much deeper transformation and more embedded form of neoliberalisation. During this period, neoliberalism became more and more associated with proactive forms of governance such as policy-making, management and institution-building. The period witnessed the development and strengthening of multilateral and regional institutions such as the European Union, North American Free Trade Agreement (NAFTA) and Asia-Pacific Economic Cooperation (APEC).<sup>99</sup>

Neoliberalism has also become more embedded in international law in the form of international agreements between states guaranteeing the rule of law and freedom of trade, such as those now incorporated in the World Trade Organisation (WTO) agreements.<sup>100</sup> Meanwhile, a widespread interventionist approach espoused by states was increasingly based around social issues such as policing, immigration, health, education and welfare. Furthermore, civil society groups and NGOs have proliferated, which has somehow 'depoliticised' or 'tamed' political participation through policies that are based on an individualistic conception of civil society dominated by business organisations.<sup>101</sup> The role of civil society and NGOs in the neoliberal context will be further elaborated on in Chapter 6 when I compare the idea of 'NGOisation' to grassroots social movement organisations like Migrante Australia. But for now, it is within this context of governance that our second notion of neoliberalism as a political project is centrally embedded. Neoliberalism as a political project or way of governance focuses on rationalities that shape the conduct of individuals in society, which extends and disseminates market values to all institutions and social actions.

In summary, it is argued that neoliberalism should be seen as a process, and not an end-state of affairs.<sup>102</sup> It is a process because neoliberalism has developed patterns of regulatory change that have been unleashed across the global capitalist system since the 1970s. It produces geo-institutional differentiation across places, territories and scales; it prioritises market-oriented and market-disciplinary responses to regulation; it strives to intensify commodification; and it often mobilises speculative financial instruments to open up new arenas for capitalist profit-making. In a way, neoliberalism as a process represents 'a historically specific, unevenly developed, hybrid, patterned tendency of market-disciplinary regulatory restructuring'.<sup>103</sup> In the course of uneven international expansion, it has mutated into a number of historically and geographically (including regionally)

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<sup>98</sup> Peck and Tickell, 'Neoliberalizing space', above n 84, 389.

<sup>99</sup> See Jessop, above n 96, 271–73.

<sup>100</sup> Harvey, above n 85, 66.

<sup>101</sup> Boaventura de Sousa Santos, 'Beyond neoliberal governance: the World Social Forum as subaltern cosmopolitan politics and legality' in Boaventura de Sousa Santos and Cesar A Rodriguez (eds) *Law and Globalization from Below* (Cambridge University Press, 2005) 29, 34.

<sup>102</sup> Peck and Tickell, 'Neoliberalizing space', above n 84, 383.

<sup>103</sup> Peck, Theodore and Brenner, above n 74, 269.

distinct forms.<sup>104</sup> As explained above, neoliberalism builds on the convictions of liberalism, which promises that unconstrained market forces will ‘naturally’ bring liberty, prosperity, equality, democracy and peace to society. Thus, in conjunction with the rise of globalisation, neoliberalism or neoliberalisation (as a process) has resulted in unrestricted movements of money, goods, services, labour and capital on a global scale.

### 2.2.3 Neoliberalism as a political project

I argue that neoliberalism should not only be construed as a process, but is also driven by a particular ideology or political project. I invoke the term ‘political project’ in two senses. First is the sense of a broad class-driven project exercised by various powerful elite actors such as business leaders, lobby groups and rich politicians, which aims to subordinate public values (democracy, justice, equality, freedom etc.) to those of free markets and expanded accumulation of capital. This is also known as a hegemonic project, in which the notion of agreement or ‘hegemony’ is the key to understanding the logic of neoliberalism as a political program and directive ideology across and within nations. The second sense is related to the question of how hegemonic projects are implemented at the level of everyday life and how these day-to-day activities are governed in society. In this way, neoliberalism, in a narrow sense, is a form of governance and it is here that Foucault’s idea of ‘governmentality’ comes to mind to explain how hegemonic projects are secured within the micro-contexts of individual conduct and everyday routines within states. In this section, I first explain the notion and contextual framework of hegemony, followed by Foucault’s idea of governmentality, which are both central to the second sense of neoliberalism as a political project.

It is arguable that neoliberalism can be seen as a particular form of hegemony arranged around a persuasive political and cultural project of a ruling elite or a dominant class under conditions of high levels of popular consent. From a Marxist point of view, it is considered that neoliberalism is a type of dominant ideology that works to legitimise the political subordination of whole populations. The idea of hegemony is at the heart of Antonio Gramsci’s analysis of how the ruling capitalist class, that is, the bourgeoisie, establishes and maintains its control over subordinate classes. Hegemony means leadership or domination; in other words, it implies an ideological domination. The idea of hegemony stems from a Marxist view of ideology, which is basically that the ‘ideas of the ruling class [that] are in every epoch the ruling ideas, i.e. the class which is the ruling *material* force of society, is at the same time its ruling *intellectual* force’.<sup>105</sup> Thus, ideology simply constitutes the ‘ruling ideas’ of the epoch and, in Gramsci’s analysis, it refers to the capacity of bourgeois ideas to dispel rival ideologies and become, in effect, the common ideology of society. In

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<sup>104</sup> Ibid 269.

<sup>105</sup> Karl Marx, *The German Ideology* (International Publishers, 2001) 64 (emphasis in original).

his *Prison Notebooks*, Gramsci explains that hegemony is the process that involves ‘the “spontaneous” consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group’.<sup>106</sup> Hegemonic dominance relies on implied ‘consent’ because, in order to attain dominance and control, the ruling class has to be backed not only by the apparatus of the state (as a last resort), but also through ideology or what he calls ‘the creation of a *Weltanschauung*’ – a particular worldview or culture.<sup>107</sup> The ruling class must therefore develop this hegemonic culture that propagates its own values, norms and practices, so that this culture becomes the ‘common sense’ culture of a whole social order.<sup>108</sup> For Gramsci, common sense ‘is not a single unique conception, identical in time and space’, but a philosophy or belief that is ‘fragmentary, incoherent and inconsequential, in conformity with the social and cultural position of those masses’.<sup>109</sup>

In an influential analysis of Gramsci, Raymond Williams describes hegemony as something that is ‘deeply saturating’ in our consciousness and, because it is so entrenched in society, its ‘set of meanings and values which ... are experienced as practices appear as reciprocally confirming’.<sup>110</sup> According to Williams, one of the crucial aspect of Gramsci’s hegemony is the ‘process of incorporation’. By this, he means that there are certain ‘selective traditions’ within the dominant culture, values and traditions that are always chosen and emphasised, and there are other meanings and practices that are neglected and excluded.<sup>111</sup> This is the reason why a successful hegemonic project must always appeal to and incorporate some aspects of the aspirations, interests and ideologies of subordinate groups (the working class) in order to secure the ruling elite’s dominance. So, rather than using coercion or force, the ruling class must exert intellectual and moral leadership that unites various forces as a legitimate and subtle technique of domination. As Chantal Mouffe and Ernesto Laclau point out, for Gramsci these collective subjects are not strictly speaking a class per se, but a complex ‘collective will’ that is the result of a higher synthesis of an ideological articulation of a dispersed and fragmented ‘historical bloc’.<sup>112</sup> The concept of the historical bloc is an important part of Gramsci’s analysis of hegemony because it refers to a moment during the process of change in society in which a conscious social class, in Gramsci’s analysis a political party, has been established and is seeking to form a new hegemony. In this process, the role of the intellectuals is

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<sup>106</sup> Antonio Gramsci, *Selections from the Prison Notebooks* (ElecBook, 1999) 145.

<sup>107</sup> Ibid 711.

<sup>108</sup> Sonja Buckel and Andreas Fischer-Lescano, ‘Gramsci reconsidered: hegemony in global law’ (2009) 22 *Leiden Journal of International Law* 437, 442.

<sup>109</sup> Gramsci, above n 106, 769.

<sup>110</sup> Raymond Williams, *Culture and Materialism* (Verso, 2005) 43.

<sup>111</sup> Ibid 43–44.

<sup>112</sup> Chantal Mouffe and Ernesto Laclau, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics* (Verso, 2nd ed, 2001) 67.

important in providing moral, political and ideological leadership in convincing the masses and other social forces to be part of and maintain this historical bloc.<sup>113</sup>

The second sense of neoliberalism as a political project points to a form of governance or what Foucault calls 'governmentality', which is a mode of governance that constitutes different practices, techniques and institutions that produce various subjects, behaviours and new forms of organisation of society. Foucault's analysis of neoliberalism as a form of governmentality is not primarily focused on the economy, but rather, on the formation of 'subjectivity' or subjective responses and a particular form of political-economic 'rationality'. 'Governmentality' (*gouvernementalité* – literally, 'the thinking of the governor'), in a Foucauldian sense of the term, is somewhat broad, where he defines the meaning of 'government' (*gouvernement*) as 'the conduct of conduct' – 'a form of activity aiming to shape, guide or affect the conduct of some person or persons'.<sup>114</sup> As a form of governmentality, neoliberalism produces a certain 'representation' of the governing reality, often referred to as a political 'rationality',<sup>115</sup> which necessitates a certain intervention or exercise of power and, as a result, conditions the mind-set of the subjects of the neoliberal regime.<sup>116</sup> Thus, neoliberal governmentality signifies the importance of 'governing' (*gouverner*) rather than ruling or domination, and the crucial role of the 'rationality' (*rationalité*) of the subject being 'governed' in governing is achieved through 'subjection'<sup>117</sup> rather than coercion or punishment. Formation of subjectivities is successfully achieved through individual freedom that requires freedom to be free and self-managing in different spheres of everyday life.<sup>118</sup>

The key characteristic of neoliberal governmentality is the development and institutionalisation of competition as a behavioural norm. In contrast to the classical liberalism that focused on exchange or what Adam Smith refers to as the human propensity to 'truck and barter',<sup>119</sup> neoliberalism, according to Foucault, extends the process of economic activity to a general matrix of

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<sup>113</sup> See particularly the role of 'organic' intellectuals in Gramsci, above n 106, 134–47.

<sup>114</sup> Colin Gordon, 'Governmental rationality: an introduction' in Graham Burchell, Colin Gordon and Peter Miller (eds) *The Foucault Effect: Studies in Governmentality* (University of Chicago Press, 1991) 1, 2. See also Foucault's broader definition of governmentality in Foucault, *Security, Territory, Population*, above n 59, 108–109.

<sup>115</sup> The term 'rationality' in Foucauldian thought means 'any form of thinking which strives to be relatively clear, systematic and explicit about aspects of "external" or "internal" existence, about how things are and how they ought to be': Mitchell Dean, *Governmentality: Power and Rule in Modern Society* (SAGE, 1999) 11.

<sup>116</sup> Benda Hofmeyr, 'The culture and subjectivity of neo-liberal governmentality' (2011) 12(2) *Phronimon* 19, 29–30.

<sup>117</sup> The notion of 'subjection' derived from psychoanalytic theory describes and explains the process whereby the category of human is constituted, recognised and applied to forms of life via the working of power. For a detailed discussion, see Judith Butler, 'Subjection, resistance, resignification: between Freud and Foucault' in *The Psychic Life of Power: Theories in Subjection* (Stanford University Press, 1997) 81–105.

<sup>118</sup> Aihwa Ong, 'Neoliberalism as a mobile technology' (2007) 32(1) *Transactions of the Institute of British Geographers* 3, 4.

<sup>119</sup> This propensity 'to truck, barter, and exchange' is therefore the assurance of being able to trade what one produces with others, 'which originally gives occasion to the division of labour': Adam Smith, *The Wealth of Nations* (David Campbell, 1991) 12–13.

social and political relations, not as a matter of exchange, but as a competition.<sup>120</sup> As discussed above, the shift from exchange to competition has had a profound effect: while exchange tends to be a natural historical phenomenon, for neoliberals competition is recognised as a deliberate artificial relation that must be protected against the tendency for markets to form monopolies and interventions by the state.<sup>121</sup> Within this new rationality, the individual is reconfigured as *homo economicus*—economic man. As Foucault puts it: ‘*Homo economicus* is an entrepreneur, an entrepreneur of himself’.<sup>122</sup> *Homo economicus* is not only a human being of market exchange, but also a *homo entrepreneur*,<sup>123</sup> an entrepreneurial man of competition and consumption, and a producer of his own satisfaction, conducted according to the dictates and needs of the market.

The idea of entrepreneurship is vital in analysing the characteristics of the neoliberal subject. Entrepreneurship is a mode of self-government or what Foucault theorises as ‘the care of the self’. For Foucault, what it means to become an ethical subject, and in this context a neoliberal subject, is to engage in practices of the self that are not simply accountable as investments with expected future returns, but are explicitly self-conscious/self-interested in their status as forming the self in relation to ‘a certain art of living which defines the aesthetic and ethical criteria of existence’.<sup>124</sup> These practices imply the shifting of the burden of responsibilities and risks such as unemployment, poverty and illness from the sphere of the state to the domain of individuals, who are responsible for their own actions and choices. In the neoliberal context, entrepreneurial man is a rational, calculating, risk-taking and ambitious person who is able to provide for their own needs, desires and ambitions.<sup>125</sup> Freedom is expressed through rational *choice*.<sup>126</sup> Individual actions and decisions become investments in human capital.<sup>127</sup> In this human capital model, wage labourers are no longer employees of companies, but are autonomous entrepreneurs with full responsibility for their own investment decisions and endeavouring to produce surplus value.<sup>128</sup>

This idea of the shift from social responsibility to autonomous individuals does not necessarily suggest the withering away of the state’s role in neoliberalism; rather, it should be construed as ‘a reorganisation or restructuring of government techniques’.<sup>129</sup> For instance, and as briefly discussed above, neoliberalism entails increasing reliance on public-private partnerships

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<sup>120</sup> Foucault, *The Birth of Biopolitics*, above n 78, 118.

<sup>121</sup> Ibid 137.

<sup>122</sup> Ibid 226.

<sup>123</sup> The phrase *homo entrepreneur* is my own formulation and not from Foucault.

<sup>124</sup> Michel Foucault, *The Care of the Self: Volume 3 of The History of Sexuality* (Vintage, 1986), 67.

<sup>125</sup> Peter Miller and Nikolas Rose, *Governing the Present: Administering Economic, Social and Personal Life* (Polity, 2008) 18.

<sup>126</sup> Foucault, *The Care of the Self*, above n 124, 64 (my emphasis).

<sup>127</sup> Jason Read, ‘A genealogy of Homo Economicus: neoliberalism and the production of subjectivity’ (2009) 6 *Foucault Studies* 25, 30. See also Foucault, *The Birth of Biopolitics*, above n 78, 226–27.

<sup>128</sup> Thomas Lemke, ‘“The birth of bio-politics”: Michel Foucault’s lecture at the Collège de France on neo-liberal governmentality’ (2001) 30(2) *Economy and Society* 190, 199.

<sup>129</sup> Ibid 202.

such as those promoted by the Thatcher administration in the 1980s that set up 'quasi-governmental institutions' including urban development corporations to pursue economic development.<sup>130</sup> As Loïc Wacquant argues, neoliberalism is a political project that re-engineers the state itself, which in turn 'effectively redraws the boundaries and tenor of citizenship through its market-conforming policies'.<sup>131</sup> The neoliberal state's role is to 'supervise the smooth running of the market', that is to say, it facilitates 'competition as the organising form of the market'.<sup>132</sup> The market becomes the overarching principle and norm that organises and regulates the state and society. Neoliberalism relies on institutional practices through 'discourse'<sup>133</sup> that 'encompasses material forms in state formation through policy and program and via subjectivation of individuals on the ground'.<sup>134</sup> Far from being the natural order of things, the market economy needs to be nurtured and buttressed through the use of law, policy and institutions. Like the market, competition too is not a natural fact of life that is already part and parcel of the economic domain; instead, competition can only function 'if support is forthcoming to bolster a series of conditions, and adherence to the [competition] must consistently be guaranteed by legal measures'.<sup>135</sup>

Thus, according to Wendy Brown, the health and growth of the neoliberal market economy relies on state legitimacy.<sup>136</sup> The state responds to the needs of the market, whether they are monetary or fiscal policy, education or health policy, immigration policy or international relations. Thereby, the neoliberal state's success is measured against its ability to foster and sustain the market and its legitimacy is connected to such success.<sup>137</sup> The state itself is embraced and legitimated by market rationality not only for profitability, but the neoliberal state also functions as a generalised calculation of cost and benefit that becomes the measure of all its practices. In other words, the state does not simply concern itself with the market, but thinks and behaves like a 'market actor' across all of its functions in society.<sup>138</sup> With the rise of the market as the dominant paradigm of governance, states have designed various methods by which citizens are able to exercise a type of citizenship that is based on market-drive values whereby citizens act 'as free individuals to confront globalised insecurities by making calculations and investments in their lives'.<sup>139</sup> I will fully elaborate on the

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<sup>130</sup> Harvey, above n 85, 76.

<sup>131</sup> Loïc Wacquant, 'Three steps to a historical anthropology of actually existing neoliberalism' (2012) 201(1) *Social Anthropology* 66, 71.

<sup>132</sup> Foucault, *The Birth of Biopolitics*, above n 78, 118, 120.

<sup>133</sup> Sarah Mills interprets Foucault's idea of 'discourse' as 'sets of sanctioned statements which have some institutionalised force ... a profound influence on the way that individuals act and think': Sarah Mills, *Discourse* (Routledge, 2004) 55.

<sup>134</sup> Simon Springer, 'Neoliberalism as discourse: between Foucauldian political economy and Marxian poststructuralism' (2012) 9(2) *Critical Discourse Studies* 133, 143.

<sup>135</sup> Lemke, above n 128, 193.

<sup>136</sup> Wendy Brown, 'Neoliberalism and the end of liberal democracy' in *Edgework: Critical Essays on Knowledge and Politics* (Princeton University Press, 2005) 41.

<sup>137</sup> See Wendy Brown, *Undoing the Demos: Neoliberalism's Stealth Revolution* (Zone Books, 2015) 63–64.

<sup>138</sup> Brown, above n 136, 42.

<sup>139</sup> Aihwa Ong, '(Re)articulations of citizenship' (2005) 38(4) *PS: Political Science and Politics* 697, 698.

various ideas and meanings of citizenship in Chapter 4, but in the next section I explore how the neoliberal values of flexibility and personal responsibility have become the ideal qualities of the neoliberal citizen.

## 2.3 The emergence of neoliberal citizenship

As illustrated in the previous discussion, a distinct mode of neoliberal governance, which operates through the new ethics of autonomy and choice, has enabled citizens to be governed, on the one hand, and to govern themselves, on the other. This mode of governance has a ‘mutating’ effect on citizenship because of the convergences of global flows of people and transnational networks of markets, technology and expertise.<sup>140</sup> Gradually, the terms of citizenship within a neoliberal framework are being perceived within the framework of the market economy, consumption, individual enterprise and self-survival.<sup>141</sup>

The so-called ‘neoliberal citizen’ as *homo entrepreneur* is now seen as responsible for maximising their own quality of life, happiness and fulfilment through rational choices as a form of governance.<sup>142</sup> Nikolas Rose argues that the primary economic image of the modern citizen is not that of a producer, but a consumer.<sup>143</sup> In Chapter 5, I will show, using Arendt’s framework, how this new form of governance indeed breeds alienation and loneliness, which deprives citizens of a sense of political belonging and community in the world. Through consumption and consumerism, we are urged to shape our lives superficially by selecting a personal lifestyle offered to us in advertisements, social media and television, in order to make sense of ourselves by exercising our ‘pseudo’ freedom to choose in a consumerist market society. This image of a citizen as a ‘choosing self’, according to Rose, ‘entails a new image of the productive subject’ – an individual in search of meaning, responsibility, a sense of personal achievement and a maximised quality of life.<sup>144</sup> In this sense, neoliberal citizenship is understood and governed as a function of citizens’ own particular levels of skills, competitiveness and economic benefits.

Before I proceed to discuss the fundamental features of neoliberal citizenship, it is worthwhile outlining a general overview of international migration, which forms part of the global economic integration pushed by the neoliberal mode of governance, as demonstrated above. This section identifies the different factors that drive international migration and the conditions through which migrants and particularly migrant workers are placed in dire and exploitative situations – the topic that I explore in the final section (section 2.4) of this chapter.

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<sup>140</sup> Ong, ‘Mutations in citizenship’, above n 60, 499.

<sup>141</sup> See particularly Barry Hindess, ‘Neo-liberal citizenship’ (2002) 6(2) *Citizenship Studies* 127.

<sup>142</sup> Miller and Rose, above n 125, 215.

<sup>143</sup> Nikolas Rose, *Governing the Soul: The Shaping of the Private Self* (Free Association Books, 2nd ed, 1999) 103.

<sup>144</sup> Ibid 103–04.

### 2.3.1 International migration and the global labour market

The advent of neoliberal globalisation, particularly the post-Bretton Woods period (1971 to the present),<sup>145</sup> has resulted in increased flows of goods, capital, technology, culture and persons. Although less fluid than goods and capital, the movement of people has become one of the most important aspects of globalisation. People move for a complex variety of reasons including escaping conflict and poverty, fleeing from human rights abuses or simply searching for a better life. Various group of migrants have also emerged, including permanent settlers, guest workers, students, asylum seekers and family members of immigrants. The number of international migrants worldwide reached an estimated population of 244 million according to the latest report.<sup>146</sup> Migrants as a percentage of the world's population have remained quite stable in recent years, with an annual growth of 3 per cent in the period 2005–2010, and has slowed, falling to around 1.9 per cent per year in the period 2010–2015.<sup>147</sup> However, the proportion of total population growth in the rich world attributable to immigration has increased enormously from one-eighth to more than two-thirds.<sup>148</sup> As of 2017, 64 per cent of all international migrants worldwide (equal to 165 million migrants) lived in high-income (developed) countries.<sup>149</sup> Europe and Asia host the largest numbers of international migrants, comprising two-thirds of all international migrants worldwide (76 million in Europe and 75 million in Asia). North America hosts the third largest number of international migrants (54 million), followed by Africa (21 million), Latin America and the Caribbean (9 million), and Oceania (8 million).<sup>150</sup>

Some analysts observe that what is distinctive about today's migration is its 'global scope' and its centrality to local and international politics, with great social and economic consequences.<sup>151</sup> Globalisation thus induces migration in various ways because of these asymmetrical and imbalanced political, social and economic factors. Stephen Castles argues that it is important to view migration not as a threat to state security, but as 'a result of past practices of colonisation and of more recent imbalances in economic and political power, which have created extreme inequality'.<sup>152</sup>

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<sup>145</sup> The post-Bretton Wood system was marked by a shift from state-led economic management to a market-led system.

<sup>146</sup> International Organization for Migration, *World Migration Report 2018* (IOM, 2017) 13: <[https://publications.iom.int/system/files/pdf/wmr\\_2018\\_en.pdf](https://publications.iom.int/system/files/pdf/wmr_2018_en.pdf)>.

<sup>147</sup> Ibid 5.

<sup>148</sup> Paul Scheffer, *Immigrant Nations* (Polity, 2011) 74.

<sup>149</sup> United Nations, *International Migration Report 2017* (UN, 2017) 4: <[www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017\\_Highlights.pdf](http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017_Highlights.pdf)>.

<sup>150</sup> Ibid 6.

<sup>151</sup> Stephen Castles and Mark Miller, *The Age of Migration: International Population Movements in the Modern World* (Palgrave Macmillan, 4th ed, 2009) 3.

<sup>152</sup> Stephen Castles, 'International migration at a crossroads' (2014) 18(2) *Citizenship Studies* 190, 191.



The traditional immigrant destination countries like Australia, Canada and the United States are now moving away from their traditional migration policies that are based on permanent settlement. The realities of migration in the twenty-first century are rather different, with a strong trends towards temporary and circular migration, migration of women and forced migration of people seeking refuge as a result of war, conflict or natural disaster.<sup>153</sup> Alexander Betts calls this new driver of forced displacement ‘survival migration’ – that is, ‘people may be outside their country of origin but fall outside of the refugee/voluntary economic migrant dichotomy’.<sup>154</sup> Indeed, many scholars like Raul Delgado Wise and his colleagues have called for a comprehensive rethinking of the international protection regime and migration policies that takes into account the recognition of the human rights of migrants and displaced people.<sup>155</sup> In this view, the dominant approach to international migration and ‘development’<sup>156</sup> as envisaged by international organisations such as the World Bank and International Monetary Fund (IMF) disregards the root causes of migration and also overlooks the context of neoliberal globalisation and unequal development in which contemporary migration is embedded.<sup>157</sup>

The emergence of the global labour market as part of the neoliberal agenda has contributed enormously to the facilitation of movement of people, particularly migrant workers. As witnessed above, neoliberal restructuring has progressed rapidly since the 1970s. Rapid social and economic transformation has become the norm not only for the developed industrial countries, but also for those developing countries that have been subjected to various economic programs imposed by the World Bank, IMF and WTO. In the Third World, this has led to the growth of the ‘new economy’ (informal sector) where commodity production and labour power are cheaper than in the formal wage economy.<sup>158</sup> In the global North, neoliberal restructuring and globalisation have led to the partial destruction of the welfare state, where ‘re-commodification of labour through the weakening of social protection allowed the differentiation of labour markets and reduction of wages and conditions in many sectors’.<sup>159</sup> The combined effects of the relocation of labour-intensive production

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<sup>153</sup> Ibid 193–96.

<sup>154</sup> Alexander Betts, ‘Survival migration: a new protection framework’ (2010) 16 *Global Governance* 361, 364. See also his latest response in clarifying the notion of ‘survival migration’: Alexander Betts, ‘Clarifying survival migration: a response’ (2015) 14(1) *European Political Science* 69, 70.

<sup>155</sup> Raul Delgado Wise, Humberto Marquez Covarrubias and Ruben Puentes, ‘Reframing the debate on migration, development and human rights’ (2013) 19 *Population, Space and Place* 430, and Raul Delgado Wise and Humberto Marquez Covarrubias, ‘Understanding the relationship between migration and development: toward a new theoretical approach’ (2009) 53(3) *Social Analysis* 85.

<sup>156</sup> This view is based on the idea that the growing flow of migrants’ remittances can become an instrument for development in the countries of origin: see World Bank, *Migration and Remittances Factbook 2016* (World Bank, 2016): <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1199807908806/4549025-1450455807487/Factbookpart1.pdf>.

<sup>157</sup> Wise, Covarrubias and Puentes, above n 155, 433–34.

<sup>158</sup> Leon and Overbeek, above n 61, 44.

<sup>159</sup> Stephen Castles, ‘Migration, crisis, and the global labour market’ (2011) 8(3) *Globalizations* 311, 316 (emphasis in original).

processes to developing countries and the rationalisation efforts leading to heavy investment in labour-saving technology in many Organisation for Economic Co-operation and Development (OECD) countries have inevitably produced a structural labour surplus of highly skilled workforces on the one hand and low-skilled service workers, such as those in hospitality and health care, on the other.<sup>160</sup>

Castles presents a critical analysis of the connection between international migration and the global labour market in the current economic crisis. He provides a crucial examination regarding the dualism of the 'neoliberal dream', that is, 'a cosmopolitan, mobile world for elites' juxtaposed with 'world barriers, exploitation and security controls for the rest'.<sup>161</sup> He further demonstrates how the recent phase of migration merges with the rise of neoliberal globalisation for which international migration became an important tool for the flexibilisation of labour markets and exploitation of labour on a global scale.<sup>162</sup> For many migrants in the developed world, this means the degradation of their citizenship rights because of their low status and lack of access to established institutions. The paradox of the prevailing system is that developed countries compete with each other to attract highly skilled workers, yet take extreme measures to restrict legal entry for lower skilled workers. The mobility of workers has therefore become the basis of a 'new hierarchy of citizenship' that differentiates migrant workers based on their gender, race, ethnicity, origins and legal status.<sup>163</sup>

### **2.3.2 Flexibility, responsabilisation and the ideal migrant-citizen: the 457 visa scheme**

This 'new hierarchy of citizenship' that Castles identifies has increasingly become a new way of controlling the flows of migrants across national borders. Neoliberal thinking now pervades migration policies and regulation, which are based on migrants' (or citizens') own particular levels of skills, competitiveness and economic benefits. Aihwa Ong attempts to analyse a similar type of citizenship and coins the term 'flexible citizenship', which incorporates market orientation into areas of social life. Her idea of 'flexibility' refers to the 'assemblage of transnational practices for gaining access to different global sites—for business advantages, real estate deals, enrolment in top universities, or security of the family—as well as the versatile mobilisation of business, legal, and social assets that facilitates a high degree of mobility'.<sup>164</sup> Ong looks into overseas Chinese managers and entrepreneurs who are in an ideal position to use their transnational networks and intercultural literacy to take advantage of the demands of the market economy, and have become central in the

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<sup>160</sup> Leon and Overbeek, above n 61, 45.

<sup>161</sup> Castles, "Migration, crisis, and the global labour market", above n 159, 311.

<sup>162</sup> Ibid 317–18.

<sup>163</sup> Ibid 318.

<sup>164</sup> Aihwa Ong, 'Latitudes of citizenship: membership, meaning and multiculturalism' in Alison Brysk and Gershon Shafir (eds) *People Out of Place: Globalization, Human Rights, and the Citizenship Gap* (Routledge, 2004) 53, 57.

make-up of regional hubs such as Silicon Valley, Vancouver and Los Angeles.<sup>165</sup> Within this circulation of information, capital, goods and people, a new form of citizenship is forged to link legal status to particular market skills and entrepreneurship of would-be migrants and citizens.

The notion of flexibility is an important feature of neoliberal citizenship which is concerned with the market's ability to adapt and respond to changing economic conditions. There are three key features of securing flexibility: the first is *numerical flexibility*, which is the ability of firms to change the number of workers they employ by making use of part-time, temporary and seasonal employees and short-term contracts, freelance work and home work/outwork; the second is *functional flexibility*, which is the ability of firms to vary the amount of labour they use without resorting to the external labour market, and is accomplished mainly by having a labour force that is able to carry out a wide range of tasks; and the third is *wage or reward flexibility*, which is a payment system that rewards and encourages improved performance.<sup>166</sup> Guy Standing argues that one of the main features of labour flexibility is 'the growing use of temporary labour, which allows companies to change employment quickly, so that they can adapt and alter their division of labour'.<sup>167</sup> The use of temporary labour over permanent labour has cost advantages because wages are lower and entitlements and benefits are avoided. There is also less risk because employers are making less commitment to long-term employment and can easily terminate temporary employment. Another major feature of labour flexibility is the emergence of 'temporary staffing agencies' which facilitate job-seekers' employment in temporary work assignments, mainly on the employer's terms.<sup>168</sup> Therefore, within this sector, labour tends to be more project-based rather than continuous employment.

A related trend to this is the spread of individual contracts, as opposed to collective bargaining, which is now becoming a permanent feature of the 'contractualisation' of society. With the advent of neoliberal citizenship, the principles and practices of contractualisation are becoming more evident. Margaret Somers calls this phenomenon the 'contractualisation of citizenship', sometimes referred to as 'market citizenship'<sup>169</sup>—whereby the state's relationship to its citizens has changed from a rights-based relationship to one that is dominated by market exchange.<sup>170</sup> In market citizenship, entitlements have been narrowed and individual responsibilities have been broadened. What this means is that the social rights of citizens are diminishing and their responsibility to be

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<sup>165</sup> Ibid 57–58.

<sup>166</sup> Jonathan Michie and Maura Sheehan, 'Labour market deregulation, "flexibility" and innovation' (2003) 27 *Cambridge Journal of Economics* 123, 126 (my emphasis).

<sup>167</sup> Guy Standing, *The Precariat: The New Dangerous Class* (Bloomsbury, 2011) 54.

<sup>168</sup> Nik Theodore and Jamie Peck, 'Selling flexibility: temporary staffing in a volatile economy' in Judy Fudge and Kendra Strauss (eds) *Temporary Work, Agencies, and Unfree Labor: Insecurity in the New World* (Taylor and Francis, 2013) 26, 26.

<sup>169</sup> Here, I use the terms 'contractualisation of citizenship', 'market citizenship' and 'neoliberal citizenship' interchangeably as these terms in essence all have the same meaning.

<sup>170</sup> Somers, above n 23, 87.

employed and become self-sustaining is deeper and more entrenched than before.<sup>171</sup> As seen above, the rights given under the welfare state have declined and individual 'contracting' is becoming the new mode of life under neoliberalism on a global level.

The idea of 'responsibilisation' is another salient feature of neoliberal citizenship. This concept comprises diverse elements that shape forms of conduct and take part in various forms of governing. It is part of the neoliberal technique of governance that is premised on the construction of moral agency for ensuring an entrepreneurial outlook in the case of individuals and a social-moral authority in the case of institutions.<sup>172</sup> Peter Miller and Nikolas Rose explore responsibility as a facet of emerging neoliberal forms of governance that are depicted in the form of individual morality, responsibility, mutual obligation and ethical community.<sup>173</sup> Suzan Ilcan calls this mode of governance 'privatising responsibility', which includes 'new ways of transforming conduct, formulating plans and programs, and encouraging certain individuals and groups to become increasingly more responsible for their actions'.<sup>174</sup> It suggests that individuals and groups can maximise their own social and economic development and grab all the possibilities that can improve their conditions of life. It produces new ways of dealing with others and ways in which people are governed by others and ways in which they are directed to govern themselves. Thus, a different type of labour citizenship is emerging under this 'responsibilising ethos' that centres around self-management and self-enterprise.<sup>175</sup>

One of the main elements of the notion of responsibilisation is its link to a different notion of 'community'. As seen in the above discussion, the idea of community has been appropriated by civil society within the discourse of 'New Labour' and social democracy of the 1990s to promote and advocate enterprising features of responsible living and caring, shared community values and rebuilding of community institutions.<sup>176</sup> This concept of community is different from the meaning of 'political community' that I will explore in Chapter 5, which is based on Arendt's notions of political action and political responsibility.

Here, the language of community pertains to 'a new territory for the administration of individual and collective existence, a new plane or surface upon which micro-moral relations among persons are conceptualised and administered'.<sup>177</sup> It implies that the state is no longer required to

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<sup>171</sup> Judy Fudge, 'After industrial citizenship: market citizenship or citizenship at work?' (2005) 60(4) *Relations Industrielles/Industrial Relations* 631, 645.

<sup>172</sup> Ronen Shamir, 'The age of responsibilization: on market-embedded morality' (2008) 37(1) *Economy and Society* 1, 7.

<sup>173</sup> Miller and Rose, above n 125, 87-88.

<sup>174</sup> Suzan Ilcan, 'Privatizing responsibility: public sector reform under neoliberal government' (2009) 46(3) *Canadian Review of Sociology* 207, 229.

<sup>175</sup> See Ong, 'Mutations in citizenship', above n 60, 501-02.

<sup>176</sup> See in particular Amitai Etzioni, *The Spirit of Community: Rights, Responsibilities, and the Communitarian Agenda* (Crown, 1993).

<sup>177</sup> Miller and Rose, above n 125, 88.

answer all society's needs for law and order, security, health, education, workplace relations, welfare and the economy. Individuals, private firms, NGOs and the 'community' should take a certain amount of responsibility for resolving such issues. Indeed, this type of approach echoes what we have mentioned previously as the ideological framework of the 'third way'. According to Rose, third-way politics is actually based on 'the political objectification and instrumentalisation of the community and its culture, through strategies for the government of autonomy through acting on sentiments, values, identities, allegiance, trust, and mutual dependence'.<sup>178</sup> The idea of community thus calls for a 'responsible citizenship' that encourages more citizens to act on 'our' problems and 'our' relations with others in ways that are designed to inscribe new values and obligations such as self-reliance.<sup>179</sup> The use of flexibility and responsabilisation is very clear in the area of immigration policies, which I invoke as a good example of a neoliberal device that calculatedly selects the 'ideal' would-be migrants in destination countries like Australia.

The Australian subclass 457 (Temporary Work) visa scheme (now the TSS visa) is a classic case of a neoliberal device that demonstrates market-based calculations of flexibility and responsabilisation. It is argued that this temporary migration program is designed to accumulate human capital and to engage in global labour markets on the assumption that incoming migrants have internalised market values and are autonomous, responsible subjects.<sup>180</sup> This policy also represents 'central gatekeeping mechanisms' that attract enterprising, flexible and self-supporting migrant workers, while excluding those who do not fit with the criteria or who may present a 'risk' to the population and territory.<sup>181</sup> Under this arrangement, governments enforce, in Ong's terms, 'calculative choices' for optimal gains in profit and for the 'recalibration of the capacity of groups' by utilising a mobile tier of professionals and technicians as potential workers/residents/citizens.<sup>182</sup> With accompanying socioeconomic and state restructuring in the 1990s, Australia has reorganised its migration policies when it comes to skilled migrant workers who bring a competitive edge and economic benefits to Australia.

Under the 457 visa scheme, recruitment was streamlined in a market where speed played an important role and enabled multinational companies to move their employees in and out of Australia much more effectively.<sup>183</sup> The 457 visa was introduced by the Howard Government in 1996 but was initially proposed by the Keating Labor Government, which set up the Committee of Inquiry

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<sup>178</sup> Nikolas Rose, 'Community, citizenship, and the third way' in Denise Meredyth and Jeffrey Minson (eds) *Citizenship and Cultural Policy* (SAGE, 2001) 1, 7.

<sup>179</sup> Ilcan, above n 174, 222.

<sup>180</sup> James P Walsh, 'The marketization of multiculturalism: neoliberal restructuring and cultural difference in Australia' (2014) 37(2) *Ethnic and Racial Studies* 280, 289.

<sup>181</sup> James P Walsh, 'Quantifying citizens: neoliberal restructuring and immigrant selections in Canada and Australia' (2011) 15(6-7) *Citizenship Studies* 861, 875.

<sup>182</sup> Ong, 'Neoliberalism as a mobile technology', above n 118, 4-5.

<sup>183</sup> Andrew Markus, James Jupp and Peter McDonald, *Australia's Immigration Revolution* (Allen & Unwin, 2009) 63.

into Temporary Entry of Business People and Highly Skilled Specialists headed by Neville Roach during 1994–1995.<sup>184</sup> The 457 visa scheme was also in line with Australia's agreement to Mode 4 of the General Agreement on Trades and Services (GATS), which came into force in 1995 and facilitated the free movement of persons and services between GATS/WTO signatory member states. This created more pressure on governments to allow flexibility and greater movement of people in and out of Australia, which liberalised some of Australia's migration policies that govern the temporary entry of migrant workers.<sup>185</sup>

The objectives of the 457 visa were to provide streamlined entry arrangements for businesses that were unable to meet their skills needs within the Australian labour workforce, and to sponsor workers from overseas on a temporary basis, whilst ensuring that the employment and training opportunities for Australians were not adversely affected.<sup>186</sup> The way the 457 visa worked was that, first, employers should demonstrate that they have a viable business, operate lawfully, have a satisfactory record and commitment to training their Australian workers, and can fulfil their obligations as a sponsor (the sponsorship stage).<sup>187</sup> Second, employers must nominate a position to be filled by the worker which must specify the nature of the position and remuneration details, and that the worker's skills and experience are not readily available in the Australian labour market (the nomination stage).<sup>188</sup> And finally, the nominated worker made a visa application, and must have the minimum English language skills and experience to fulfil the nominated position on a temporary basis for up to four years.<sup>189</sup>

I argue that the 457 visa scheme was not only a mechanism for the flexible accumulation of human capital, but was also a scheme governed by techniques of risk management and reponsibilisation. The idea of risk management implies a framework of calculation, accounting and actuarial control to discover and enforce regularities in the anticipated costs and contributions of applicants or visa holders, and to restrict the territorial and social access of those deemed disruptive or threatening to social order.<sup>190</sup> All 457 visa holders were precluded from changing employers or

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<sup>184</sup> See Committee of Inquiry into Temporary Entry of Business People and Highly Skilled Specialists, *Business Temporary Entry: Future Directions* (Australian Government Publication Service, 1995).

<sup>185</sup> Mary Crock and Laurie Berg, *Immigration, Refugees and Forced Migration: Law, Policy and Practice in Australia* (Federation Press, 2011) 270.

<sup>186</sup> Maria Jockel, *457 Visa Law: Addressing Australia's Skilled Labour Shortages* (Thomson Reuters, 2009) 74.

<sup>187</sup> Reg 2.59 'Criteria for approval as a standard business sponsor', *Migration Regulations 1994* (Cth). The commitment to training Australian workers criteria (also known as the 'training benchmark' requirement) has been abolished on 12 August 2018 and was replaced by Skilling Australians Fund (SAF) – a levy payable in full when lodging a TSS nomination application (i.e. AU\$1,200 per year for small annual turnover less than AU\$10 million or AU\$1,800 for businesses that have an annual turnover of AU\$10 million or more).

<sup>188</sup> Reg 2.72 'Criteria for approval of nomination', *Migration Regulations 1994* (Cth).

<sup>189</sup> See the criteria for approval of the new subclass 482 TSS visa under Schedule 2 of the *Migration Regulations 1994* (Cth).

<sup>190</sup> Walsh, 'Quantifying citizens', above n 181, 872. See also condition 8501 (must maintain private health insurance) and condition 8303 (must not engaged in activities that are disruptive, violent and threatening harm to the Australian community) Schedule 8 of the *Migration Regulations 1994* (Cth).

working in a position inconsistent with the position from which the employer's sponsorship and nomination were approved and granted.<sup>191</sup> This prohibition includes self-employment and working for someone else after hours. It also imposes tough civil and criminal sanctions on persons who are connected with work by unlawful non-citizens or work in breach of visa conditions or an employer's breach of 457 visa obligations.<sup>192</sup> These goals and objectives display neoliberal characteristics as discussed above, as they purport to manage the population through production of 'ideal' migrant-citizens who are disciplined, self-reliant and competitive in the global labour market.

## 2.4 The rise of the precarious migrant

The institutionalised production of these new global workers has given rise to what is frequently called the 'precarious migrant'. This group of people can be regarded as precarious because of their migration status and the institutionalisation of their unequal relations that forms part of their vulnerabilities and insecurities. Precarity denotes 'a lived feeling of [insecurity], which can be articulated with a damage sense of future and a heightened sense of anxiety'.<sup>193</sup> The term 'migrant' also encompasses insecurity.<sup>194</sup> This final section outlines the emergence of the precarious migrant as they are produced by both social practices and state/institutional practices. Precarity is the condition that links the above discussion on neoliberal governance of the state and institutions with that of the precarious migrant subject.

### 2.4.1 Migrant status

The legal status of the migrant as a non-citizen in the host country is the major source of migrants' precarity. Migrant status refers to a 'specific configuration of immigration rules that govern the terms of entry of migrant workers and the conditions of their residence and work'.<sup>195</sup> Immigration rules and controls play a huge part in the production of precarious migrant status. In the UK, for example, Bridget Anderson argues that immigration controls are not really a 'neutral framework' that facilitates the sorting of migrants into particular categories; rather, 'they *produce status* and the type of visa obtained often has important and long-term effects on where migrants work in the

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<sup>191</sup> See condition 8607 (must work only in the nominated occupation), Schedule 8 of the *Migration Regulations 1994* (Cth).

<sup>192</sup> See *Migration Amendment (Employer Sanctions) Act 2007* (Cth) and *Migration Legislation Amendment (Worker Protection) Act 2008* (Cth).

<sup>193</sup> Judith Butler and Athena Athanasiou, *Dispossession: The Performative in the Political* (Polity, 2013) 43.

<sup>194</sup> Standing, above n 167, 3.

<sup>195</sup> Martina Boese et al, 'Temporary migrant nurses in Australia: sites and sources of precariousness' (2013) 24(3) *The Economic and Labour Relations Review* 317, 318.

labour market'.<sup>196</sup> Migrant status is not only conceptualised in terms of state rules, policies and practices, but also links to the presence or absence of rights and entitlements. In Canada, migrant status has a similar function: many authorised temporary foreign workers have limited labour mobility through the operation of the Immigration and Refugee Protection Regulations.<sup>197</sup> Migrant status can lead to precarity if the migrant lacks basic standards of security in terms of: work authorisation; the right to remain permanently in the country; having to depend on a third party for their right to stay (e.g. sponsorship from spouse or employer); and social citizenship rights (e.g. public health and education).<sup>198</sup>

Again, the 457 visa scheme can be used as an example. First, as outlined above, some restrictions were placed on visa holders in that they could only work for the nominating employer in the occupation that was specified in the nomination. If they ceased employment, they had to find another sponsor within 60 days to avoid visa cancellation.<sup>199</sup> Also, constraints were imposed on employer sponsors to safeguard against poor wages and conditions through the combination of Temporary Skilled Migration Income Threshold (TSMIT) and Annual Market Salary Rate (AMSR).<sup>200</sup> Second, because a 457 visa was of temporary nature, workers had no automatic right to remain permanently in Australia, although in practice a 457 visa was a transitional visa towards an application for a permanent residency (PR) visa through the Employer Nomination Scheme/Regional Sponsored Migration Scheme (ENS/RSMS) pathway.<sup>201</sup> Third, dependence on a third party (in this case the employer sponsor) was very strong, which put the 457 visa holder in a precarious position of potential exploitation and abuse.<sup>202</sup> As indicated before, this is because the 457 visa holder needed their employer's sponsorship for permanent stay in the country. While 457 workers were able to change employers or apply for other PR visas, this was more easily said than done, as the visa holder might be breaching certain conditions of their visa if they left their employer.

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<sup>196</sup> Bridget Anderson, 'Migration, immigration controls and the fashioning of precarious workers' (2010) 24(2) *Work, Employment and Society* 300, 308 (emphasis in original).

<sup>197</sup> Sarah Marsden, 'The new precariousness: temporary migrants and the law in Canada' (2012) 27(2) *Canadian Journal of Law and Society* 209, 210.

<sup>198</sup> Luin Goldring, Carolina Bernstein and Judith Bernhard, 'Institutionalizing precarious migratory status in Canada' (2009) 13(3) *Citizenship Studies* 239, 240–41.

<sup>199</sup> See condition 8107, Schedule 8, *Migration Regulations 1994* (Cth) and section 116 'Power to cancel', *Migration Act 1958* (Cth).

<sup>200</sup> The current TSMIT for the approval of the new TSS (subclass 482) nomination is currently at AU\$53,900. The Market Salary Rate is the wages and conditions of employment that the employer sponsor must offer to foreign workers that are no less favourable than those provided to Australian workers doing the same work at the same location. The wages and conditions may be set by an award, collective agreement or common law contract: see *Migration (IMMI 18/033: Specification of Income Threshold and Annual Earnings and Methodology of Annual Market Salary Rate) Instrument 2018* (Cth).

<sup>201</sup> A visa applicant could either apply through the Employer Nomination Scheme/Regional Sponsored Migration Scheme (ENS/RSMS) subclass 186 (ENS) or subclass 187 (RSMS) or via the General Skilled Migration (GSM) subclass 189 (Independent), subclass 190 (State Sponsored) or subclass 489 (Family Sponsored): see Department of Home Affairs (DHA) 'SkillSelect' link at: <[www.homeaffairs.gov.au/trav/work/skil](http://www.homeaffairs.gov.au/trav/work/skil)>.

<sup>202</sup> Mares, above n 18, 223.



Fourth and finally, social welfare available to 457 visa holders and their dependent families was very limited, with lack of access to Medicare, limited access to public schools (particularly in New South Wales) and restrictions to public transport concessions (particularly in Victoria).<sup>203</sup> The right to sponsor family members may be deemed relatively generous, in the sense that 457 visa workers could bring their family to Australia with work and study rights. However, in practice, some employers might not provide a sponsorship undertaking or support (via letter of support) for the family members of 457 visa workers and this could result in a denial of family reunification for a 457 visa worker.

Hence, temporary migrant status appears to be a very significant source of precarity. In a study conducted by Martina Boese et al regarding the precarity of temporary migrant nurses in Australia, they found that there are two aspects of precarity in the Australian context: one is the heightened dependence on the employer; and the second is the limited access to certain public goods such as health insurance and free school education for dependents.<sup>204</sup> It also reveals that their precarity is increased by other factors including lack of information (or misinformation), the role played by recruitment agents and the general nature of migration pathways such as rules around nursing registration, particularly for applicants from non-mainly English-speaking countries.<sup>205</sup> It is clear that the law plays an important role in the creation of precarious migrant status. Nevertheless, it is also arguable that migration status produces unequal relations and insecurities for all migrants including permanent residents and naturalised citizens of ethnic minority groups.

#### **2.4.2 Unequal relations and institutionalised insecurities**

Workplace 'flexibilisation' has become the norm and condition of the current labour market. The pursuit of flexible labour relation has been the major cause of casual, contractual and temporary jobs, and led to redundancies and job insecurity for workers around the world. Labour flexibility is 'a process of labour re-commodification, making the labour relation more responsive to demand and supply, as measured by its price, the wage'.<sup>206</sup> A feature of this flexibility is the increasing use of temporary labour, which allows companies to change employment quickly, so they can adapt and alter their division of labour in response to market conditions. From this point of view, temporary labour has many advantages: wages are lower, experience-rated pay is avoided, entitlement to enterprise benefits is less and there is less risk because taking on somebody temporarily means not making any commitment and the worker can easily be disposed of at a lower cost.<sup>207</sup>

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<sup>203</sup> Ibid 82.

<sup>204</sup> Boese et al, above n 195, 333.

<sup>205</sup> Ibid 333-34.

<sup>206</sup> Standing, above n 167, 52-53.

<sup>207</sup> Ibid 54.

This is the idea of 'precarious employment', which is insecure and unstable. Leah Vosko identifies four dimensions of labour market insecurities that make employment precarious: first, the degree of certainty of continuing employment; second, the degree of regulatory effectiveness (protection under the law and institutional enforcements); third, control over the labour process (trade unions, working conditions, wages and work intensity); and fourth, income level.<sup>208</sup> The intensification of precarious work as a global phenomenon is indicative of the state's increasing reliance on temporary migration and guest-worker schemes.<sup>209</sup> As noted above, precarious migrant status also breeds unequal relations and insecurities that lead to exploitation and abuse of power.

Unequal relations occur in the form of control or domination of one party over the other. Many unequal relationships manifest under exploitative conditions including the inherent vulnerability of workers, poor working conditions, unjust contractual obligations and exploitative bargaining power.<sup>210</sup> The institutionalisation of temporary migration programs with limited rights creates a 'subordinate position' in society that forces migrant workers into 'dominating social relationships' between the migrant, the state and private agencies.<sup>211</sup> For temporary migrant workers, not only is their employment mobility limited by the law, but their employers exert additional means of control.<sup>212</sup> For instance, some workers are obliged not to challenge their employers for fear of deportation or employers take advantage of the worker's immigration status as a means of extra control over working conditions such as not paying the correct wages, unpaid leave and overtime, as well as prohibiting union membership. In the migrant sending country, intending migrants possess unequal relationships with the state and recruitment agencies because migrants normally have fewer options available to them and are effectively coerced, or most of the time misled, into accepting unfair agreements. This also feeds into the dire economic position from which they are trying to escape, which reduces their agency in making an informed decision.

Within this backdrop, it is understood that the idea of 'temporariness' plays an important role in the institutionalisation of migrant insecurities. According to Dauvergne and Marsden, temporariness functions as an ideology, or in a neoliberal context as a political rationality, that normalises certain 'directionality in which workers' rights are limited and states' rights (to expel, to control) are expanded'.<sup>213</sup> It starts at the stage of preparation and departure, where structural and power dynamics that cause social and economic insecurities often lie at the root of a *survival*

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<sup>208</sup> Leah F Vosko, *Managing the Margins: Gender, Citizenship, and the International Regulation of Precarious Employment* (Oxford University Press, 2010) 2.

<sup>209</sup> Claudia Tazreiter, 'Temporary, precarious and invisible labour: the globalised migrant worker in Australia' in Claudia Tazreiter and Siew Yean Tham (eds) *Globalization and Social Transformation in the Asia-Pacific: The Australian and Malaysian Experience* (Palgrave Macmillan, 2013) 163, 168.

<sup>210</sup> Patti Tamara Lenard, 'Temporary labour migration: exploitation, toll of development, or both?' (2010) 29 *Policy and Society* 283, 285.

<sup>211</sup> Anna Stilz, 'Guestworkers and second-class citizenship' (2010) 29 *Policy and Society* 295, 303.

<sup>212</sup> Anderson, above n 196, 310.

<sup>213</sup> Dauvergne and Marsden, above n 20, 231.

migrant's decision to leave their country of origin.<sup>214</sup> In the destination-host country, temporariness is constructed through enforcement of different categories of entry with increasing numbers of restrictions and conditions regarding legal status and residency, access to employment and settlement services.<sup>215</sup> Thus, state practices through immigration control are not really about protection of workers' rights but, rather, produce uncertainties and dependence of precarious migrants on employers, not just for work but often for continuing and eventual PR and citizenship in the country.

## 2.5 Conclusion

This chapter has provided a contextual background to the rise and formation of neoliberal citizenship under conditions of globalisation and widespread precarity. It demonstrated how neoliberalism as both a process and a political project has developed hand-in-hand with globalisation. Neoliberalism has undergone a complex process and I have examined how its ideologies and configurations have been produced and reproduced through institutional forms and actions at different periods of time. I have argued that neoliberalism is also a political project that signifies as both a hegemonic project as well as a mode of governance at the level of everyday life and how a range of activities are governed in society.

It has also been outlined how the neoliberal values of flexibility and personal responsibility have become ideal qualities of citizenship. The idea of citizenship in this context – that is, flexible, contractualised and marketed – denotes the changes of the state's relationship to its citizens, from a rights-based relationship to one that is dominated by market ideology. I have demonstrated that these neoliberal devices are clear in the area of Australian immigration policies, in particular within the 457 visa scheme, because it was intended to manage the population through production of 'ideal' migrant-citizens who were disciplined, self-reliant and competitive in the global labour market. Finally, it has been recognised why migrants' legal status and the institutions that produce and exacerbate unequal relations, exploitation and uncertainties can be seen as barriers to their political agency, claim to rights and political belonging.

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<sup>214</sup> Eve Lester, 'Socio-economic rights, human security and survival migrants: whose rights? Whose security?' in Alice Edwards and Carla Ferstman (eds) *Human Security and Non-Citizens* (Cambridge University Press, 2010) 314, 323 (my emphasis).

<sup>215</sup> Deepa Rajkumar et al, 'At the temporary-permanent divide: how Canada produces temporariness and makes citizens through its security, work, and settlement services' (2012) 16(3–4) *Citizenship Studies* 483, 485.

# Chapter 3

## The Making of Neoliberal Migrant-Citizens in Australia and the Philippines

### 3.1 Introduction

In the previous chapter, I discussed the rise of neoliberal citizenship in the context of neoliberal globalisation, international migration and widespread precarity in today's globalised world. This chapter discusses how the state, through its law, policy and institutions, constructs a particular type of neoliberal 'migrant-citizen' subject in both migrant sending and migrant receiving states. Here, my discussion focuses on the role of immigration/emigration and citizenship law and policy in constructing the migrant-citizen subject in both Australia and the Philippines. I describe and compare the laws and policies of both countries: one, the Philippines, being the sending state; the other, Australia, being the receiving state. My aim is to show, historically, how a particular type of migrant-citizen subject has been created by the exclusionary practices of the citizenship laws and policies of both states from the early twentieth century until the present time.

The first section draws the historical context of the development of a concept of Australian citizenship, including a discussion of how migration and citizenship laws have excluded certain immigrants who do not conform to Australian ideals and practices of citizenship. Here it is demonstrated that Australian citizenship is embedded with a fundamental tension between inclusion and exclusion, and belonging and alienage. This inherent paradox creates inconsistencies and contradictions in the way Australian citizenship has developed and has been understood, particularly in the context of multiculturalism and the development of neoliberalism in Australia since the 1970s. The next and final section then explores how the Philippine state, as an emigration country, has constructed an 'ideal' migrant-citizen subject as a way of creating an 'inclusive' citizenship that imposes particular duties of Philippine citizenship to their country on the individual even when abroad. The final section also highlights the important relationship between race and citizenship under US colonial rule (1898-1946). Subsequently, the use of labour brokerage in the Philippines since the 1970s has reconfigured a new type of citizenship between the Philippine state and its citizens under the guidance of a neoliberal project.

## 3.2 Australia: belonging and alienage

Australia's response to nation-building and political belonging is based on the theme of inclusion of useful migrants and exclusion of aliens. Throughout Australia's migration history, this theme has played an important part in the state's practices through law and policy, as well as in the decisions of Australian courts, especially in relation to the treatment of non-citizen 'aliens'. In this section, I argue that migration and citizenship laws have become the mechanism by which control of Australia's border has been exerted, that is, the question of who can enter the territory and who can become part of the Australian community governed by these laws. I then describe how multiculturalism has been employed and practised as a consequence of neoliberal restructuring in Australia since the 1970s, and how multicultural policies have assisted in cultivating the 'ideal' neoliberal migrant-citizen, who is flexible, entrepreneurial and autonomous, as I highlighted in the previous chapter. Finally, I briefly describe the history of Filipino migration in Australia to highlight the patterns of migration and issues that confront the Filipino diaspora in Australia.

### 3.2.1 Citizenship and 'Britishness' since Federation

Australian citizenship and nationhood are best understood in the context of the country's foundation and development as part of the British Empire and thereafter as a part of the British Commonwealth. The Australian Constitution is the formal legal starting point for understanding the legal implications of citizenship. In the early days, constitutional debates and High Court rulings focused on the use of express powers to legislate with respect to two heads of power in the Constitution: the 'naturalisation and aliens' power under s 51(19); and the 'immigration and emigration' power in s 51(27). However, neither of these two heads of power points to the meaning of Australian citizenship and the term 'citizenship' has been largely omitted from its text.<sup>216</sup>

The debates show that the framers of the Constitution deliberately omitted and excluded the legal term 'citizenship' in the draft Constitution 'as they feared that all attempts to define citizenship would land them in "innumerable difficulties"'.<sup>217</sup> There were difficulties in finding agreement between those who saw citizenship as a way of recognising rights and entitlements, and those for whom it was a status and a way of conferring rights on people. One main source of influence during the Convention debates was the republican view of citizenship enshrined in the US Constitution,

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<sup>216</sup> The only use of the word 'citizen' in the Australian Constitution can be found in s 44, that is, being a 'citizen of foreign power' disqualifies persons who come within this meaning from membership of the parliament: *Constitution of the Commonwealth of Australia* s 44 (hereinafter, 'the Constitution').

<sup>217</sup> These were the words of Sir Isaac Isaacs, one of the delegates to the Constitutional Conventions, from the *Official Record of the Debates of the Australian Federal Convention*, Melbourne 1898 (3 March 1898), 1797, cited in Kim Rubenstein, 'Citizenship and the Centenary — Inclusion and exclusion in 20th-century Australia' (2000) 24(3) *Melbourne University Law Review* 576, 580.

which espouses an idea of ‘citizenship’ based on rights and entitlements. Indeed, a delegate from Victoria, John Quick, attempted to include a definition of citizenship in the Constitution and advocated that the Commonwealth should have power to make laws with respect to citizenship. That proposed provision resulted in what is now s 117 of the Constitution, which prohibits discrimination between ‘residents’ of the various Australian states.<sup>218</sup> However, the pervading difficulty facing the framers of the Constitution was the presence of Indigenous Australians and people of other races, particularly of Chinese and Indian descent, in the British Empire. Helen Irving argues that the need for the ability ‘to exclude people on the grounds of race’ is perhaps one of the main reasons why ‘citizenship’ was not included in the Australian Constitution.<sup>219</sup> Thus, Australian citizenship is not a constitutional term, but a statutory creation half a century after Federation.

The development of citizenship in Australia can be categorised as moving from that of being a ‘subject’ of a personal sovereign to becoming a ‘citizen’ of the Australian nation. In 1949, with the passing of the *Nationality and Citizenship Act 1948* (Cth),<sup>220</sup> the legal status of ‘Australian citizen’ was formed. But for almost the first 50 years since the Federation of Australian colonies in 1901, the people of Australia were British subjects. By contrast, Indigenous people and non-European immigrants from British colonies (for example, India and parts of China), who were also British subjects, had limited rights and were often subject to discrimination by laws.<sup>221</sup> For example, even before 1901, legislation<sup>222</sup> was passed by various colonies in Australia to restrict the entry of Chinese people, who were the subject of racism and xenophobia.<sup>223</sup> The court ruling in *Chung Teong Toy v Musgrove*<sup>224</sup> was one of the earliest cases demonstrating that the right to exclude ‘aliens’ (or ‘non-subjects’) was the basic prerogative of government power within a self-governing colony. In that case, Justice Williams of the Victorian Supreme Court lamented that Australia was ‘at present without *legal* means of preventing the scum or desperadoes of alien nationalities from landing on our territory, whenever it may suit them to come here’.<sup>225</sup>

Another example of a restrictive mechanism is the use of indentured labour in meeting specific labour demands before Federation. From 1863 to 1904, large-scale facilitation of migrant

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<sup>218</sup> See s 117 of the Constitution, which states: ‘A subject of the Queen, resident in any State, shall not be subject in any other State to any disability or discrimination which would not be applicable to him if he were a subject of the Queen resident in each other State’.

<sup>219</sup> Helen Irving, ‘Citizenship before 1949’ in Kim Rubenstein (ed) *Individual, Community, Nation: 50 Years of Australian Citizenship* (Australian Scholar Publishing, 2000) 9, 11.

<sup>220</sup> This Act was later renamed the *Australian Citizenship Act 1948* (Cth), which was amended several times, notably in 1973, 1984, 1986 and 2002 (hereinafter referred to as ‘the 1948 Act’). On 15 March 2007, the *Australian Citizenship Act 2007* (Cth) received royal assent and replaced the 1948 Act, commencing on 1 July 2007.

<sup>221</sup> Irving, above n 219, 10.

<sup>222</sup> For example, Victoria passed two major restrictive laws: the *Chinese Immigrants Statute 1865* (Vic) and afterwards *The Chinese Act 1881* (Vic) that restricted Chinese entry by imposition of tax on arrival, strict quarantine provisions and restrictions on acquiring real property.

<sup>223</sup> Brian Galligan and Winsome Roberts, *Australian Citizenship* (Melbourne University Press, 2004) 51.

<sup>224</sup> (1888) 14 VLR 349.

<sup>225</sup> Ibid 422–23 (emphasis added).

workers occurred in Queensland, where over 62,000 Melanesian workers were brought in to work for the sugar plantations.<sup>226</sup> At Federation in 1901, the *Pacific Island Labourers Act 1901* (Cth) prohibited the importation of Melanesian workers after 1904 and legislated for the deportation of most of those remaining by 1907.<sup>227</sup> These two cases—restrictions on the Chinese and indentured labour schemes—are early examples of how restrictive laws have been used as a mechanism to exclude aliens.

This anxiety towards aliens, especially Chinese immigrants, contributed to a particular sense of Australian nationhood that is founded mainly on the ideal of ‘whiteness’—British ‘race’ and culture. Indeed, the *Immigration Restriction Act 1901* (Cth) was one of the earliest pieces of legislation passed by the Federal Parliament when it sat for the first time in May 1901. This Act, passed in December 1901, which is deemed to have established the ‘White Australia’ policy, was used to exclude ‘coloured’ migration for the next 60 years or so.<sup>228</sup> Of particular importance with this Act was how it categorically defined ‘prohibited immigrants’<sup>229</sup> and imposed a ‘dictation test’ on any immigrant found in the country.<sup>230</sup> The dictation test was designed to impose restriction on any person seeking entry to Australia by having to write out a passage of fifty words dictated to them in any European language (not necessarily English) at the discretion of an immigration officer. Any immigrant who evaded an officer or entered the country at a place where no officer was stationed was subject to the test ‘at any time’ after their entry.<sup>231</sup> Those found in breach of the Act were liable to imprisonment, fines and deportation.<sup>232</sup> The dictation test became a successful device for excluding non-white immigrants, who did not fit within the ideal of ‘white’ Australian society and culture. As I discuss in section 3.2 of this chapter, the question of ‘race’ was also relevant to the presence of Chinese people in the Philippines, as well as Filipinos in the US mainland. In that context, race was the basis of exclusionary laws for the immigration of non-white aliens.

The case of *Potter v Minahan*<sup>233</sup> is another early case that challenged the validity of the dictation test. In that case, it was argued that Minahan was not a ‘prohibited immigrant’ under the Act and therefore should be regarded as a ‘member of the Australian community’. Minahan was born in Australia to a white mother and a Chinese father. He left Australia with his Chinese father

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<sup>226</sup> Anthony O’Donnell and Richard Mitchell, ‘Immigrant labour in Australia: the regulatory framework’ (2001) 14 *Australian Journal of Labour Law* 1, 4.

<sup>227</sup> *Ibid* 6.

<sup>228</sup> Helen Irving, ‘Citizenship and subject-hood in twentieth-century Australia’ in Pierre Boyer, Linda Cardinal and David Headon (eds) *From Subjects to Citizens: A Hundred Years of Citizenship* (University of Ottawa, 2004) 9, 14.

<sup>229</sup> ‘Prohibited immigrants’ included any person who failed the dictation test; it also included people with criminal convictions and infectious diseases, idiots and the insane, and prostitutes and pimps: see *Immigration Restriction Act 1901* (Cth) s 3.

<sup>230</sup> *Ibid* s 5(2).

<sup>231</sup> *Ibid* s 5(1).

<sup>232</sup> *Ibid* s 7.

<sup>233</sup> (1908) 7 CLR 277.

when he was 5 years old and returned to Australia at the age of 31. Speaking no English at all, he was identified as a 'prohibited immigrant' for the purposes of the *Immigration Restriction Act 1901* (Cth) and subjected to the dictation test. In that case, the majority of the Court decided that Minahan was not an 'immigrant', but a member of the Australian community who was simply 'returning home' when he sought to re-enter the country.<sup>234</sup> On this issue, Isaacs and Higgins JJ dissented and ruled that the case rested only on the failure to administer the dictation test.<sup>235</sup>

The dissenting judgements of Isaacs and Higgins JJ were upheld by a majority of the High Court in the later case of *Donohoe v Wong Sau*.<sup>236</sup> In that case, the respondent, Lucy Wong Sau, was born in Australia to Chinese naturalised parents and, like Minahan, was raised in China. When the respondent sought to return to Australia as the wife of a Chinese immigrant from New South Wales, she was excluded on the basis that Australia was not her 'home' and was charged as being a 'prohibited immigrant' because of her failure to pass the dictation test. Notably, Isaacs J applied the test he formulated in *Potter v Minahan* — 'whether the person is a *constituent part of the Australian community*'.<sup>237</sup> In applying the test, Isaacs J found that her 'language, upbringing, education, sentiment, marriage, or of any of those indicia' could well be established to indicate that she was not part of the Australian community.<sup>238</sup> The next few decades before and after the Second World War saw mixed and differing views of the High Court when it came to the question of the relevance of 'belonging', that is, the question of who belongs as a member of the Australian community.<sup>239</sup> One body of thought was that the 'immigration and emigration' power in s 51(27) (which was applied in *Potter v Minahan*) should be applied inclusively; the other (favoured by Isaacs J) was that the 'aliens' power in s 51(19) could be applied as a means of exclusion or 'border control'. In particular, the use of a dictation test was a clear expression of how non-white immigrants were deliberately excluded as part of the Australian community. Such exclusion was harnessed to the preservation of Australia's British-based and white culture from the time of Federation.

### 3.2.2 Citizenship post-1949

Following the enactment of the *Nationality and Citizenship Act 1948* (Cth), which took effect on Australia Day, 26 January 1949, a legal category of Australian citizen was established for the first time. In 1973, the Act was retitled the *Australian Citizenship Act 1948* (Cth) (the 1948 Act). Under the current *Australian Citizenship Act 2007* (Cth) (the 2007 Act), which replaced the 1948 Act, Australian

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<sup>234</sup> Ibid 299 (O'Connor J).

<sup>235</sup> Ibid 317–18.

<sup>236</sup> (1925) 36 CLR 404.

<sup>237</sup> Ibid 408 (emphasis in original).

<sup>238</sup> Ibid 408.

<sup>239</sup> See, for instance, *Ex Parte Walsh and Johnson, In re Yates* (1925) 37 CLR 36, *R v Wilson; Ex parte Kisch* (1934) 53 CLR 234 and *Koon Wing Lau v Calwell* (1949) 80 CLR 533.



citizenship can be acquired by birth (*ius soli*),<sup>240</sup> by descent (*ius sanguinis*)<sup>241</sup> or in other defined circumstances such as by adoption<sup>242</sup> or resumption of citizenship.<sup>243</sup> As a migrant-destination country, the 2007 Act has also implemented the acquisition of dual-citizenship.<sup>244</sup> The granting of citizenship is the main path for migrants and immigrants to become Australian citizens. There are conditions or requirements which an applicant must meet in order to be granted citizenship.<sup>245</sup> The pledge which is taken on the granting of Australian citizenship illustrates that it is conceived of as a legal status that represents a form of membership in the Australian community, that is, a 'common bond' which involves 'reciprocal rights, uniting all Australians, while respecting their diversity'.<sup>246</sup> It also shows how the Australian state decides who will be included and excluded as members of the Australian community.

Certain rights and privileges are normally granted by the state to citizens (and permanent residents) of Australia as members of the Australian community. They have rights of entry and residence in the country.<sup>247</sup> Citizens, in particular, have diplomatic protection whilst overseas, and are protected from deportation from Australia, except in exceptional circumstances such as conviction for serious offences. They are also entitled to basic social rights and services including access to retirement pensions, social security benefits and health services, and access to education and training. Furthermore, citizens and permanent residents enjoy basic economic rights including the right to own land and property, the right to own and run a business, and access to public employment at federal and state levels. Finally, citizens compared to permanent residents of Australia possess voting rights at all levels of government. But these sets of rights are not always directly protected by the Constitution, as Australian citizenship is a purely statutory term and open to change, which gives the Parliament supreme authority to enact discriminatory legislation

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<sup>240</sup> *Jus soli* (literally, law of the soil) is a birthright citizenship which is the right of anyone who is born in the territory of a state. A person born in Australia is an Australian citizen only if a parent of the person is an Australian citizen or a permanent resident at the time the person was born: see the previous *Australian Citizenship Act 1948* (Cth) s 10, and *Australian Citizenship Act 2007* (Cth) s 12.

<sup>241</sup> *Jus sanguinis* (literally, law of the blood), on the other hand, pertains to a principle that is based on descent, having one or both parents who are citizens of the state. See also *Australian Citizenship Act 1948* (Cth) s 10B and *Australian Citizenship Act 2007* (Cth) s 16.

<sup>242</sup> *Australian Citizenship Act 1948* (Cth) s 10A and *Australian Citizenship Act 2007* (Cth) s 13.

<sup>243</sup> *Ibid* ss 23AA–23B and *ibid* s 29.

<sup>244</sup> With effect from 4 April 2002, there are no restrictions under Australian law on Australians holding the citizenship of another country. S 17 of the 1948 Act was repealed to give effect to this provision.

<sup>245</sup> For instance, the applicant must be a permanent resident, aged over 18, is able to meet general residence requirement, has basic knowledge of English, and has an adequate knowledge of Australia and the responsibilities and privileges that are attached to it, and must also sit and pass the citizenship test before their application is approved: see *Australian Citizenship Act 2007* (Cth) ss 21, 22 and 23A.

<sup>246</sup> See Preamble, *Australian Citizenship Act 2007* (Cth).

<sup>247</sup> Australian permanent residents must apply for re-entry visas before leaving as long as they meet residence requirement of 2 years out of the 5 years of the visa validity.

concerning aliens and non-citizens.<sup>248</sup> The Constitution does not explicitly express those rights that provide equal protection to all aliens, most notably in the case of refugees and asylum seekers, as well as temporary migrant workers in Australia.<sup>249</sup> Even with the passing of the Citizenship Act, citizenship continued to be viewed in terms of British culture and identity, rather than in terms of rights and responsibilities to an Australian state.<sup>250</sup>

The concept of citizenship developed very slowly in Australia.<sup>251</sup> It was not until 1986 that all reference to 'British subjects' was removed from the Act.<sup>252</sup> This type of legal and political arrangement creates inconsistencies and contradictions for the way Australian citizenship has developed and has been practised, especially in relation to the implications for being a 'non-citizen' alien. One could observe that the theme of inclusion-exclusion is prevalent in the development and practice of Australian citizenship. Kim Rubenstein refers to this as the tension between the formal 'exclusive' legal notion and the 'inclusive' normative conception of Australian citizenship, which mirrors the High Court's jurisprudence in the first part of the twentieth century. The 'exclusive' legal notion is primarily concerned with the legal status of individuals within a community, whilst the 'inclusive' normative notion of citizenship encompasses membership in a much broader sense and deals with the 'panoply of relations described by a body politic within it and the way people should act and be treated as members of a community'.<sup>253</sup> Rubenstein argues that Australian law has failed to provide a consistent and clear message about membership of the community, as expressed through legislation and the common law, and that it continues to show tension between citizenship as exclusion and citizenship as inclusion.<sup>254</sup> This tension within the meaning and practice of Australian citizenship is most apparent in the area of multiculturalism and social inclusion.

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<sup>248</sup> See the earlier case of *Pochi v Macphee* (1982) 151 CLR 101 and *Nolan v Minister for Immigration and Ethnic Affairs* (1988) 165 CLR and the more recent case of *Shaw v Minister for Immigration and Multicultural Affairs* [2003] HCA 72.

<sup>249</sup> For a discussion of the legal implications of the rights of refugees and asylum seekers in Australia as aliens 'outside the rule of law', see Susan Kneebone, 'The Australian story: asylum seekers outside the law' in Susan Kneebone (ed) *Refugees, Asylum Seekers and the Rule of Law* (Cambridge University Press, 2009) 171. For a general overview of the issues regarding Australia's 457 visa scheme and the rights of migrant workers in Australia, see Michelle Bissett and Ingrid Landau, 'Australia's 457 visa scheme and the rights of migrant workers' (2008) 33(3) *Alternative Law Journal* 142.

<sup>250</sup> Stephen Castles and Gianni Zappalà, 'The rights and obligations of immigrant citizens and non-citizens in Australia' in Atsushi Kondo (ed) *Citizenship in Global World: Comparing Citizenship Rights for Aliens* (Palgrave Mcmillan, 2001) 136, 139.

<sup>251</sup> For Australians, the concept of citizenship has been more of a 'social construction than a political or legal category' and the 'approach has changed little over the last one hundred years': Irving, above n 219, 10.

<sup>252</sup> See a series of Australian High Court cases that tackle the issue of whether or not a person who does not possess statutory Australian citizenship is nevertheless not an alien and is in substance an Australian citizen: *Re Patterson; Ex parte Taylor* (2001) 207 CLR 391, *Re Minister for Immigration and Multicultural Affairs; Ex parte Te; Re Minister for Immigration and Multicultural Affairs; Ex parte Dang* (2002) 212 CLR 162 and *Shaw v Minister for Immigration and Multicultural Affairs* (2004) 203 ALR 143. See also discussion of these cases in Genevieve Ebbeck, 'A constitutional concept of Australian citizenship' (2004) 25 *Adelaide Law Review* 137.

<sup>253</sup> Kim Rubenstein, 'Advancing citizenship: the legal armory and its limits' (2007) 8(2) *Theoretical Inquiries in Law* 509, 512.

<sup>254</sup> Rubenstein, 'Citizenship and the Centenary', above n 217, 591-606.

### 3.2.3 Neoliberal citizenship and Australian multiculturalism

Understanding Australian multiculturalism requires an examination of the historical relationship between the changing nature of immigration, cultural differences and the role of Australia in the emerging world economic order. Following the Second World War, Australian state policy implemented a principle of economic and cultural nationalism whereby migrants were mobilised into key nation-building industries, which was administered to advance Fordist-Keynesian regulatory arrangements.<sup>255</sup> From the 1950s, large-scale migration mainly from southern Europe and Baltic states was facilitated to meet the demands of an expanding national economy. The grand Snowy Mountains Hydro Scheme was designed to generate cheap hydroelectricity, which became an important strategy in the exercise of building the nation.<sup>256</sup> Yet racial and cultural homogeneity and assimilationist policy remained defining features of Australian nationhood well into the 1960s. Assimilation means that 'immigrants are expected to give up their distinctive linguistic, cultural, or social characteristics and become indistinguishable from the majority of the population'.<sup>257</sup> By the 1970s, labour market segmentation,<sup>258</sup> widespread unemployment and residential segregation were producing animosity that further differentiated migrants from the Australian-born population. Thus, the policy of assimilation became unsettled by the influence of economic, political and demographic strains. In 1973, the White Australia policy was dismantled and multiculturalism was introduced to cater for the growing number of non-British immigrants. Integration replaced assimilation as the official government policy, whereby 'migrants were now encouraged to incorporate themselves into the dominant Anglo-Celtic society but also to retain elements of their own culture'.<sup>259</sup>

Australian multiculturalism officially began with Gough Whitlam's Labor Government, which introduced new sets of programs to address the social and economic disadvantages suffered by those from non-English-speaking backgrounds (NESB).<sup>260</sup> Central to this policy was greater

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<sup>255</sup> Fordist-Keynesian regulatory arrangements attempt to provide full employment, economic growth and welfare to citizens: see previous chapter, particularly section 2.1.2 Neoliberalism as a process.

<sup>256</sup> Tim Southphomasane, *Don't Go Back To Where You Came From: Why Multiculturalism Works* (NewSouth Publishing, 2012) 5.

<sup>257</sup> Gianni Zappalà and Stephen Castles, 'Citizenship and immigration in Australia' in TA Aleinikoff and D Klusmeyer (eds) *From Migrants to Citizens: Membership in a Changing World* (Carnegie Endowment for International Peace, 2000) 32, 35.

<sup>258</sup> Labour market segmentation is a 'historical process whereby political-economic forces encourage the division of the labor market into separate sub-markets, or segments, distinguished by different labour market characteristics and behavioural rules': Michael Reich, David M Gordon and Richard C Edwards 'Dual labor markets: a theory of labor market segmentation' (1973) 63(2) *American Economic Review* 359, 359.

<sup>259</sup> Jatinder Mann, "'Leaving British traditions": integration policy in Australia, 1962-1972' (2013) 59(1) *Australian Journal of Politics & History* 47, 47.

<sup>260</sup> Galligan and Roberts, above n 223, 80.

funding for education, public housing, language training and employment counselling for NESB migrants. In the legal field, being a British subject resident in Australia no longer provided automatic grant of Australian citizenship and the passing of the *Racial Discrimination Act 1975* (Cth) recognised the status of migrant groups, thus creating a legal apparatus of anti-discrimination.<sup>261</sup>

After 1975, Malcolm Fraser's Liberal-Country coalition government embraced multiculturalism with greater emphasis on the importance of ethnic organisations in service delivery. The 1978 Galbally report, *Migrant Services and Programs*,<sup>262</sup> which was chaired by a Melbourne barrister, Frank Galbally, emphasised the importance of cultural recognition in maintaining social cohesion within the growing cultural and ethnic diversity in Australia. It was also during the Fraser years that neoliberal practices started to creep in, in terms of restructuring social and migrant services to accommodate the principles of privatisation and the gradual dismantling of the Australian welfare-state system. As the Galbally report claimed, 'self-help should be encouraged' to ensure migrants 'become self-reliant quickly'.<sup>263</sup> Fraser inaugurated a period of government whereby the ethnic identity and cultural heritage of migrants were encouraged, provided NESB migrants subscribed to the overarching values of equality, freedom, the rule of law and tolerance which reflected Australia's British heritage and political institutions.<sup>264</sup> As seen above, this cultural uniformity against non-white immigration was embedded in law and policy such as those that excluded Asian immigrants.

The Labor governments of Bob Hawke and Paul Keating (1983–1996) were a period when Australian multiculturalism was greatly transformed. During this period, Australia embarked in a coherent and deliberate fashion on implementing the state project of neoliberalism through financial deregulation, trade liberalisation and privatisation of public enterprises.<sup>265</sup> As I explained in Chapter 2, the third-way approach that was employed in the UK and the United States was similar to the Hawke-Keating strategy of neoliberalisation, which 'fused economic globalisation with a socially progressive agenda based on moderate welfare provisions and cosmopolitan and pluralistic national identities'.<sup>266</sup>

The 1988 Fitzgerald report, *Immigration: A Commitment to Australia*,<sup>267</sup> headed by Dr Stephen Fitzgerald, a scholar in Asian history and culture, became a blueprint for recommending large-scale

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<sup>261</sup> Southphomasane, above n 256, 13.

<sup>262</sup> See Commonwealth of Australia, *Migrants Services and Programs: Report of the Review of Post-arrival Programs and Services for Migrants* (Australian Government Publishing, 1978).

<sup>263</sup> Ibid 2.

<sup>264</sup> Giancarlo Chiro, 'From multiculturalism to social inclusion: the resilience of Australian national values since Federation' in Fethi Mansouri and Michelle Lobo (eds) *Migration, Citizenship and Intercultural Relations: Looking Through the Lens of Social Inclusion* (Ashgate, 2011) 13, 22.

<sup>265</sup> Damien Cahill, 'The contours of neoliberal hegemony in Australia' (2007) 19(2) *Rethinking Marxism* 221, 229.

<sup>266</sup> Walsh, 'The marketization of multiculturalism' above n 180, 286.

<sup>267</sup> Committee to Advise on Australia's Immigration Policies, *Immigration: A Commitment to Australia* (Australian Government Publishing, 1988).

immigration to Australia with a sharper focus on economic criteria, whilst retaining a delicate balance between social and economic considerations. Amongst the important recommendations in the report were expansion of the family reunion program, enhancement of the refugee and humanitarian programs, boosting the overall migration annual intake to 150,000 a year and better provision of services to NESB migrants.<sup>268</sup> However, the consensus on multiculturalism was not widely accepted and serious criticism emerged as a result of the 1988 report. Geoffrey Blainey, a historian from the University of Melbourne, lambasted the idea of multiculturalism as a 'thorough sham' that 'has quietly become a sophisticated form of racism which, in the dubious name of equality, subsidises certain ethnic groups at the expense of others'.<sup>269</sup> In June 1988, the leader of the opposition, John Howard, took up Blainey's criticism and, speaking at the National Press Club, branded multiculturalism an 'aimless divisive policy' and pushed for a 'One Australia' post-arrival strategy whereby Australian culture and values took precedence over cultures of origin.<sup>270</sup> It was at the time when Howard was elected Prime Minister in 1996 and heightened public anxiety about multiculturalism and race issues in general.

The ascendancy of Howard's Liberal-National coalition government (1996–2007) marked the end of a long period of bipartisanship and consensus by the major parties on aspects of multiculturalism, immigration, settlement and Aboriginal issues.<sup>271</sup> Howard avoided using the 'M' word in his speeches and in the joint parliamentary resolution rejecting racism that was passed in 1996.<sup>272</sup> Instead, he persisted in advocating for Australian traditions and national unity. In cultural terms, Howard's version of multiculturalism was centred on the idea of recognising diversity, not the collectivity of different cultures, but a more pluralistic national culture that was predominantly English-speaking and derived from British migrants. In policy terms, this meant that multiculturalism was about respecting Australia's liberal democratic values and political institutions. These trends were demonstrated by the rise of Pauline Hanson's One Nation party, which vehemently opposed multiculturalism and immigration on the basis that migrants 'do not assimilate' but, rather, promote separatism and disunity.<sup>273</sup>

To address public anxiety regarding the government's inability to control immigration, Howard introduced an overhaul of the skilled migration program based on neoliberal policy, to selectively seek highly skilled and young professionals, executives and entrepreneurs centred on particular skills, competitiveness and economic benefits. As I demonstrated in Chapter 2, migrants

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<sup>268</sup> See the Committee's recommendations: *ibid* 119–27.

<sup>269</sup> Geoffrey Blainey, *The Australian*, 30 April 1988.

<sup>270</sup> Galligan and Roberts, above n 223, 90.

<sup>271</sup> Andrew Markus, *Race: John Howard and the Remaking of Australia* (Allen & Unwin, 2001) 39.

<sup>272</sup> Galligan and Roberts, above n 223, 93.

<sup>273</sup> See Pauline Hanson's maiden speech in the House of Representatives, 10 September 1996. Available at: [www.smh.com.au/politics/federal/pauline-hansons-1996-maiden-speech-to-parliament-full-transcript-20160915-grgfv3.html](http://www.smh.com.au/politics/federal/pauline-hansons-1996-maiden-speech-to-parliament-full-transcript-20160915-grgfv3.html).

are selected according to attributes that are indicative of successful integration and economic contributions such as age, education, work experience and English language ability. Under Howard's calculative approach, the idea of citizenship based on idealised expressions of a national identity ('Britishness') was transformed into an instrumental and market-oriented effort.<sup>274</sup>

At present, Howard's approach has endured and remained entrenched in the Rudd/Gillard administrations (2007–2013) until the current Liberal coalition governments of Tony Abbott (2013–2015), Malcolm Turnbull (2015–2018) and Scott Morrison (August 2018 to present). In the government's most recent discussion paper on the Migration Programme for 2018–2019, it continues to embrace a calculative approach in attracting and retaining 'highly skilled people who have the most to contribute to Australia'.<sup>275</sup>

Over the past decades, Australia has witnessed the restructuring of multiculturalism and immigration/citizenship practices, which has led to a narrowly defined conception of national belonging and the re-emergence of a xenophobic national discourse. The implementation of a tougher border control policy after the terrorist attack of 9/11 and the *Tampa* affair<sup>276</sup> has become the official state policy in terms of keeping away refugees and asylum seekers from Australian shores, as well as Australia's tough stance on counter-terrorism, particularly towards those of Muslim backgrounds. This resulted in the introduction of the so-called 'Pacific Solution' where islands off the northern coasts of Australia were excised from the migration zone and agreements were reached with Papua New Guinea and Nauru to establish detention centres on their territories where asylum seekers could be processed.<sup>277</sup> Anne McNevin argues that border policing is aligned with neoliberal imperatives, in that detention centres are accordingly 'recast as market demand for the product supplied by a corrections-industrial complex and as part of the daily transactions that factor into measures of local and global economic growth'.<sup>278</sup>

The 'contractualisation' of state–society relations, as seen in Chapter 2, reveals the dwindling of an inclusive idea of citizenship that is based on rights and entitlements to a more calculated, contractual idea of duties and obligations. Such state policies reflect a reduction of the ideals and practice of citizenship, which also highlights the tensions in Australian citizenship's future in the globalised world.

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<sup>274</sup> Walsh, 'The marketization of multiculturalism', above n 180, 295.

<sup>275</sup> See Department of Home Affairs (DHA) *Managing Australia's Migration Intake* (Discussion Paper) 3. Available at: [www.homeaffairs.gov.au/ReportsandPublications/Documents/discussion-papers/managing-australias-migrant-intake.pdf](http://www.homeaffairs.gov.au/ReportsandPublications/Documents/discussion-papers/managing-australias-migrant-intake.pdf).

<sup>276</sup> In August 2001, the Howard Government refused permission for the Norwegian freighter *MV Tampa* carrying 438 refugees (predominantly Hazaras from Afghanistan) rescued from a distressed fishing vessel in international waters to enter Australian waters: for detailed facts of the case, see *Victorian Council for Civil Liberties Inc v Minister for Immigration and Multicultural Affairs* (2001) 110 FCR 452.

<sup>277</sup> For a detailed discussion of the Tampa affair and the policy behind the Pacific Solution, see David Marr and Marian Wilkinson, *Dark Victory* (Allen & Unwin, 2003).

<sup>278</sup> Anne McNevin, *Contesting Citizenship: Irregular Migrants and New Frontiers of the Political* (Columbia University Press, 2011) 84.

### 3.2.4 The Filipino diaspora in Australia

Before I discuss the construction of the neoliberal migrant-citizen subject in the Philippines, it is important to briefly describe the history of Filipino migration to Australia in order to identify the patterns of migration and issues that confront the Filipino diaspora in Australia. The concept of the 'Filipino diaspora' will be further explored in the next chapter of the thesis (Chapter 4) in relation to the reconceptualisation of citizenship through the lens of Filipino diaspora activism.

The latest census in 2016 recorded 246,400 Filipinos (Philippine-born people) in Australia, with an increase of 43.8 per cent (171,233 Filipinos) from the 2011 census.<sup>279</sup> The 2011 census showed that New South Wales had the largest number with 70,388, followed by Victoria (38,002), Queensland (29,462) and Western Australia (17,231).<sup>280</sup> But, historically, the presence of Filipinos in Australia can be traced back to the late 1860s, when Filipino seamen arrived in Western Australia to join its booming pearl industry, moving across northern Australia, particularly in the Torres Strait, as opportunities arose.<sup>281</sup> From the late 1870s, mass indenture began to flourish within the pearl industry<sup>282</sup> and, like many Pacific Islanders recruited to work on the Queensland sugar plantations, Filipinos living on Thursday Island 'provided the impetus for Thursday Island's development and supported its various businesses either directly or indirectly'.<sup>283</sup> From the mid-1890s, the Filipino population in the region began to decrease because of the introduction of restrictive legislation in 1901 and the falling market demand for pearl shell, resulting in a decline in Filipino settlers in Australia.<sup>284</sup>

From the turn of the twentieth-century, the number of Filipinos in Australia remained small and none appeared in the census until 1911, when 444 Filipinos were listed as residing in New South Wales, Victoria, Queensland, Western Australia and the Northern Territory.<sup>285</sup> By the 1947 census, there were only 141 Filipinos in Australia.<sup>286</sup> In the 1950s, the first wave of Filipino migrants to

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<sup>279</sup> Australian Bureau of Statistics, *Migration, Australia, 2015–2016*. Available at: <http://www.abs.gov.au/ausstats/abs@.nsf/Previousproducts/3412.0Main%20Features12015-16?opendocument&tabname=Summary&prodno=3412.0&issue=2015-16&num=&view=>.

<sup>280</sup> Department of Immigration and Citizenship (DIAC), *Community Information Summary: Philippines-born* (Commonwealth of Australia, 2011) 1.

<sup>281</sup> Renato Perdon, 'First Filipino settlement in Australia' in *Footnotes to Philippine History* (Manila Prints, 2008) 135, 136.

<sup>282</sup> For a more detailed account of the mass indenture of early Filipinos on Thursday Island, see Anna Shnukal, 'They don't know what went on underneath: three little-known Filipino/Malay communities of Torres Strait' in Anna Shnukal, Yuriko Nagata and Guy Ramsay (eds) *Navigating Boundaries: The Asian Diaspora in the Torres Strait* (Pandanus Books, 2004) 81, 85–88.

<sup>283</sup> Anna Shnukal, 'A double exile: Filipino settlers in the outer Torres Strait islands, 1870s–1940s' (2011) 35 *Aboriginal History* 161, 162.

<sup>284</sup> *Ibid* 163.

<sup>285</sup> Perdon, above n 281, 145–46.

<sup>286</sup> DIAC, above n 280, 1.

Australia began when Filipino students started to arrive under the Colombo Plan.<sup>287</sup> Many of these Filipinos settled in the country after they completed their studies. The end of the White Australia policy in 1973, together with the 1972 declaration of martial law in the Philippines (which I discuss below), encouraged the migration of a wider group of Filipinos, mainly middle-class Filipinos.<sup>288</sup>

From the late 1970s until the late 1980s, a second wave of Filipino migration to Australia through mixed marriages or so-called 'mail-order brides'<sup>289</sup> resulted in a dramatic increase in Filipinos (mainly Filipino women) in Australia. For instance, in the year 1979–80, only 600-plus Filipinas migrated to Australia; however, in 1987–88, the figure increased threefold to 2,200 in less than a decade.<sup>290</sup> As a result of this phenomenon, much has been written concerning the reasons for and outcomes of Filipina–Australian marriages.<sup>291</sup> The issue of family violence is pertinent in this area and there are studies that show the emotional and physical abuse of Filipina wives is a significant issue facing the Filipino community in Australia.<sup>292</sup> The reasons and motivations for the marriage migration of Filipino women are diverse and complex<sup>293</sup> and, like most Filipino migrants, their motivations for migration are not solely economic reasons alone, but a combination of established networks, alternative lifestyles, improved standard of living and escaping political persecution.<sup>294</sup>

From the mid-1990s until the present period, we can see a steady increase in Filipino migration to Australia because of the demand for skilled migrants to address deficiencies in the Australian labour market. This third wave of Filipino arrivals has flowed from the second and includes children, siblings and parents who have been sponsored by kin already settled in Australia.<sup>295</sup> Sponsorship can be made via family relationships through General Skilled Migration (GSM) or via employer/company sponsorship through the new 482 TSS visa scheme and the associated Employer Nomination Scheme (ENS) PR visa.

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<sup>287</sup> The Colombo Plan established in 1950 was an initiative to export education through a scheme designed to assist a number of Asian countries to develop the capacity for integral nation-building.

<sup>288</sup> Cirila Limpangog, 'Migration as a strategy for maintaining a middle-class identity: the case of professional Filipino women in Melbourne' (2013) 6(2) *Australian Journal of South-East Asian Studies* 307, 311.

<sup>289</sup> The term 'mail-order brides' in this context refers to 'the pejorative image which has come to stand for women who are Philippine nationals marrying Australians': Kathryn Robinson, 'Of mail-order brides and "boys' own" tales: representations of Asian–Australian marriages' (1996) 52 *Feminist Review* 53, 53.

<sup>290</sup> RT Jackson, 'Filipino migration to Australia: the image and a geographer's dissent' (1989) 27(2) *Australian Geographical Studies* 170, 171.

<sup>291</sup> See Nicole A Woelz-Stirling, Margaret Kelaher and Lenore Manderson, 'Power and politics of abuse: rethinking violence in Filipina–Australian marriages' (1998) 19(4) *Health Care for Women International* 289; and Cleonicki Saroca, 'Filipino women, migration and violence in Australia: lived reality and media image' (2006) 21(1) *Kasarinlan: Philippine Journal of Third World Studies* 75.

<sup>292</sup> See, generally, Cunneen and Stubbs, above n 44.

<sup>293</sup> Woelz-Stirling, Kelaher and Manderson, above n 291, 293.

<sup>294</sup> Limpangog, above n 288, 313–22.

<sup>295</sup> Grace Soriano, 'Filipino families in Australia' in Robyn Hartley (ed) *Families and Cultural Diversity in Australia* (Allen & Unwin, 1995) 96, 97.



The nature of Filipino migration in Australia, as well as Australia's overall migration intake, have dramatically changed since the introduction of the 457 visa scheme (Chapter 2). Since 2005, the Philippines has consistently been among the top five source countries, rising as high as Australia's third largest source of temporary migrant workers.<sup>296</sup> According to the latest Australian Government report, the Philippines had the third largest number 457 visa applicants (5.6% of total applicants) behind the UK and India respectively for applications granted in the 2017–18 program year to 31 March 2018.<sup>297</sup> Yet the 457 visa scheme was fraught with many issues of exploitation and abuse of Filipino temporary migrant workers in Australia.<sup>298</sup> It is clear that Australia's 457 visa scheme and the need for flexible labour are part of this new form of neoliberal citizenship, which links migration status and particular skills and entrepreneurship of would-be migrants and citizens in Australia.

To sum up, the inherent tension between inclusion and exclusion, between belonging and alienage within the nature and conception of membership in the Australian polity, is apparent in the above discussion. This tension creates inconsistencies and contradictions in the way the concept and practice of Australian citizenship have developed and have been constructed in the context of multiculturalism and the rise of neoliberalism in Australia since the 1970s. As I explored in Chapter 2, the situation of migrants, particularly migrant workers, is typical of this contradictory state policy and practice when it comes to the question of inclusion and exclusion of migrant groups in the neoliberal context. In the next section, I explore how the Philippine state, on the other hand, has constructed an ideal migrant-citizen subject that produces a new type of citizenship that masks how the Philippine state has reshaped its relation to its citizens under conditions of neoliberal globalisation.

### 3.3 The Philippines: labour brokerage<sup>299</sup> and the 'new national heroes'

The Philippines is currently one of the largest suppliers of labour migrants in Asia and around the world. Overseas Filipino workers, often referred to as OFWs, are the Philippines' largest export, with an annual deployment of around 2.1 million OFWs around the world.<sup>300</sup> The number of

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<sup>296</sup> Justin Peñafiel, 'Regulating migration to Australia and back to the Philippines: applying a "diaspora strategies" framework' (2015) 36 *Singapore Journal of Tropical Geography* 201, 204.

<sup>297</sup> Department of Home Affairs (DHA), *Temporary resident (skilled) report* (at 31 March 2018) 6. Available at: <[www.homeaffairs.gov.au/ReportsandPublications/Documents/statistics/457-quarterly-report-31032018.pdf](http://www.homeaffairs.gov.au/ReportsandPublications/Documents/statistics/457-quarterly-report-31032018.pdf)>.

<sup>298</sup> See in particular the news article by Ben Schneiders, 'Debts cripple visa dreams', *The Saturday Age*, 29 June 2013.

<sup>299</sup> This term has been used by Robyn Magalit Rodriguez in her book *Migrants for Export: How the Philippine State Brokers Labor to the World* (University of Minnesota Press, 2010) to denote the neoliberal strategy used by the Philippine state to actively mobilise and govern its citizens to work abroad.

<sup>300</sup> This is based on the latest data report: Philippine Overseas Employment Administration (POEA) *Overseas Employment Statistics: Deployed Overseas Filipino Workers 2015–2016*. Available at: <[www.poea.gov.ph/ofwstat/compendium/2015-2016%20OES%202.pdf](http://www.poea.gov.ph/ofwstat/compendium/2015-2016%20OES%202.pdf)>.

Filipinos going overseas to work continues to rise and officially reached 10.2 million in 2013,<sup>301</sup> generating an annual remittance of US\$25.6 million to the Philippine economy in 2015.<sup>302</sup> Each day, an estimated 3,000 Filipinos leave the country, which is roughly a million a year.<sup>303</sup> Around two-thirds of all overseas Filipinos (5.4 million) are in North America or the Middle East, with over half in the United States (2.7 million or 33.1%), Saudi Arabia (1.1 million or 12.4%) and Canada (437,930 or 5.3%).<sup>304</sup> Permanent migration is particularly concentrated in the three English-speaking countries of the United States, Canada and Australia.<sup>305</sup> Of the total number of overseas Filipinos, just over 10 per cent are categorised as irregular migrants.<sup>306</sup> Since 1993, women have outnumbered men among land-based<sup>307</sup> legal migrants, and are heavily predominant in the flow of entertainers to Japan and domestic workers to Singapore and Hong Kong.<sup>308</sup>

For this reason, succeeding Philippine governments have called OFWs the ‘new national heroes’.<sup>309</sup> This description has promoted the idea of citizenship that flows from overseas Filipinos and which carries abroad the particular duties of a Philippine citizen towards their home state. This section outlines this particular heroic notion of Philippine citizenship and the legacy of a ‘racialised citizenship’<sup>310</sup> in the Philippines under US colonial administration. My aim is to situate the construction of the Filipino migrant-citizen subject on a historical continuum that pervades Philippine state practices of transforming Filipinos as an ‘ideal type’ of citizen. This image thus

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<sup>301</sup> This is the latest available figure of OFWs around the world: Commission on Overseas Filipinos (CFO), *Stock Estimate of Overseas Filipinos* (December 2013). Available at: <<http://cfo.gov.ph/downloads/statistics/stock-estimates.html>>.

<sup>302</sup> Central Bank of the Philippines, *Overseas Filipinos Remittances*, available at: <[www.bsp.gov.ph/statistics/keystat/ofw.htm](http://www.bsp.gov.ph/statistics/keystat/ofw.htm)>.

<sup>303</sup> E San Juan Jr, *Filipinos Everywhere: Displaced, Transported Overseas, Moving On in the Diaspora* (IBON Books, 2006) v.

<sup>304</sup> IBON, ‘OFWs, remittances and Philippine underdevelopment’ in *International Migrants Alliance: 2008 Founding Assembly Documents* (IBON Books, 2008) 35, 38.

<sup>305</sup> Ibid 38.

<sup>306</sup> Graziano Battistella and Maruja MB Asis, ‘Irregular migration: the underside of the global migration of Filipinos’ in Graziano Battistella and Maruja MB Asis (eds) *Unauthorized Migration in Southeast Asia* (Scalabrini Migration Center) 35.

<sup>307</sup> Filipino seafarers (shipping and fishing), who comprise above 255,000 worldwide, are by far the largest group of OFWs: Steven C McKay, ‘Filipino sea men: identity and masculinity in a global labor niche’ in Rhacel S Parreñas and Lok C D Siu (eds) *Asian Diasporas: New Formations, New Conceptions* (Stanford University Press, 2007) 63, 63.

<sup>308</sup> Battistella, ‘Multi-level policy approach in the governance of labour migration: considerations from the Philippine experience’ (2012) 40 *Asian Journal of Social Sciences* 419, 424.

<sup>309</sup> President Corazon ‘Cory’ Aquino first referred to OFWs as ‘new heroes’ in a speech she gave in 1988 to a group of domestic helpers in Hong Kong, telling them, ‘*Kayo po ang mga bagong bayani*’ (“You are the new heroes”).

<sup>310</sup> The notion of ‘racialised citizenship’ is based on the passage in 1790 of the first federal statute on citizenship, which limited naturalisation to ‘free white’ aliens, while Filipinos and other Asians were subjected to the same prohibition from US citizenship for not being ‘white’, or even ‘black’: see Filomeno V Aguilar Jr, ‘The riddle of the alien-citizen: Filipino migrants as US nationals and the anomalies of citizenship, 1900s–1930s’ (2010) 19(2) *Asian and Pacific Migration Journal* 203, 213–14.

reconfigures the idea of citizenship, for the purpose of brokering migrant labour, under the tutelage of neoliberal governmentality.

### 3.3.1 Neither citizen nor alien: the legacy of racialised citizenship under American colonialism

It is first important to situate Philippine citizenship within the historical context of the American colonialism in the Philippines. This is significant because, in the Philippine context, the idea of citizenship has become a means by which the state, and historically the colonial ruler, exerts control as the authoritative custodian of the 'unruly' colonial subject. Here, it will be argued that the American colonial administration in the Philippines imposed a model of 'racialised citizenship' whereby America as the colonial master devised its own system of exclusion of its territorial subjects. The practice of citizenship under American colonial rule had its own peculiarly complicated history, one that can be seen as excluding Filipinos from full US citizenship when America was the colonial administrator of the Philippines before the country's independence in 1946.

The United States declared war against Spain in 1898 and, to end the Spanish–American war, the Treaty of Paris was signed on 10 December 1898 in which Spain gave up the territorial possession of the Philippines to the United States, including Cuba, Guam and Puerto Rico.<sup>311</sup> Under the Treaty, both native (Filipinos) and Spanish subjects who did not exercise their option to leave the Philippines but remained in the country and adopted the nationality of the Philippines were considered citizens of the Philippines. But those Spanish subjects who remained in the Philippines and declared before a court of record their intention to preserve their allegiance to Spain within a year and a half of the date of ratification of the Treaty retained their Spanish nationality.<sup>312</sup> This meant that, upon ratification, the civil and political rights of Filipinos were yielded to the United States, thereby ceasing them also to be Spanish subjects. But ceding to the United States did not mean that Filipinos became full American citizens. The position of Filipinos in the Philippines, and also in the United States, was that they were neither 'citizens' nor 'aliens'. They were called 'US nationals', which denoted a colonial subject who owed allegiance to the American flag and who could, concomitantly, travel freely within the territories of the United States.<sup>313</sup> Filipinos enjoyed freedom of movement within American territories but they were not American citizens, which excluded them from voting rights.

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<sup>311</sup> Luzviminda Francisco, 'The Philippines–American war' in Daniel B Schirmer and Stephen Roskamm Shalom (eds) *The Philippines Reader: A History of Colonialism, Neocolonialism, Dictatorship, and Resistance* (Boston: South End Press, 1978) 8, 9.

<sup>312</sup> See *Treaty of Peace Between the United States of America and the Kingdom of Spain* (10 December 1898) art IX (also known as the 'Treaty of Paris of 1898').

<sup>313</sup> Mae M Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton University Press, 2004) 96.

One justification for this ambiguous status was the belief that these new territories, or in legal terms 'unincorporated territories',<sup>314</sup> were inhabited by backward races incapable of self-rule. The then President of the United States, William McKinley, saw the American mission to the Philippines as one of 'benevolent assimilation', as in 1898 he stated:

We come, not as invaders or conquerors, but as friends, *to protect* the natives in their homes, in their employments, and in their personal and religious rights. All persons who, either by active aid or by honest submission, co-operate with the Government of the United States to give effect to these beneficent purposes will receive the reward of its *support and protection* ... that the mission of the United States is one of *benevolent assimilation* substituting the mild sway of justice and right for arbitrary rule.<sup>315</sup>

Before the ratification of the Treaty of Paris in 1898, debates amongst US politicians in the Congress continued as to whether or not Filipinos were really 'subjects' of the colonial government and therefore 'nationals' of the United States who might owe allegiance to America. In particular, Charles Magoon, the law officer of the Division of Insular Affairs of the War Department, asserted that the Philippines was excluded from the territory of the United States and 'That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex the said islands as an integral part of the United States'.<sup>316</sup>

Filipinos migrating to the United States had been the focal issue during the debate over the annexation of the Philippines, as politicians feared that keeping the Philippines would introduce another 'race problem' into American society. It was intended that the inhabitants of the Islands were meant to be excluded from full US citizenship because, unlike their Puerto Rican counterparts, who in 1917 were given the means to acquire US citizenship through naturalisation,<sup>317</sup> Filipinos were seen as 'inassimilable to American society, and the Philippines itself was destined for non-integration with the United States'.<sup>318</sup> As a result, Filipinos' exclusion from US citizenship came down to the issues of race and restrictive immigration to the US mainland.

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<sup>314</sup> This legal category came from the Court rulings beginning in 1901 in the so-called *insular cases*, which freed the United States from the promise of eventual statehood and, with it, equal status and full citizenship rights of the inhabitants of the new territories. For discussion of the *insular cases*, see Efren Rivera Ramos, 'The legal construction of American colonialism: the insular cases (1901-1922)' (1996) 65 *Revista Juridica Universidad de Puerto Rico* 225.

<sup>315</sup> See President William McKinley's Benevolent Assimilation Proclamation on 21 December 1898, available at: <[www.msc.edu.ph/centennial/benevolent.html](http://www.msc.edu.ph/centennial/benevolent.html)> (emphasis added).

<sup>316</sup> Charles Magoon (1900) quoted in Aguilar, above n 310, 211-12.

<sup>317</sup> On 2 March 1917, President Woodrow Wilson signed the *Jones-Shafroth Act*, also known as the *Jones Act of 1917*. This law basically gave US citizenship to Puerto Ricans. For a general discussion of US citizenship in Puerto Rico, see Charles Venator-Santiago, *United States Citizenship in Puerto Rico, A Short History* (University of Connecticut, 2010), available at: <[www.cga.ct.gov/lprac/pages/LPRAC\\_IPRLS\\_PRCit\\_FinalReport\\_2010\\_R4.pdf](http://www.cga.ct.gov/lprac/pages/LPRAC_IPRLS_PRCit_FinalReport_2010_R4.pdf)>.

<sup>318</sup> Aguilar, above n 310, 212.

The questions of 'race' and 'immigration' had become significant concerns for the American colonial government because of the growing anti-Chinese sentiment at the time, which included Filipinos and people of other Asian origins. Similar to the Australian situation in the late nineteenth century, the American political community had also been 'racialised' since the passage of the *Naturalization Act of 1790*, which limited 'naturalisation' only to 'free white' aliens.<sup>319</sup> When the United States took over the Philippines in 1898, one of the first significant acts undertaken by Brigadier General Elwell Stephen Otis<sup>320</sup> was to extend the reach of the application of the *Chinese Exclusion Act of 1882* from the US mainland to the Philippine Islands.<sup>321</sup> The main reason for this was fear that the Philippines could become a staging point or backdoor entry for Chinese people to enter the United States. Hence, Filipinos were excluded from US citizenship not only because of the fear of Filipino immigrants coming to the US mainland, but also because of the fear that Chinese immigrants could gain access to US citizenship if Filipinos could become citizens of the United States.

As mentioned earlier, Filipinos owed allegiance to America, but they did not have full rights as citizens either of the Philippines or of the United States. The notion of Philippine citizenship gained legal significance only because of the grant of protection by the United States with the passing of the *Philippine Organic Act of 1902*,<sup>322</sup> which provided the first codification of Philippine citizenship. In the Act, it stipulated that all inhabitants of the Philippine Islands, including their children born on or after 11 April 1899, were deemed to be 'citizens of the Philippine Islands and as such entitled to the *protection* of the United States'.<sup>323</sup> Before 1898 and under Spanish colonial rule, there was no such term as 'Philippine citizens' but inhabitants of the islands were considered to be 'subjects of Spain' or 'Spanish subjects'. But the growing number of Filipino migrants to the United States at the turn of the twentieth century meant that their legal status in America as 'nationals' was a 'second class citizenship'. For instance, Filipinos were refused admittance to hotels, restaurants, swimming pools and other public places, which carried signs on doors and entrances that made declarations such as 'Positively No Filipinos Allowed'.<sup>324</sup>

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<sup>319</sup> See *Naturalization Act of 1790, An Act to Establish an Uniform Rule of Naturalization* (enacted March 26, 1790) s 1. Available at: <<http://legisworks.org/sal/1/stats/STATUTE-1-Pg103.pdf>>.

<sup>320</sup> General Otis was appointed on 28 August 1899 the Military Governor of the Philippines and headed the military government in the country until it was abolished in July 1902, after which the civil Governor-General became the sole executive authority in the Philippines.

<sup>321</sup> *The Chinese Exclusion Act of 1882* was passed by the US Congress and was the first significant law that restricted immigration into the United States of an ethnic working group that excluded or limited by quota immigration of Chinese and other people from Asian nations.

<sup>322</sup> See *Philippine Organic Act of 1902, An Act Temporarily to Provide for the Administration of the Affairs of the Civil Government in the Philippine Islands, and for Other Purposes* (enacted by 57th Congress of the United States of America, First Session, 1902). Available at: <[www.gov.ph/constitutions/the-philippine-organic-act-of-1902/](http://www.gov.ph/constitutions/the-philippine-organic-act-of-1902/)>.

<sup>323</sup> *Ibid* s 4 (emphasis added).

<sup>324</sup> Yen Le Espiritu, *Homebound: Filipino American Lives across Cultures, Communities, and Countries* (Ateneo de Manila University Press, 2008) 46.



The number of Filipinos in the United States grew in the 1920s and 1930s because of the economic need for cheap labour that could not be filled by other Asian groups, like the Chinese, who were excluded under earlier exclusion law.<sup>325</sup> As US nationals, Filipinos could therefore bypass these legal impediments and became the focus of organised labour recruitment programs in the 1920s. For instance, Filipino peasants were recruited by the Hawaiian Sugar Planters Association as cheap contract labour. As the Great Depression of the 1930s loomed, Filipinos in the United States were the target of widespread oppression and racism.<sup>326</sup> However, US citizenship law<sup>327</sup> at the time barred Filipinos and other Asian groups from becoming citizens, because the law contained no provision for the naturalisation of the newly invented category of persons known as US nationals.<sup>328</sup> The only persons who could be admitted to US citizenship were ‘free white persons’ and ‘persons of African descent’.<sup>329</sup>

During the Great Depression, US labour groups called for the exclusion of Filipinos from the United States. Congressman Richard Joseph Welch of California became the leading proponent of the exclusion of Filipinos in America, arguing that they should be placed in the category of ‘alien peoples’ rather than nationals because of their threat to ‘national, historical order’.<sup>330</sup> The exclusionists found a tactical opportunity, a change of tone, in the drive for Philippine independence so that Filipinos, now residents and citizens of an independent country rather than the US territories, would no longer have the privilege of unrestricted entry to the United States. Thus, in 1934, the US Congress passed the *Tydings–McDuffie Act of 1934* (the 1934 Act).<sup>331</sup> This law provided for the self-government of the Commonwealth of the Philippines and also for the eventual independence of the country after a period of 10 years. However, the law also converted all Filipinos, including those who were living in the United States, from being US nationals to becoming ‘aliens’ for the purpose of immigration to America and its territories.<sup>332</sup> The passage of the 1934 Act created a lot of uncertainty for thousands of Filipinos living in America, and also limited migration of Filipinos to

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<sup>325</sup> See *Chinese Exclusion Act of 1882*, which banned immigration of labourers from China.

<sup>326</sup> E San Juan Jr, ‘Parallel lives: Carlos Bulosan and Philip Vera Cruz’ in *Balibayang Sinta: An E San Juan Reader* (Ateneo de Manila University Press, 2008) 73, 74.

<sup>327</sup> See *Naturalization Act of 1870* (16 Stat 254).

<sup>328</sup> Rick Baldoz and Cesar Ayala, ‘The bordering of America: colonialism and citizenship in the Philippines and Puerto Rico’ (2013) 25(1) *Centro Journal* 76, 86.

<sup>329</sup> See revised statute, *Naturalization Act of 1906* (34 Stat 956) s 8. The intention of the provision ‘persons of African descent’ was to serve largely as a ‘political gesture’ to a ‘ripened public opinion’ on black rights, rather than a sincere policy to attract African migration to America: see Xi Wang, *The Trial of Democracy: Black Suffrage and Northern Republicans, 1860–1910* (University of Georgia Press, 1997) 76.

<sup>330</sup> Ruby C Tapia, “‘Just ten years removed from a bolo and a breech-cloth’: the sexualization of the Filipino ‘menace’” in Antonio T Tiongson Jr, Edgardo V Gutierrez and Ricardo V Gutierrez (eds) *Positively No Filipinos Allowed: Building Communities and Discourse* (Temple University Press, 2006) 61, 66.

<sup>331</sup> Officially known as the *Philippine Independence Act (Tydings–McDuffie Act) 1934, An Act to Provide for the Complete Independence of the Philippine Islands, to Provide for the Adoption of a Constitution and a Form of Government for the Philippine Islands, and for Other Purposes* (enacted by 73rd US Congress on 24 March 1934). Available at: [www.legisworks.org/congress/73/publaw-127.pdf](http://www.legisworks.org/congress/73/publaw-127.pdf).

<sup>332</sup> *Ibid* s 8.

the United States to a mere 50 people a year.<sup>333</sup> It gave many Filipinos in America no clear status in relation to their right to stay permanently, especially those who had been in America before the passage of the Act. The legal consequences were devastating because such legal and political measures could strip away rights and entitlements for many Filipinos who had lived in America for many years.

It would seem that the 'legal status' conferred on Filipinos by the US colonial administration had always been a 'second-class' citizenship. Although Filipinos were treated as nationals of the United States, many were subjected to racism and discrimination both in and outside the Philippines. For instance, thousands of Filipinos were repatriated back to the Philippines from the United States from the mid-1930s to the early 1940s because of this unprecedented and contradictory legal implication of the 1934 Act that affected many Filipinos in America.<sup>334</sup>

Still, the exodus of Filipinos continued after the Second World War in the guise of exchange programs in the United States and other parts of the world such as the US Exchange Visitor Program (EVP) in 1948.<sup>335</sup> The EVP was intended to serve Cold War ideological objectives by providing participants with opportunities to work and study in the United States while receiving a monthly stipend. In a way, this program was similar to the Colombo Plan I described above, which assisted many students to study in Commonwealth countries like Australia. By the 1960s, the majority of participants in the EVP were from the Philippines, and of these Philippine participants many were nurses. In fact, the Philippines became the leading supplier of nurses to America; it was estimated that around 25,000 Filipino nurses migrated to the United States between 1966 and 1985.<sup>336</sup> The EVP was actively used by the Philippine Government in formally recruiting Filipino nurses to America, especially when US immigration law was relaxed and opened up for migration and PR pathways in 1965. Labour transfers from the Philippines were made possible through agreements between the United States and the Philippines.

### 3.3.2 The beginning of the Labour Export Policy (LEP)

The formal institutionalisation of the labour migration program in the Philippines has its roots in changes in the Philippine political economy after the Second World War and the end of direct American colonial rule in the country. Although the Philippines achieved independence in 1946, that independence was in fact limited and heavily circumscribed by many unequal arrangements

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<sup>333</sup> Ibid s 8(1).

<sup>334</sup> Ngai, above n 313, 122.

<sup>335</sup> The US Congress passed the *United States Information and Education Exchange Act of 1948* 'to promote the better understanding of the United States in other countries': see *United States Information and Education Exchange Act of 1948* (62 Stat 6) s 2. Available at: <[www.state.gov/documents/organization/177574.pdf](http://www.state.gov/documents/organization/177574.pdf)>.

<sup>336</sup> Catherine Ceniza Choy, *Empire of Care: Nursing and Migration in Filipino American History* (Duke University Press, 2003) 1.

imposed by the United States through various laws and treaties. The *Bell Trade Act of 1946*, for instance, 'tied the Philippine economy to that of the US by establishing a system of preferential tariffs between the two countries; it placed various restrictions on Philippine government control of its own economy and required the Filipinos to amend their constitution to give a special position to US capital'.<sup>337</sup> Another example was the *Laurel-Langley Trade Agreement of 1954*, which opened the entire range of the economy to large US corporations.<sup>338</sup> Furthermore, the United States maintained its military presence in the Philippines through an agreement to retain military bases throughout the country.<sup>339</sup>

The US influence on the Philippine economy over the next three decades remained significant. In the 1950s, the Philippines adopted an import substitution industrialisation (ISI)<sup>340</sup> strategy which would favour Filipino-run domestic industries. But the success of this ISI program was short-lived. External pressure from the US government was mounting to abolish all protectionist measures by relying on 'stabilisation' loans<sup>341</sup> from US-dominated international finance agencies and the devaluation of the Philippine peso.<sup>342</sup> The effects of de-control and devaluation were disastrous to the Philippine economy. Filipino industries were swallowed up by huge US multinational corporations and unlimited inflows of consumer goods subjected local manufactured goods to steep competition.<sup>343</sup> Also, the ISI strategy was unable to address the growing unemployment due to the limited expansion of ISI industries or to cure the recurring balance of payments because the country was largely import-dependent (oil, machinery, industrial raw materials) and its export base was limited to only traditional export crops like sugar and coconut.<sup>344</sup> The Philippine public external debt was US\$275 million in 1962 and topped US\$2.1 billion in 1972.<sup>345</sup>

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<sup>337</sup> Schirmer and Shalom (eds), above n 311, 87.

<sup>338</sup> Renato Constantino and Leticia R Constantino, *The Philippines: The Continuing Past* (Foundation for Nationalist Studies, 1978) 291.

<sup>339</sup> See *Military Bases Agreement of 1947* (signed on 16 March 1947).

<sup>340</sup> ISI is a nationalist development strategy designed to stimulate domestic production of labour-intensive manufactures which replaces foreign imports with domestic production. ISI generated regular employment in the Philippines and was responsible for the Philippines being rated number one in degree of development in South-East Asia in the 1950s and 1960s: Jose Maria Sison and Julieta De Lima, *Philippine Economy and Politics* (Aklat ng Bayan, 1998) 40.

<sup>341</sup> A stabilisation loan is 'financial assistance [that] helps countries in their efforts to rebuild their international reserves, stabilise their currencies, continue paying for imports, and restore conditions for strong economic growth, while undertaking policies to correct underlying problems': see International Monetary Fund, *Factsheet: IMF Lending*. Available at: <[www.imf.org/About/Factsheets/IMF-Lending?pdf=1](http://www.imf.org/About/Factsheets/IMF-Lending?pdf=1)>.

<sup>342</sup> William J Pomeroy, *An American Made Tragedy: Neo-Colonialism & Dictatorship in the Philippines* (International Publishers, 1974) 39.

<sup>343</sup> Constantino and Constantino, above n 338, 315.

<sup>344</sup> Rene E Ofreneo, 'Growth and employment in de-industrializing Philippines' (2015) 20(1) *Journal of the Asia-Pacific Economy* 111, 114.

<sup>345</sup> Pomeroy, above n 342, 39.



By the mid-1960s, the Philippines had shifted its economic policies from ISI to export-oriented industrialisation (EOI)<sup>346</sup> in order to open up the Philippine market to foreign competition in accordance with the US government's advice. Ferdinand Marcos came to power in 1966 and his government's program was primarily in line with the dominant neoliberal development policies advanced by multilateral institutions like the IMF and the World Bank, which were dominated by US interests. As I explained in the previous chapter (Chapter 2), the early 1970s saw the implementation of neoliberal economic policies in developing countries as part of the new 'anti-inflationary policy'<sup>347</sup> in many developing countries that depended on World Bank credits and IMF support. In the case of the Philippines, the government implemented its first structural adjustment program (SAP)<sup>348</sup> during this period, which was required by the IMF and the World Bank in exchange for loans to support the debt incurred by the end of the first term of the Marcos administration. According to Graziano Battistella, 'the adjustments were designed to move the economy from a capital-intensive and import-substitution model to a labour-intensive and export-oriented path'.<sup>349</sup> But the EOI still left the Philippines struggling with the balance-of-payment requirements and rising unemployment in the country.

In 1972, Marcos declared martial law to suppress growing political unrest in the country and his administration increased its interventionism in the economy, which favoured crony capitalism, also resulting in widespread corruption. At the same time, oil-exporting countries in the Middle East prompted a construction boom that generated demand for labour from the Philippines not only because of the overseas demand, but also because of the dire economic and social conditions in the country. Marcos' rhetoric of the 'New Society'<sup>350</sup> was framed as a means to rectify the social, economic and political problems confronting the country. As James Tyner observes, the declaration of martial law 'enabled the president to give his technocrats a free hand in reorienting the

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<sup>346</sup> EOI is a trade and economic policy that aims to drive the industrialisation process by moving away from small markets associated with import substitution towards more opportunities from export promotion: see Walden Bello, *Revisioning Philippine Industrialization* (Freedom from Debt Coalition, 1992) 8.

<sup>347</sup> For instance, in Argentina in the early 1980s, the government pursued 'anti-inflationary' measures (adjustments in government expenditures, taxation and borrowing, and debt management) that prevented increases in real wages through control of wage demand and weakening of unions: see Paul Cooney, 'Argentina's quarter century experiment with neoliberalism: from dictatorship to depression' (2005) 11(1) *Revista de Economia Contemporânea* 7, 16.

<sup>348</sup> SAP is a policy measure aimed at a deeper and wider liberalisation of the economy through the lowering of tariffs, elimination of trade restrictions, deregulation of major economic sectors and privatisation of government services and assets: Ofreneo, 'Growth and employment in de-industrializing Philippines', 114.

<sup>349</sup> Graziano Battistella, 'Philippine overseas labour: from export to management' (1995) 12(2) *ASEAN Economic Bulletin* 257, 258.

<sup>350</sup> Marcos' 'New Society', which was similar to the Indonesian President Suharto's 'New Order Administration', was a political program that aimed to transform the Philippines into a 'command society' through the instrumentality of emergency powers: Aaron S Klieman, 'Crisis leadership and non-communication: Marcos of the Philippines' (1980) 1(1) *Political Communication* 43, 60.

economy'.<sup>351</sup> This reorientation led to the establishment of the Philippine state labour migration policy.

Marcos formalised and institutionalised the recruitment and out-migration of Filipino workers mainly to the Middle East that shaped what is now known as the Labour Export Policy (LEP). The LEP can be considered the government's most elaborate program that exports labour as a measure to deal with debt crisis and to alleviate balance-of-payment problems via mandatory remittances.<sup>352</sup> It was introduced by Marcos to cope with the consequences of the first oil crisis, during which the state encouraged massive emigration of workers as a 'temporary measure'.<sup>353</sup> But what was envisaged as a temporary stopgap measure became permanent and an important part of the Philippine economic policy.<sup>354</sup> In other words, the LEP became an alternative development strategy for successive Philippine governments, whereby migration evolved from a temporary measure to the point where labour export has become a major part of the export economy.<sup>355</sup> The reason behind the government's reliance on labour export can be traced to its use of and dependence on neoliberal ideologies, which gained momentum during this period.

The LEP was institutionalised in 1974 by *Presidential Decree No. 442*, also known as the 'Labor Code of the Philippines'.<sup>356</sup> As a measure to relieve high unemployment and generate foreign exchange, the law created three state agencies: the Bureau of Employment Services (BES);<sup>357</sup> the Overseas Employment Development Board (OEDB);<sup>358</sup> and the National Seamen Board (NSB).<sup>359</sup> The BES, OEDB and NSB were responsible for market development, recruitment, placement and implementation of the LEP. Two agencies in particular—the OEDB and the NSB—were the government placement agencies for recruitment and deployment of land and sea-based workers respectively, whilst the BES was primarily geared to the regulation and supervision of private recruitment and placement agencies. Direct hiring of Filipino workers by employers was prohibited and remittances of OFWs were mandatory and had to be channelled through the Philippine banking system.<sup>360</sup> In 1982, the Philippine Overseas Employment Administration (POEA), a new government

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<sup>351</sup> Tyner, *Made in the Philippines: Gendered discourses and the making of migrants* (Routledge Curzon, 2004) 29.

<sup>352</sup> Lualhati Roque, 'On the losing end: the migration of Filipino health professionals and the decline of health care in the Philippines' in *Migrant Monitor* (Asia Pacific Mission for Migrants, Hong Kong, December 2005) 23.

<sup>353</sup> David Camroux, 'Nationalizing transnationalism? The Philippine state and the Filipino diaspora' (2008) 152 *Les Etudes du CERI* 1, 18.

<sup>354</sup> M Scott Solomon, 'State-led migration, democratic legitimacy, and deterritorialization: the Philippines' labour export model' (2009) 8(2) *European Journal of East Asian Studies* 275, 286.

<sup>355</sup> Rodriguez, 'Philippine migrant workers', above n 45, 51.

<sup>356</sup> See *Presidential Decree No. 442, A Decree Instituting a Labor Code, Thereby Revising and Consolidating Labor and Social Laws to Afford Protection to Labor, Promote Employment and Human Resources Development and Ensure Industrial Peace Based On Social Justice*. Available at: <<http://pcw.gov.ph/law/presidential-decree-no-442>>.

<sup>357</sup> *Ibid* art 15.

<sup>358</sup> *Ibid* art 17.

<sup>359</sup> *Ibid* art 20.

<sup>360</sup> *Ibid* art 18 and 22 respectively. In terms of mandatory remittances, see *Executive Order No. 857* (December 13, 1982), *Governing the Remittances to the Philippines of Foreign Exchange Earnings of Filipino Workers Abroad and for Other Purposes*. Available at: <[www.lawphil.net/executive/execord/eo1982/eo\\_857\\_1982.html](http://www.lawphil.net/executive/execord/eo1982/eo_857_1982.html)>.

agency, was created to replace the functions of the OEDB and NSB. The main role of the POEA is to manage the documentation of overseas workers, encourage overseas temporary migration, create export markets to promote the employment of Filipino workers abroad and generally manage the outflow of temporary migrants.<sup>361</sup> Thus, over the next two decades, the Philippines has transformed itself into what Robyn Magalit Rodriguez calls a 'labour brokerage state' that actively prepares, mobilises and regulates its citizens for migrant work abroad.<sup>362</sup>

### 3.3.3 Citizenship reconfigured: 'new heroes' and the making of an 'ideal' migrant-citizen

Ultimately, labour export as an institutional policy has reconfigured the notion of Philippine citizenship as a way of 'inclusion' of migrant Filipinos in an 'imagined political community'.<sup>363</sup> This reconfiguration of citizenship has transformed the relationship between the Filipino migrant-citizen and the Philippine state in a way that is 'idealised' and 'imagined' in a popular 'nationalist' discourse of 'heroism' and 'national duties'.<sup>364</sup>

One clear example of this reconfiguration of Philippine citizenship was the passing of the *Overseas Absentee Voting Act of 2003*, coupled with the introduction of *Citizenship Retention and Re-acquisition Act of 2003*, which were both designed to encourage overseas Filipinos to gain dual citizenship to assist them to participate in the Philippine electoral process, as well as to come back to the Philippines to participate in social and economic activities such as local investment and tourism. These laws have introduced powerful symbols of 'national responsibility' that incorporate overseas Filipinos, as exemplified in the notion of *balikbayan* (home returnee),<sup>365</sup> as full members of the Philippine 'nation' who receive special privileges in exchange for their citizenship, despite their geographical/physical distance.<sup>366</sup> Another example is the role of remittances that sustain both migrants' families and the Philippine economy as a whole. Overseas Filipinos are called upon by the Philippine state to continuously invest in economic development projects at 'home' through their remittances and investments.<sup>367</sup> Thus, the state introduced migrants' linkage to their homeland as a 'nationalist duty' to help their family, community or an 'imaginary nation'.

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<sup>361</sup> Solomon, above n 354, 286.

<sup>362</sup> Rodriguez, *Migrants for Export*, above n 299, xiii.

<sup>363</sup> The notion of an 'imagined community' was coined by Benedict Anderson to study the origins of nationalism. He depicts a nation as a socially constructed community, imagined by the people who conceive of themselves as part of that group: Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (Verso, new ed, 2006) 6–7.

<sup>364</sup> Rodriguez, *Migrants for Export*, above n 299, 84–85.

<sup>365</sup> The term can mean an OFW or former Filipino citizen and their family who have been naturalised in a foreign country but return to the Philippines temporarily to visit friends and family.

<sup>366</sup> Cristina Szanton Blanc, 'Balikbayan: a Filipino extension of the national imaginary and of state boundaries' (1996) 44(1/4) *Philippine Sociological Review* 178, 184–85.

<sup>367</sup> Robyn Magalit Rodriguez, 'Migrant heroes: nationalism, citizenship and the politics of Filipino migrant labor' (2002) 6(3) *Citizenship Studies* 341, 343.

Another remarkable illustration of this reconfiguration of citizenship within the popular 'nationalist' discourse is the public outcry over the hanging of Flor Contemplacion, a Filipino domestic worker in Singapore who was convicted of murder by the Singaporean Government in 1995. Because of mounting public pressure, the Philippine Government introduced several measures to protect the rights and welfare of OFWs. The passing of the *Migrant Workers and Overseas Filipino Act of 1995* (the 1995 Migrant Workers Act) signalled a new relationship between the state and emigrant citizens, to whom the state is required to provide welfare and protection.<sup>368</sup> According to Solomon, the introduction of the 1995 Migrant Workers Act signifies that the Philippine state 'publicly acknowledged that the welfare and rights of workers were to be a primary concern, not merely the satisfaction of economic goals'.<sup>369</sup> The promise of 'rights' and 'protection' is a very powerful discourse whereby the state attempts to reassure would-be migrants through entitlements and protection under the law from unforeseeable circumstances in unfamiliar places. However, it has been suggested that this depiction of the 'heroic citizen' is more rhetoric than reality, as the 1995 Migrant Workers Act is regularly ignored and mandated initiatives have not been fully implemented.<sup>370</sup> The state, therefore, must continuously strive to create a positive outlook with its migrant-citizens due to the need to maintain its credibility and dependability.

The Philippine state's initiative to see citizenship as a diasporic 'inclusion' or 'entitlement' with a corresponding sense of 'national responsibility' is a powerful tool that normalises the facilitation of labour migration. The discourse on 'new national heroism' is a typical example by which the Philippine state incorporates OFWs into its polity 'to fulfil particular kinds of obligations to the state'.<sup>371</sup> Citizenship of this kind, and the obligation attached to it, is what Rodriguez calls 'migrant citizenship' – 'a means by which the state deftly masks how the entitlements of Philippine citizenship are in fact dwindling under conditions of neoliberalism'.<sup>372</sup> She argues that the logic of this type of citizenship is that the state pledges particular kinds of protections and entitlements to secure legitimacy for its migration program (LEP) among its citizens.<sup>373</sup> So, by creating a portable set of 'rights' based on symbolic incentives and entitlements for migrants as 'modern heroes' because of their sacrifices and hard work, the state creates this 'fictitious' type of citizenship that is 'like putting a mantle over this myth to keep it from popular critical scrutiny'.<sup>374</sup>

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<sup>368</sup> See Republic Act No. 8042, *An Act to institute the policies of overseas employment and establish a higher standard of protection and promotion of the welfare of migrant workers, their families and overseas Filipinos in distress, and for other purposes*, also known as the 'Migrant Workers and Overseas Filipinos Act of 1995' (hereinafter, '1995 Migrant Workers Act'). Available at: <<https://www.senate.gov.ph/lisdata/93017852!.pdf>>.

<sup>369</sup> Solomon, above n 354, 287.

<sup>370</sup> Battistella, 'Multi-level policy approach', above n 308, 428.

<sup>371</sup> Rodriguez, 'Migrant heroes', above n 367, 342.

<sup>372</sup> Rodriguez, *Migrants for Export*, above n 299, xx.

<sup>373</sup> Ibid xx.

<sup>374</sup> Ligaya Lindio-McGovern, *Globalization, Labor Export and Resistance: A Study of Filipino Migrant Domestic Workers in Global Cities* (Routledge, 2012) 40.

Ironically, the Philippine Constitution promulgates the state's duties and responsibilities to 'promote full employment and equality of employment opportunities for all'.<sup>375</sup> Even the 1995 Migrant Workers Act stipulates that the state 'shall continuously create local employment opportunities and promote the equitable distribution of wealth and the benefits of development'.<sup>376</sup> Yet in practice, while the Philippine state continuously promotes migration and remittances, it has maintained the 'fiction' that migration is ultimately an individual voluntary act, thereby limiting the state's responsibility to provide decent employment to Filipinos inside the Philippines.

In a sense, this 'fictitious' model of citizenship is characterised by the state's pushing of responsibility for social protection onto the shoulders of its citizens, who must strive hard to obtain these rights and entitlements outside their country. The fact that they work hard and make sacrifices is in itself seen as a 'nationalist act' that is rooted in religious ideals of suffering and martyrdom.<sup>377</sup> 'Heroism', as a 'nationalist act', can be historically traced to José Rizal's death and execution by the Spaniards in 1896.<sup>378</sup> Rizal's death has been associated with martyrdom and the death of Christ to evoke a popular vision of a 'national community' that rallies around the culture of mutual caring, the sharing of obligations (*damayan*) and the exchange of pity (*awa*).<sup>379</sup> It was also this same image of Rizal in conjunction with the suffering Christ that was mobilised by hundreds of thousands of mourners around the assassination of Benigno 'Ninoy' Aquino in 1983, which spurred the 'People Power' revolution in 1986 that ousted the Marcos regime. So, when Corazon Aquino became the president, she began referring to OFWs as 'new heroes' (*bagong bayani*), characterising OFWs' actions as 'heroic' because of their self-sacrifice for the betterment of the Philippine state.

Thus, while Filipino migrants are valorised as 'heroes', the state also expects them to be good representatives of the nation abroad. Workers are expected to be law-abiding and diligent workers. This idea of citizenship is also a mechanism by which the state 'disciplines' Filipinos (in Foucauldian sense) 'as being loyal citizens who will contribute to the Philippine economy through remittances as well as disciplines them as cheap, ethnicised labour for the global economy'.<sup>380</sup> This strategy of being a 'loyal citizen' is symptomatic of the neoliberal rationality that I outlined in the previous chapter (Chapter 2), which shifts social responsibility to autonomous citizens to become entrepreneurs in the global labour market.

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<sup>375</sup> See *The Constitution of the Republic of the Philippines* 1987, art XIII, s 3 (Labor).

<sup>376</sup> See *Migrant Workers and Overseas Filipinos Act of 1995*, s 2(c) (Declaration of Policies).

<sup>377</sup> Julius Bautista, 'Export-quality martyrs: Roman Catholicism and transnational labor in the Philippines' (2015) 30(3) *Cultural Anthropology* 424, 425.

<sup>378</sup> José Rizal, dubbed the Philippine national hero, was convicted for rebellion and conspiracy for instigating the Philippine revolution of 1896. He was sentenced to death by firing squad in Manila on 30 December 1896.

<sup>379</sup> Rafael Vicente, "'Your grief is our gossip": overseas Filipinos and other spectral presences' (1997) 9 *Public Culture* 267, 275.

<sup>380</sup> Rodriguez, 'Migrant heroes', above n 367, 348.

### 3.4 Conclusion

This chapter has shown how the Australian and Philippine states, through their laws, policies and institutions, have constructed a particular type of migrant-citizen subject for immigration and emigration purposes. In the Australian context, it is apparent that the conception and practice of citizenship revolve around the question of legal inclusion and exclusion, and implicitly between belonging or alienage in the Australian community. Since Federation, exclusionary laws and practices have persisted and evolved in different ways when it comes to the question of the inclusion and belonging of migrant groups. In the context of Australian multiculturalism, I have explained how multiculturalism has been employed and practised as a consequence of neoliberal restructuring in Australia since the 1970s, and how these policies have assisted in cultivating the 'ideal' neoliberal migrant-citizen.

For both Australia and the Philippines, the questions of race and immigration played important roles in the nation-building process in the early part of the twentieth century. In Australia during this period, citizenship was associated with the notion of 'whiteness' and all non-white subjects other than coloured labourers were excluded from the polity. In the Philippine context, Filipinos in the Philippine islands and in the US mainland were treated as 'second-class' citizens and many were excluded and repatriated back to the Philippines as a result of their race and legal status in America.

Particularly in the case of the Philippines, the idea and practice of citizenship have simultaneously been associated with the rise of the labour brokerage state. Nationalist discourse such as the portrayal of OFWs as 'new national heroes' is a classic example of how the Philippine state incorporates Filipino migrants into its polity to fulfil particular kinds of obligations to the state. As I have explored in the final section, this kind of 'migrant citizenship' with corresponding duties and obligations is a powerful tool that normalises the facilitation of labour migration under the conditions of neoliberal globalisation and rationality. The state, therefore, constructs a particular type of migrant-citizen subject that conforms to these ideals and principles.

## Part II

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### Theories

# Chapter 4

## Rethinking Citizenship through Diaspora Activism

### 4.1 Introduction

The previous chapter considers the rise of neoliberal citizenship in Australia and in the Philippines and how the two countries' citizenship laws, policies and practices as a way of inclusion/exclusion have shaped the emergence of a particular type of 'ideal' migrant-citizen. As demonstrated in the previous two chapters (Chapters 2 and 3), neoliberalism tends to aggravate the conditions of migrants and migrant workers because of the embedded laws, policies and practices of both sending and receiving states. These laws and policies play important roles in institutionalising migrants' precarious conditions, which reveals how the legal consequences of citizenship can be a limiting factor for migrants' political agency.

In this chapter, I introduce a different conception of citizenship that is based on the diaspora activism of overseas Filipinos in the host country. In particular, I draw on Engin Isin's idea of 'activist citizenship', which refers to the struggles and acts that demonstrate 'a sense of making a break, a rupture, a difference'.<sup>381</sup> Activist citizenship is different from the traditional idea of political citizenship because activist citizenship highlights the proactive and engaged nature of the migrant activists themselves 'in writing scripts and creating the scene', rather than the role of the engaged citizen in acting out 'already written scripts' of voting, taxpaying and enlisting.<sup>382</sup> It challenges the formal understanding of citizenship associated with the ideals of modern liberal citizenship, which is usually defined within existing orders, practices, norms and statuses. The activism and political engagement of Filipino migrants in Australia, which I will fully explore in Chapters 6 and 7, are a classic example of the idea and practice of activist citizenship. This new form of citizenship will also provide a platform in developing my own formulation of citizenship based on Arendt's notion of the conscious pariah, a theme that I will analyse in the next chapter (Chapter 5).

Before I introduce the notion of activist citizenship, I first discuss the different conceptions and ambiguities of citizenship and their relevance to non-citizens. I divide my discussion into three dimensions or aspects of citizenship: status, rights and identity. The first section of the chapter briefly explores citizenship's major dilemma — that it both includes and excludes certain categories of people. My main contention in this section is that citizenship is not a closed monolithic concept, but comprises different ambiguous elements that overlap between two conflicting spheres — on the

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<sup>381</sup> Engin F Isin, 'Citizenship in flux: the figure of the activist citizen' (2009) 29 *Subjectivity* 367, 380.

<sup>382</sup> Ibid 381.



one hand, it lies within the legal sphere of borders, sovereignty and national membership, and on the other hand, it enters the sphere of moral and social relations where formal commitments to equal treatment and universal rights of all territorially present persons in the polity are recognised.<sup>383</sup> That is, although excluded from formal membership, non-citizens do have rights.

The chapter then moves on to explore how today's citizenship is viewed in the context of contemporary globalisation and in particular how the notion of counter-hegemony has shaped and reshaped the terms through which individuals and groups orient themselves towards political actions against the hegemonic tendency of neoliberal projects. The third and final section puts forward a new form of citizenship that highlights how migrants conduct themselves as agents and political actors within the context of neoliberal globalisation.<sup>384</sup> Here, I will also explain why I employ the notion of 'diaspora' as an appropriate framework to examine the Filipino migrant activism in Australia. Rethinking citizenship through the lens of diaspora activism, as acts of political contestation, opens up other possibilities of political engagement and participation.

## 4.2 The ambiguities of citizenship

Generally, citizenship is depicted to represent the most ideal condition of a person that confers certain status, rights and identity in any given community. Citizenship provides a sort of 'belonging' or 'membership in some human community'.<sup>385</sup> A 'citizen' is therefore a member of a political community or a 'polis', in the Greek sense, who possesses the rights, duties and obligations of membership. Membership and belonging are usually premised on an idea of a community that is bounded and exclusive. In ancient Rome, citizenship was a legal status accorded to free individuals in relation to laws, property and governance.<sup>386</sup> Today, the predominant conception of citizenship expressed in scholarly and popular discussion postulates that people (citizens) are organised within the nation-state boundaries by citizenship rules that claim 'national belonging' as the legitimate basis of membership in modern states.<sup>387</sup>

Citizenship is a very contentious and confounding concept. Citizenship discourse ranges from various approaches including liberal, republican, postmodern and feminist types of citizenship to different conceptions and practices such as democratic citizenship, social citizenship, multicultural citizenship and postnational citizenship. In this section, I explore the different understandings of citizenship with respect to status, rights and identity, and bring out the inherent

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<sup>383</sup> Linda Bosniak, *The Alien and the Citizen: Dilemmas of Contemporary Membership* (Princeton University Press, 2006) 38.

<sup>384</sup> See Lindio-McGovern, above n 374.

<sup>385</sup> Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (Basic Books, 1983) 31.

<sup>386</sup> JGA Pocock, 'The ideal of citizenship since classical times' (1992) 99(1) *Queen's Quarterly* 33, 39–40.

<sup>387</sup> Yasemin Nuhoğlu Soysal, 'Postnational citizenship: reconfiguring the familiar terrain' in Kate Nash and Alan Scott (eds) *The Blackwell Companion to Political Sociology* (Blackwell, 2001) 333, 334.

contradictions that affect different categories of people. I also highlight how the category of alienage makes a difference in thinking about citizenship and its relation to the non-citizen's status, rights and privileges in the bounded territory. I argue that because citizenship is a divided and fluid concept and can be a source of subordination and exclusion for non-citizens (see Chapter 1), it is important to understand that non-citizens, despite their lack of formal citizenship, are also in some ways treated as if citizens with basic rights and protection under the law. This paradox is a significant point for the overall argument of this thesis because by presenting a new framework to address the issue of the citizenship of non-citizens through diaspora activism, I provide a way forward for not only protecting non-citizens' rights, but also empowering their agency to legitimately claim and demand rights (the 'right to claim rights') and equal treatment in society.<sup>388</sup>

#### 4.2.1 Citizenship as status

The role of citizenship in conferring a *status* is the most basic and well-known meaning of the concept. This is coupled with the straightforward idea that citizenship as status gives a form of membership in a political community. Status implies a formal inclusion of a person in a nation-state, with corresponding privileges, duties and obligations. Citizenship as status is inextricably linked to the notion of nationality. Nationality is the legal relationship between the person and the state and, under international law, nationality confers some state protection to the person and, likewise, the obligations of the person towards the state. David Miller refers to the 'ethics of nationality' whereby certain obligations are strengthened through a 'formal scheme of political co-operation'.<sup>389</sup> Theoretically, nationality and citizenship are quite different. Citizenship in its narrowest sense deals with the legal relationship between the individual and the polity, whilst nationality has an international dimension.<sup>390</sup> In other words, citizenship operates in an individual-state relationship setting, whereas nationality governs inter-state relations and those individuals who lack nationality (statelessness). Nationality is considered to be a passive, formal status that is distinct from the more active political and civil participation that is attached to citizenship.<sup>391</sup> Regardless of their conceptual differences, citizenship as a formal legal status, in contrast to nationality, remains closely bound to membership in the nation-state.

Many traditional scholars of citizenship would argue that citizenship can only be realised in the context of the nation-state.<sup>392</sup> Citizenship status is almost always conferred by nation-states and, as a matter of international law, it is national citizenship that is recognised and honoured as a formal

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<sup>388</sup> DeGooyer et al, above n 31, 48.

<sup>389</sup> David Miller, *On Nationality* (Oxford University Press, 1995) 73.

<sup>390</sup> Brian Turner and Engin Isin, *Handbook of Citizenship Studies* (SAGE, 2003) 178–79.

<sup>391</sup> Kesby, above n 34, 43.

<sup>392</sup> See David Miller, *Citizenship and National Identity* (Polity Press, 2000).

legal status.<sup>393</sup> That is why within the context of statelessness, that is, people who are not nationals of any state, international law and international organisations such as the United Nations High Commissioner for Refugees (UNHCR) have argued strongly for the right to nationality and the prohibition of arbitrary deprivation of nationality that undermines basic human rights.<sup>394</sup>

Proponents of national citizenship, such as Rogers Brubaker in *Citizenship and Nationhood in France and Germany*, have defended citizenship's national character and its location not only as a territorial organisation, but more so as a 'membership organisation'.<sup>395</sup> Brubaker's account shows citizenship's dual character – on the one hand, it is 'internally inclusive' because it bestows a formal membership status within a polity, and on the other hand, it is also 'externally exclusive' because it excludes from such formal membership all aliens and foreigners or 'non-citizens'.<sup>396</sup> He conceives of citizenship as a tool of 'social closure' which occupies a salient place in the administrative structure and political culture of the modern nation-state and state-system.<sup>397</sup> Borrowing from Max Weber's idea of 'social closure',<sup>398</sup> Brubaker argues that citizenship is both an 'instrument' and an 'object' of closure—a *status* through which access to citizenship rights, participation and privileges is restricted.<sup>399</sup> As an instrument of closure, citizenship allows the state to control access to its territory, because only citizens have a right to enter and remain in the territory under international law, and non-citizens (foreigners and aliens) can be denied entry or expelled after entry. As an object of closure, citizenship is also limited by the state's nationality laws. Under this view, because citizenship is an exclusive status that is restricted and available only to those who are recognised as its members, the question arises as to how those without citizenship status should be treated and what rights should be accorded to them?

This is the central question that Linda Bosniak, in her book *The Citizen and the Alien*, raises regarding the idea of citizenship in relation to aliens and foreigners. She also discusses how the law constructs internal borders (subordination and second-class citizenship) for non-citizens and aliens. Bosniak questions the paradox of citizenship and its dual nature, in that it both includes and

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<sup>393</sup> See *Nottebohm Case (Liechtenstein v Guatemala)* (second phase) ICJ Report 1955, where the majority's reasoning points to the fact that nationality 'is a legal bond having as its basis a social fact of attachment, a genuine connection of existence, interests and sentiments, together with the existence of reciprocal rights and duties': 23.

<sup>394</sup> See *Universal Declaration of Human Rights* (10 December 1948) art 15(1). Available at: <[www.un.org/en/documents/udhr/](http://www.un.org/en/documents/udhr/)>; see also *International Convention on Civil and Political Rights* (16 December 1966), Article 24(3). Available at: <[www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf](http://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf)>; and United Nations High Commissioner for Refugees (UNHCR), 'Addressing situation of statelessness' in *UNHCR Global Appeal 2009 Update* (2009) 45–47. Available at: <[www.unhcr.org/publ/PUBL/4922d4370.pdf](http://www.unhcr.org/publ/PUBL/4922d4370.pdf)>.

<sup>395</sup> Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Harvard University Press, 1992) 21.

<sup>396</sup> *Ibid* 21.

<sup>397</sup> *Ibid* 23.

<sup>398</sup> For Weber, 'social closure' means a relationship that is closed to outsiders 'so far as, according to its subjective meaning and its binding rules, participation of certain persons is excluded, limited, or subjected to conditions': see Max Weber, *Economy and Society: An Outline of Interpretative Sociology* (University of California Press, 1972) 43.

<sup>399</sup> Brubaker, above n 395, 31 (my emphasis).

excludes particular groups of people within the bounded community.<sup>400</sup> She problematises this divided character of citizenship—one side that is committed to inclusion of persons and the other that excludes non-citizens. Bosniak describes how the category of alienage can make a difference in thinking about those who lack citizenship status in liberal democratic societies.<sup>401</sup> She considers the meaning of citizenship through the lens of alien residents because of what alienage can reveal about citizenship's inclusionary and exclusionary aspects. For those who are included within the bounded community, citizenship represents a source of equality and empowerment; but for those who are outside of it, citizenship can also become a ground for inequality and subordination.

Bosniak is critical of how the law has constructed alienage as a 'hybrid legal status category' that lies at the nexus between two legal and moral worlds.<sup>402</sup> On the one hand, the law lies within the world of borders, sovereignty and national community membership. This is the world of the government's immigration power, which designates aliens as outsiders. On the other hand, alienage as a legal category also lies in the world of social relationships among territorially present persons, in which aliens appear to be indistinguishable from citizens and they are precisely the sort of social group that requires the law's protection. In Australia, for example, the tension between 'inclusive' and 'exclusive' notions of Australian citizenship remains a highly contested issue in the High Court when it comes to the questions of membership and what rights aliens possess in the Australian community (see Chapter 3).

There are several categories of alienage by which one can attribute certain rights and privileges in a given nation-state territory. Amongst others, non-citizen residents can include permanent residents (sometimes called 'immigrants'), temporary workers (which may also include international students who possess the right to work) and irregular migrants (or the 'undocumented'). These different categories of non-citizens hold varying degrees of rights as prescribed by the laws and regulations of a particular country. Again, in Australia, for instance, citizens have more rights and privileges (e.g. the right to vote) than non-citizen permanent residents; and permanent residents, on the other hand, have more rights (e.g. welfare benefits) than temporary residents and irregular migrants. That is, the law constructs different hierarchies of alienage that create these various levels of rights and privileges according to one's status.

Yet, some theorists would argue that social membership that comes from residence over time may give rise to moral claims to membership in society. Joseph Carens, a Canadian political philosopher, argues that 'living in a society over time makes one a member and being a member generates moral claims to legal rights and to legal status'.<sup>403</sup> Carens thinks that 'social membership'

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<sup>400</sup> Bosniak, above n 383, 9.

<sup>401</sup> Ibid 9–11.

<sup>402</sup> Ibid 38.

<sup>403</sup> Joseph H Carens, *The Ethics of Immigration* (Oxford University Press, 2013) 159–60.

gives rise to moral entitlements to legal rights and status inside the political community, but he admits that his theory of social membership has limitations when it comes to the question of admissions—that is, the state’s right to exercise control over entry and settlement, such as the admission of refugees and asylum seekers, which is a classic example of this moral and legal dilemma.

This problem has also been analysed by Bosniak and she uses the idea of ‘hard outside, soft inside’ as a dichotomy which scholars like Michael Walzer have traditionally deployed to analyse immigration and citizenship discourse. This ‘thick/thin’ duality describes the Rawlsian concept of citizenship that depicts strict border and immigration controls, whilst at the same time adhering to ideals of social justice and freedom that are compatible with the liberal democratic framework for the nation’s interior.<sup>404</sup> But Bosniak thinks that this approach proves to be simplistic, especially when aliens and strangers spill over into the territory of the national community. She argues that aliens who are present in the community already enjoy most fundamental rights, regardless of legal status.<sup>405</sup>

Thus, Bosniak speaks of what she calls ‘alien citizenship’ or the ‘citizenship of aliens’ (citizenship rights) to unpack ‘the interplay of exclusions and inclusions that together constitute the experience of non-citizen immigrants (and that of many status citizens as well)’.<sup>406</sup> She highlights the complex, multidimensional aspect of citizenship, demonstrating that citizenship status and citizenship rights do not go together neatly. On the one hand, rights are not the exclusive privilege of citizens; and on the other hand, citizenship does not guarantee equal rights, particularly to women, migrants and ethnic minorities. It is clear that the category of alienage presents an important lens in understanding the non-citizens’ position in relation to the notion of bounded citizenship. It shows how the status of alienage blurs the ‘hard outside/soft inside’ dichotomy of citizenship because once non-citizens enter the bounded national territory from the outside, they also enter the sphere of universal human rights; in other words, ‘the border effectively follows them inside’.<sup>407</sup> This implies that although non-citizens are subordinated and marginalised in many ways, they are also in some respects treated as having the right to claim rights within the polity.

#### 4.2.2 Citizenship as rights

The above discussion shows us the limits of the ‘citizenship as status’ framework because citizenship status is not always an antecedent to the conferring of *rights* that attach to citizenship. It is seen that,

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<sup>404</sup> See, generally, John Rawls, *A Theory of Justice* (Oxford University Press, revised ed, 1999).

<sup>405</sup> Bosniak, above n 383, 34, 89.

<sup>406</sup> Linda Bosniak, ‘Making sense of citizenship’ (2011) 9(1) *Issues in Legal Scholarship* 1, 14.

<sup>407</sup> Bosniak, *The Alien and the Citizen*, above n 383, 4.

while a person's legal status is vital for the enjoyment of basic rights, there are certainly many rights such as the right to due process and property-related rights for which citizenship status is not a prerequisite per se. Such rights have been recognised as attaching to the individual's 'personhood' – the juridical person – who is present in the territory by the virtue of the country's constitutional values of the rule of law and equal protection.<sup>408</sup> One approach, normally used by cosmopolitans, describes human beings as possessing fundamental rights on the basis of the person's 'humanity' or 'human dignity' and, as such, argues that they should be recognised as right-bearing individuals. This is the 'natural' (or 'inalienable') approach to human rights.<sup>409</sup>

On the other hand, other theorists with a communitarian or relativist perspective claim that citizenship rights can only be fully enjoyed and expressed by a member of a political community.<sup>410</sup> This may echo the well-known yet controversial phrase coined by Hannah Arendt – 'the right to have rights' – that is, 'a right to belong to some kind of organised community'.<sup>411</sup> It simply means individuals are entitled to a right to citizenship or nationality and, in practice, this necessitates state protection that guarantees the barest minimum rights it can afford. Citizenship therefore comes with a corresponding set of civil, political and social rights accorded to all members of the polity.

This view is closely associated with the idea of 'social citizenship' around which the work of British sociologist TH Marshall has been quite influential. Marshall is well-known for his conceptualisation of contemporary citizenship as composed of the tripartite elements of civil, political and social rights. His seminal book *Citizenship and Social Class* pioneers the liberal view of citizenship as a tool for social inclusion, in which civil, political and social rights have been expanded to include subordinated groups. For Marshall, citizenship is 'basic human equality associated with the concept of full membership of a community'.<sup>412</sup> He arranges citizenship rights into three aspects according to which these rights are enunciated and practised: civil, political and social.<sup>413</sup> Civil rights signify individual liberty, freedom of speech, the right to own property and the right to justice. Political rights, on the other hand, denote entitlement to participate in the political community such as voting rights, the right to petition and the right to assemble. Social rights range from the right to education, the right to housing and the right to health to the right to an adequate living standard.

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<sup>408</sup> See particularly Kneebone's discussion of Ronald Dworkin's concept of an integrated rule of law ('law as integrity') for the protection of the rights of refugees and asylum seekers: Susan Kneebone, 'The rule of law and the role of law' in Susan Kneebone (ed) *Refugees, Asylum Seekers and the Rule of Law* (Cambridge University Press, 2009) 39.

<sup>409</sup> See, generally, Immanuel Kant, *To Perpetual Peace: A Philosophical Sketch* (Hackett, 2003).

<sup>410</sup> See Miller, *Citizenship and National Identity*, above n 390; and Margaret Canovan, *Nationhood and Political Theory* (Edward Elgar, 1996).

<sup>411</sup> Arendt, *The Origins of Totalitarianism*, above n 30, 297.

<sup>412</sup> TH Marshall, *Citizenship and Social Class* (Pluto Press, 1992, originally published in 1950) 6.

<sup>413</sup> *Ibid* 8.

Marshall's central argument is that the twentieth century's expansion of social rights was crucial to the working class' progressive integration into British society.<sup>414</sup> He argues that citizenship has an integrative force in society, in that the integration of citizens requires not only political participation, but also the security of material resources (social goods) necessary to enjoy a civilised life in a material sense.<sup>415</sup> Thus, for Marshall, citizenship gives the ability to integrate members of a political community through incorporating social rights into the status of a citizen and, hence, he calls his approach social citizenship.

Scepticism towards the Marshallian idea of citizenship was spurred by concerns that inclusive citizenship has not extended into the equality and full integration of excluded groups, notably in the case of minorities such as indigenous people, women and immigrants.<sup>416</sup> There is also an articulation from other theorists that dramatic changes in the conditions in the global system have prompted a growing questioning of the acceptability of the different rights accorded to citizens and non-citizens living in 'global cities'.<sup>417</sup> Proponents of so-called 'postnational' membership claim that citizenship is being 'denationalised' because today's migrants now have the same universal rights regardless of their citizenship status. Yasemin Soysal's *Limits of Citizenship* provides a critique of 'national citizenship'<sup>418</sup> as a source of citizenship rights in a polity. She argues that immigrants' experiences underline the fact that national citizenship is gradually being replaced by a more 'postnational model of membership'.<sup>419</sup> She cites that 'the postwar immigration experience reflects a period when national citizenship is losing ground to new forms of citizenship, which derive their legitimacy from deterritorialised notions of persons' rights and thus are no longer anchored in national collectivities'.<sup>420</sup> Accordingly, what is occurring at a different levels is a multiplicity of membership forms which prompt both exclusions and inclusions that no longer coincide within the boundaries of nation-states.

In her postnational model, universal human rights substitute for national rights, personhood replaces national adherence and the individual transcends the citizen.<sup>421</sup> As we saw above, these postnational forms can be explicated, for example, in the membership of long-term non-citizen

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<sup>414</sup> Ibid 32.

<sup>415</sup> Ibid 24.

<sup>416</sup> See Iris Marion Young, 'Polity and group difference: a critique of the ideal of universal citizenship' (1989) 99 *Ethics* 250.

<sup>417</sup> Saskia Sassen, *Territory, Authority, Rights: From Medieval to Global Assemblages* (Princeton University Press, 2006) 314–15.

<sup>418</sup> National citizenship denotes a 'territorially bounded population with a specific set of rights and duties, excluding others on the ground of nationality': Soysal, 'Postnational citizenship', above n 387, 334.

<sup>419</sup> Soysal's 'postnational membership model' is a normative framework derive from transnational discourse and structures celebrating human rights as a world-level organising principle 'that confers upon every person the right and duty of participation in the authority structures and public life of a polity, regardless of their historical or cultural ties to that community': Yasemin Nuhoğlu Soysal, *Limits of Citizenship: Migrants and Postnational Membership in Europe* (University of Chicago Press, 1994) 3.

<sup>420</sup> Soysal, 'Postnational citizenship', above n 387, 335.

<sup>421</sup> Soysal, *Limits of Citizenship*, above n 419, 162.

immigrants in Western countries, who hold various rights and privileges without formal citizenship status.<sup>422</sup> She further insists that nation-states and boundaries still remain 'the most viable political organisation', but postnational citizenship is a sociological category that emphasises the ongoing process of definition and redefinition of rights and participation of individuals and groups in multiple locations – local, national, regional (EU) and global.<sup>423</sup>

Yet there are scholars like Christian Joppke who criticise the postnational approach for downplaying and reducing the role of the state in immigration and citizenship matters regarding aliens and non-citizens. He argues that 'certain rights are always precluded, most notably political rights, absolute protection from expulsion, and rights of diplomatic protection'.<sup>424</sup> For instance, the right of diplomatic protection may not be very relevant to most people, but in times of need a postnational approach is not enough because only formal citizenship status entitles a person to diplomatic protection. He further justifies that alien rights are limited because in reality they are both reversible (subject to modification) and stratified (categorised and differentiated), that is, they are 'inherently fused with the state's control and surveillance interests'.<sup>425</sup>

In sum, it is arguable that there has been momentum for the strengthening of alien rights in recent decades, as demonstrated by both Bosniak's and Soysal's analysis. At present, political rights have remained largely citizens' rights. Aliens' rights are highly stratified and reversible, and differ not only within but across countries based on the length of residence and the type of entry. If citizenship as a matter of status and rights denotes membership in a political community, the question now is: what is it that binds and integrates the people in this polity?

#### 4.2.3 Citizenship as identity

Citizenship as *identity* aims to answer questions of belonging and membership in a political community. This aspect of citizenship is understood to consist of shared beliefs or identity that tie the individual to a social group or a particular nation at large. Traditionally, the sphere of citizenship as identity has developed through the process of nation-building and is closely associated with the ideas of social cohesion and unity of people in society. Citizenship in this regard is not only about 'state membership' but also 'nation membership' – 'a cultural community, a community of language, mores and character'.<sup>426</sup> However, with today's global movement of people and the

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<sup>422</sup> Soysal, 'Postnational citizenship', above n 387, 335.

<sup>423</sup> Ibid 339–40.

<sup>424</sup> Christian Joppke, *Citizenship and Immigration* (Polity, 2010) 84.

<sup>425</sup> Ibid 85.

<sup>426</sup> William Rogers Brubaker, 'Immigration, citizenship, and the nation-state in France and Germany: a comparative historical analysis' (1990) 5(4) *International Sociology* 379, 381.



increasing influence of the universalism of human rights discourse, many theorists have challenged the very notion of identity and its implication to the idea and practice of citizenship.

Citizenship, conceived as a matrix of status, rights and obligations in a political community, exists in tension with the heterogeneity of social life and the multiple identities that arise therefrom. The tension arises from the actuality of the fact of plurality of social identities and the universalism of citizenship—that is, the particularism of the former and the universalistic aspiration of the latter.<sup>427</sup> This controversy goes to the heart of the debate regarding the integration of migrants, cultural diversity and the politics of recognition of minority groups in liberal Western societies like Australia. There are mainly two sides in this debate: the ‘universalist’ approach and the ‘differentialist’ approach.

The universalist model starts with the premise that inclusion and participation in society should be accorded to everyone. A well-known theory within this approach is Rawls’ notion of political liberalism. His idea of political liberalism begins with the premise that, in a liberal society, individuals are free to choose the ends of their actions and the state should remain neutral about ‘competing conceptions’ of the good life that inform such choices.<sup>428</sup> Social unity cannot be attributed to a consensus on some conception of the good, because in any society there are many competing conceptions of the good. Rawls argues that social unity and stability can derive only from what he refers to as an ‘overlapping consensus’<sup>429</sup> on principles of justice, ‘one that aims at being acceptable to citizens as reasonable and rational, as well as free and equal, and so as addressed to their public reason’.<sup>430</sup> Thus, for example, social unity cannot derive from the ‘good’ of the nation or nationalism, but only on a consensus on the ‘rights’ that accrue from each individual.

Other universalist approaches like that advanced by Jürgen Habermas share a similar conception in terms of ‘constitutional patriotism’.<sup>431</sup> He argues that democratic institutions and political participation can provide enough basis to accommodate different cultures, values and beliefs in complex multicultural societies. From a normative point of view, this democratic process does not imply the pursuit of an ‘exclusivist’ project that is grounded in a particular national culture but, rather, it is embedded in ‘the inclusion of citizens of every background, without enclosing these

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<sup>427</sup> Trevor Purvis and Alan Hunt, ‘Identity versus citizenship: transformations in the discourses and practices of citizenship’ (1999) 8(4) *Social and Legal Studies* 457, 458.

<sup>428</sup> John Rawls, *Political Liberalism* (Columbia University Press, 1996) 13.

<sup>429</sup> ‘Overlapping consensus’ is based on the idea of democratic stability where citizens affirm a political conception entirely from within their own perspectives and it is the best support for social stability that a free society can possibly achieve: Ibid 147–48.

<sup>430</sup> Ibid 143.

<sup>431</sup> ‘Constitutional patriotism’ is the idea that people should form a political commitment to a constitution—‘the common denominator for a people who, despite their cultural differences, understand themselves as united through the continuing exercise of public autonomy: and thus as *demos*, not *ethnos*’: Andrew Edgar, *The Philosophy of Habermas* (Acumen, 2005) 263.

others into the uniformity of a homogenous community'.<sup>432</sup> Democratic procedure can then secure its legitimacy notwithstanding any essential uniformity between citizens to achieve social integration and unity. And since this social integration is not contingent upon any particular cultural premise, it can respond to changes in the cultural composition of the population by generating what he calls a 'common political culture'.<sup>433</sup> Thus, for Habermas, a healthy democratic process through the political participation of citizens, which manifests itself in a form of 'constitutional patriotism', plays a central role in securing social integration in complex liberal societies.<sup>434</sup>

However, scepticism towards the universalist model was prompted by concerns that citizenship rights have not really extended towards equality and full integration of excluded groups, notably women, ethnic groups, indigenous people and migrants. Critics of universalism propose an alternative conception of citizenship that is based on the recognition and political relevance of differences (cultural, gender, class, race, etc).<sup>435</sup> A differentialist approach is based on the notion that, in certain circumstances, equality and recognition may justify differential treatment because of the groups' special circumstances.

Will Kymlicka, a Canadian political theorist, is one of the proponents of differential treatment for minority groups in multicultural liberal society. In his book *Multicultural Citizenship*, he argues that there is a 'need to supplement traditional human rights principles with a theory of minority rights'.<sup>436</sup> He believes that the traditional liberal policy of passive tolerance should be replaced or supplemented by a more active policy in which the state plays an important role in protecting rights. He justifies this view by appealing to the two fundamental values of egalitarian liberalism: freedom and equality.

With regards to freedom, Kymlicka argues that free and meaningful choice requires the context of 'societal culture', which is defined as one 'which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres'.<sup>437</sup> Within the framework of the nation-state, societal cultures are generally territorially based and grounded on a common language. Ethnic minorities and indigenous peoples are typical examples of these. However, societal cultures exclude immigrant groups, for they have left behind the institutional practices that provided culturally significant ways of life in their original homelands.<sup>438</sup> Immigrant

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<sup>432</sup> Jürgen Habermas, 'The postnational constellation and the future of democracy' in Max Pensky (translated and with intro) *The Postnational Constellations: Political Essays* (Polity, 2001) 58, 73.

<sup>433</sup> Ibid 74.

<sup>434</sup> Jürgen Habermas, 'Struggles for recognition in the democratic constitutional state' in Ciaran Cronin and Pablo De Greiff (eds) *The Inclusion of the Other: Studies in Political Theory* (Polity, 1998) 203, 226.

<sup>435</sup> See, in particular, Iris Marion Young, *Justice and the Politics of Difference* (Princeton University Press, 1990).

<sup>436</sup> Will Kymlicka, *Multicultural Citizenship* (Oxford University Press, 1995) 5.

<sup>437</sup> Ibid 76.

<sup>438</sup> Ibid 96.

groups may be granted what he calls 'polyethnic rights' or group-specific rights, which facilitate their integration into the majority culture while encouraging the maintenance of some aspects of their ethnic particularities.<sup>439</sup>

In relation to the second principle of equality, Kymlicka argues that some minority rights, beyond the universal rights of citizenship, are justified and appropriate in most cases. A 'real' equality, according to Kymlicka, requires different treatment for different groups who deserve equal treatment because they are culturally disadvantaged and unable to participate fully in society.<sup>440</sup> Examples include land rights for Aboriginal people. Central to his argument here is that the state cannot be culturally 'neutral', which is the classical response of the liberal state to religious and cultural differences, in some situations.<sup>441</sup> Thus, equal treatment may require special recognition for minority cultural groups because of their cultural differences.

Yet there are some theorists who employ a differentialist approach to societal integration that is based not on shared cultural identity, but on the issue of negative group 'difference' – inferiority, stigma, stereotype, exclusion, discrimination and racism. In his essay 'The politics of recognition', Charles Taylor criticises the neutrality of liberalism, what he calls 'difference-blind' liberalism, towards accommodating people with different cultural backgrounds. He proposes a 'politics of difference' that moves away from the 'politics of universal dignity', in which 'we all *recognise* the equal value of different cultures; that we not only let them survive, but acknowledge their *worth*'.<sup>442</sup> The difference approach proceeds with an understanding that group differences not only constitute some form of distinctness in terms of culture and belief, but also a sense of marginalisation and alienness that reduces equal participation and membership in the polity.<sup>443</sup> This approach also exerts the idea that the negative differences outlined above can be overcome by political engagement and struggle and by turning those negative attributes into positive ones through respect, recognition and equal dignity.

The above approach provides a useful framework to understand the role of identity in influencing citizenship discourse and practices. As Trevor Purvis and Alan Hunt argue, 'citizenship connotes a distinctly *political* identity, one which stipulates the conditions of membership in and exclusion from a political community'.<sup>444</sup> Political identity, in particular, allows for the effective formation of groups which sometimes, but not necessarily, may lead to claims for rights and legal entitlements. As noted above, identity can also become the basis for the struggle for recognition

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<sup>439</sup> Ibid 78–79.

<sup>440</sup> Ibid 151–52.

<sup>441</sup> Ibid 107–08.

<sup>442</sup> Charles Taylor, 'The politics of recognition' in Amy Gutmann (ed) *Multiculturalism: Examining the Politics of Recognition* (Princeton University Press, 1994) 25, 64 (emphasis in original).

<sup>443</sup> See also Young, *Justice and the Politics of Difference*, above n 435.

<sup>444</sup> Purvis and Hunt, above n 427, 462 (emphasis in original).

demanding by groups excluded from the scope of citizenship. Thus, for Engin Isin and Patricia Wood, citizenship and identity 'are both group markers':

Citizenship marks out the members of a polity from another as well as members of a polity of non-members. Identity marks out groups as targets of assistance, hatred, animosity, sympathy or allegiances. As group markers the difference between citizenship and identity is that, while the former carries legal weight, the latter carries social and cultural weight.<sup>445</sup>

In summary, it has been revealed how citizenship is not a straight forward concept of 'in' or 'out'. By its nature, it is divided, ambiguous and complex. It becomes more conflicting when the non-citizen enters the bounded territory of the nation-state. The boundary between the alien and the citizen becomes blurry and their relationship to substantive citizenship (that is 'the right to have rights') becomes more subtle and nuanced. The non-citizen-alien has certain rights despite the lack of a formal status. Thus, it is important to move beyond this paradox and to situate the concept of citizenship in a different framework so that a progressive notion of citizenship, which is known as 'activist citizenship', can be articulated and become a strategy for subordinate groups that use oppositional counter-hegemonic claims to dominant forces in society. This is the subject of discussion in the next section of the chapter.

### **4.3 Hegemony and counter-hegemony**

It has been demonstrated in Chapter 2 how neoliberalism as a process and as a political project has facilitated this worldwide phenomenon, and how migrants and migrant workers have been incorporated within both sending and receiving countries' neoliberal policy frameworks. In this section, I explore how citizenship fits within the context of contemporary globalisation and in particular how the notions of hegemony and counter-hegemony have shaped and reshaped the terms by which individuals and groups orient themselves towards political actions for societal change.

#### **4.3.1 The concept of hegemony**

As I briefly discussed in Chapter 2, hegemony is the ideological domination of the ruling class at a particular period of time. This 'hegemonic culture' becomes the 'common sense' (philosophy or belief) of the whole society, which always appeals to and incorporates some aspects of the aspirations, interests and ideologies of subordinate groups (the working class) to secure the ruling elite's dominance. Gramsci's notion of the historical bloc is important here because, as I described

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<sup>445</sup> Engin F Isin and Patricia K Wood, *Citizenship and Identity* (SAGE, 1999) 20.

earlier, it is that moment during the process of change in society when a conscious social class (a collective group) has been established and is seeking to form a new hegemony. Here I invoke Gramsci's idea of 'civil society', in which the creation and maintenance of hegemony depend on the realisation of the organic and dialectical relationship between different individuals and groups to bring about social and political change.

The notion and role of civil society in the Gramscian sense is essential in my analysis because it challenges the hegemonic project of the ruling class. Every social group that comes into existence creates organically one or more strata of intellectuals which give homogeneity and awareness of its own function not only in the economic, but also in the social, cultural and political spheres.<sup>446</sup> Gramsci finds in history several examples of this attempt to form a unity between intellectuals and other social groups. One classic illustration of this is the development of Catholicism and other ecclesiastical organisations which for many centuries absorbed the major part of intellectual activities and exercised monopoly over cultural direction.<sup>447</sup> Another example is that, in a capitalist society, the capitalist entrepreneur, Gramsci remarks, has created in themselves 'the industrial technician, the specialist in political economy, the organiser of new culture, of a new legal system.'<sup>448</sup>

In today's globalised world, the ruling elite of bureaucrats, technocrats and the like have been central to the maintenance and perpetuation of a neoliberal hegemonic project. These 'hegemonic practices', according to Mouffe, are 'always the expression of a particular configuration of power relations'<sup>449</sup> and are established to the exclusion of other social groups and other political possibilities on a global scale. But Mouffe also argues that 'every hegemonic order can be challenged by counter-hegemonic practices, which attempt to disarticulate the existing order so as to establish another form of hegemony'.<sup>450</sup> Thus, counter-hegemony is a strategy that derives its persuasive powers from the collective will of the oppressed and marginalised people, which can be seen in recent times with the rise of various social movements around the world. The notion of counter-hegemony is implicit in Gramsci's examination of the dialectic between the ruling class and the subordinate class. The role of civil society is crucial within this dialectic for providing other possibilities and alternatives to the current hegemonic project.

It is understood that hegemony is a certain way of life, culture and belief that is diffused throughout society and informs people's norms, values, tastes and practices. It also results from the incorporation of element of social groups in civil society to maintain its domination and consent of the subordinate group. Civil society, for Gramsci, is the buffer zone 'between the economic structure

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<sup>446</sup> Leonardo Salamini, *The Sociology of Political Praxis: An Introduction to Gramsci's Theory* (Routledge, ebook ed, 2014) 187.

<sup>447</sup> Gramsci, above n 106, 153.

<sup>448</sup> Ibid 135.

<sup>449</sup> Chantal Mouffe, *Agonistics: Thinking the World Politically* (Verso, 2013) 131.

<sup>450</sup> Ibid 132.

and the state with its legislation and coercion'.<sup>451</sup> It comprises a set of institutions including churches, political parties, trade unions, educational and cultural bodies, and professional associations. The role of civil society is decisive in the political (class) struggle to challenge the dominant hegemony, or what Gramsci terms the 'war of position'. A war of position is resistance to domination by culture (or counter-culture), rather than physical might and warfare as a strategy of struggle, particularly in advanced capitalist countries.<sup>452</sup> As Robert Cox argues, a war of position is a process 'which slowly builds up the strength of the social foundations of a new state' by 'creating alternative institutions and alternative intellectual resources within existing society'.<sup>453</sup>

#### 4.3.2 Counter-hegemony as resistance and strategy

It is here that the notion of counter-hegemony becomes an important strategy as a method of contestation and resistance to such hegemonic projects. It is important to note that Gramsci did not use the term 'counter-hegemony', but its substance is embedded in his analysis of hegemony itself. Alan Hunt explains that counter-hegemony is an alternative strategy that requires the 'reworking' or 'refashioning' of the elements that forms part of the prevailing hegemony.<sup>454</sup> He argues that one possible way of doing this is to 'supplement' that which is already in place, and to add or extend an existing discourse.<sup>455</sup> As Raymond Williams insists, and I quote at length:

The existence of the possibility of opposition, and of its articulation, its degree of openness, and so on, again depends on very precise social and political forces. The facts of alternative and oppositional forms of social life and culture, in relation to the effective and dominant culture, have then to be recognised as subject to historical variation, and as having sources which are very significant as a fact about the dominant culture itself.<sup>456</sup>

This is very significant for a counter-hegemonic discourse as a form of strategy because it 'opens up' other possibilities that ruptures those 'silenced' discourses. As I explained above, there are certain discourses and traditions that are selected and emphasised, and there are those alternative discourses that needed to be unwrapped.

It has been argued earlier that hegemony is neither total nor exclusive, but alternative or oppositional discourse continues and exists within the periphery. What is actually needed is the articulation of an oppositional, counter-hegemonic project that does not negate that which exists,

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<sup>451</sup> Gramsci, above n 106, 448.

<sup>452</sup> Ibid 495–96.

<sup>453</sup> Robert W Cox, 'Gramsci, hegemony and international relations: an essay in method' (1983) 12(2) *Millennium – Journal of International Studies* 162, 165.

<sup>454</sup> Alan Hunt, 'Rights and social movements: counter-hegemonic strategies' (1990) 17(3) *Journal of Law and Society* 309, 313.

<sup>455</sup> Ibid 314.

<sup>456</sup> Williams, above n 110, 45.

but strives to articulate and construct, in Gramsci's terms, 'good sense' from 'common sense'.<sup>457</sup> Oppositional discourse is articulated by subordinate groups because of their continuing exclusion from material benefits, which then forms part of their experiential framework projecting residual resentments into emerging alternatives.<sup>458</sup> These counter-hegemonic alternatives have their own bases in power complexes, often situated in social movements that employ counter-hegemonic strategies and alternative radical politics such as the use of social media, occupying spaces, alternative production systems and media activism.<sup>459</sup> This also creates different types of social movements from civil rights and women's movements, anti-apartheid and anti-war movements to anti-globalisation and Occupy movements.<sup>460</sup>

Dominant hegemonic discourses are continuously confronted on their peripheries by alternative conceptions deriving more from the experiences of subordinate and subaltern groups. Boaventura de Sousa Santos examines, at an empirical as well as theoretical level, the counter-hegemonic and emancipatory potential of the law for progressive social transformation for those who live at the edge of the political community. In his view, times are changing and 'we' must use 'the imagination to explore new modes of human possibility and styles of will and to oppose the necessity of what exists on behalf of something radically better that is worth fighting for and to which humanity is fully entitled'.<sup>461</sup> And by imagining, rather than conceiving, new relations between law and knowledge, Santos hopes that we may *emancipate* ourselves from the rational paradigm of modernity to achieve a 'paradigmatic transformation' of citizens (and non-citizens) who are law-inventing rather than law-abiding.<sup>462</sup> The strategy calls for a new way of conceptualizing and practising the legal field in order to connect law and politics, and reimagine legal institutions from below.<sup>463</sup> Santos puts forward a legal strategy that would counter the hegemonic tendency of the current neoliberal globalisation which excludes migrant workers, ethnic minorities and the like. This is what he refers to as 'subaltern cosmopolitan legality'.<sup>464</sup> The idea

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<sup>457</sup> For Gramsci, 'good sense' means practical empirical common sense in the English sense of the term, whilst 'common sense' means the incoherent and fragmented set of generally held beliefs and assumptions common to any given society: Gramsci, above n 106, 626.

<sup>458</sup> Richard Peet, 'Ideology, discourse and the geography of hegemony: from socialist to neoliberal development in postapartheid South Africa' (2002) 34(1) *Antipode: A Radical Journal of Geography* 54, 60.

<sup>459</sup> For various forms and diversities of alternative radical politics and strategies around the world, see the edited book by Jonathan Pugh (ed) *What is Radical Politics Today?* (Palgrave MacMillan, 2009) and the edited three volumes by Boaventura de Sousa Santos (ed) *Democratizing Democracy: Beyond the Liberal Democratic Canon, Vol 1* (Verso, 2005), *Another Production is Possible: Beyond the Capitalist Canon, Vol 2* (Verso, 2006) and *Another Knowledge is Possible: Beyond Northern Epistemologies, Vol 3* (Verso, 2007).

<sup>460</sup> For a general account of the role of social movements in the context of globalisation, see West, above n 63.

<sup>461</sup> Boaventura de Sousa Santos, 'Three metaphors for a new conception of law: the frontier, the baroque, and the south' (1995) 29 *Law & Society Review* 569, 573.

<sup>462</sup> Ibid 574 (my emphasis).

<sup>463</sup> Boaventura de Sousa Santos, 'Law, politics, and the subaltern in counter-hegemonic globalization' in Boaventura de Sousa Santos and Cesar Rodriguez-Garavito (eds) *Law and Globalization from Below: Towards a Cosmopolitan Legality* (Cambridge University Press, 2005) 1, 15.

<sup>464</sup> Ibid 5.

behind this concept is that it involves the radical unthinking of law – that is, reinventing law – ‘to fit the normative claims of subaltern social groups and their movements and organizations struggling for alternatives to neo-liberal globalization’.<sup>465</sup>

According to Santos, there are several ways in which these tasks can be achieved as opposed to the traditional (privileged) way of doing things in a ‘legal’ manner. First, this entails performing legal and illegal (as well as non-legal) actions through which transnational and local movements transcend their causes (such as rallies, strikes, consumer boycotts, civil disobedience and other ‘illegal’ forms). This is part of the so-called ‘counter-hegemonic movements’ that also pursue traditional institutional avenues such as litigation and lobbying. Second, it seeks to expand the legal canon beyond individual rights and focuses on the importance of political mobilisation for the success of rights-centred strategies. However, this does not mean the abandonment of individual rights, which are still a central part of subaltern cosmopolitan legality in the context of repressive neoliberal globalisation. It also incorporates new understanding of rights that go beyond the liberal ideal of individual autonomy, and incorporates solidaristic notions of entitlements based on alternative forms of legal knowledge. The most important elements of ‘subaltern cosmopolitan legality’ is that, contrary to the depoliticised notion of the law as governance approach (e.g. administrative law), it views laws and rights as elements of struggles that need to be politicised before they are legalised. And third, it operates across scales including local, national and regional legal fields and involves both state and non-state actors.<sup>466</sup>

Santos’ work is significant in my study because he demonstrates how law, with a renewed emancipatory potential, can change the conditions of those who are exploited and excluded from the globalising political sphere. In the previous chapter (Chapter 3), I outlined how migration law and citizenship law intersect to construct a type of subjectivity upon Filipino migrant workers with a particular conception of the right way to live, of what the law is and thus authorising a particular form of life. Douglas Litowitz argues that law authorises a particular arrangement by enabling a certain way of life, not so much in relation to the ‘force of the law’ (physical force and coercion) used by the state and its instrumentalities (police), ‘but rather concerns itself with the types of voluntary enterprises and institutions that will be recognised’.<sup>467</sup> This is clear in the way temporary migration regimes function as an ideology that creates a particular aspect of directionality and control to becoming and enjoying the rights and status of citizenship (see Chapters 1 and 2).

Thus, Santos’ call for the radical reinvention of the law as a counter-hegemonic strategy in the face of aggressive neoliberal onslaught is a first step, but more far-reaching than simply looking

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<sup>465</sup> Boaventura de Sousa Santos, *Towards a New Legal Common Sense: Law, Globalization, And Emancipation* (Butterworths, 2nd ed, 2002) 446.

<sup>466</sup> Ibid 15–16.

<sup>467</sup> Douglass Litowitz, ‘Gramsci, hegemony and the law’ (2000) 2 *Brigham Young University Law Review* 515, 530.



for alternative sources of authority or appealing to the legitimacy of the law as a neutral process. Santos' project is valuable for my thesis' purposes because he provides what he calls a 'counter-hegemonic globalisation' which aims not only to fight against the economic, social and political outcomes of hegemonic globalisation, but also to challenge the conception that legitimises all forms of social exclusions. Thus, it focuses on the struggle against social exclusion, a struggle which in its best terms encompasses the excluded populations.<sup>468</sup>

In the subsequent chapters (Chapters 6 and 7), I explore how Migrante Australia, as an oppositional migrant movement organisation, transnationally organises and mobilises itself against the neoliberal policies of both sending and receiving countries, and how its counter-hegemonic practices have raised political consciousness and empowered many Filipino migrants in Australia. This counter-hegemonic framework fits within my analysis for a new type of 'citizenship' that is active and transformative, and which opens up spaces of critical reflection, intervention and resistance, rather than the closure of a space of contestability.

#### **4.4 Towards activist citizenship: the Filipino diaspora as activist citizens**

In this final section, I explain why I use the notion of the 'diaspora' as a proper framework to analyse the transnational politics and political consciousness of Filipino migrants in Australia. Using the diaspora framework, I outline the possibilities of a new type of citizenship that comes from diaspora activism of Filipino migrants in Australia as a counter-hegemonic strategy and practices against the neoliberal hegemonic tendencies explored in the previous section.

##### **4.4.1 Diaspora as a framework**

The term 'diaspora' is very complex and highly contested. Academic debates about the definitions of diaspora are endless. The classical concept of diaspora is derived from a specific biblio-historical meaning that pertains to the dispersion of the Jews from their historic homeland.<sup>469</sup> Today, scholars have utilised the notion to describe different categories of people — 'expatriates, expellees, political refugees, alien residents, immigrants and ethnic and racial minorities *tout court*'.<sup>470</sup> The common features that are generally associated with diasporas include: geographical dispersion of a section of the population living abroad; collective memory of a homeland; the longing of eventual return to this homeland; strong group consciousness; a troubled relationship with host societies (e.g. lack of

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<sup>468</sup> Santos, *Towards a New Legal Common Sense*, above n 465, 459.

<sup>469</sup> Irving M Zeitlin, *Jews: The Making of a Diaspora People* (Polity, 2012) 1.

<sup>470</sup> William Safran, 'Diasporas in modern societies: myths of homeland and return' (1991) 1(1) *Diaspora: A Journal of Transnational Studies* 83, 83.

acceptance); and solidarity with co-ethnic members.<sup>471</sup> Given the heterogeneity of its meaning and use, I would argue that the concept of diaspora encompasses all of the above features because the notion itself is not fixed and continues to evolve in different context and realities.

In the situation of overseas Filipinos, there is a general acceptance these days within academia regarding the question of whether or not overseas Filipinos really constitute a diaspora. Filomeno Aguilar Jr, a Filipino scholar, posits this question and examines the imagined and constructed collectivity within which the diasporan identity of Filipinos is embedded.<sup>472</sup> In his analysis, he finds that the recognition of the Filipino diaspora in the wider Anglophone scholarly world only occurred in the mid-2000s because of the considerable number of scholarly works produced mainly by Filipino-American scholars who used 'diaspora' as a theoretical frame to study the global migration of Filipinos.<sup>473</sup> He concludes by urging a more expansive discourse on Filipino diaspora that could possibly open up a 'new intellectual order' that is 'inclusive and encompassing, recognising a plural world of nations where Filipinos roam'.<sup>474</sup>

The work of a Filipino-American literary academic, Epifanio San Juan Jr, is arguably the most influential analysis in the subject of collective resistance and transnational activism of Filipino diaspora, particularly in the US context. He proposes a 'new perspective' that is 'beyond the formulation of liberal multiculturalism and pacified ethnic diversity' but, rather, is embedded in 'a politics of *counterhegemonic struggle* ... to dispute the dominant logic of representation, the scenarios of hegemonic interpellation that constitute subjectivity, identity, and agency, inflected by class, race, gender, sexuality, and so on'.<sup>475</sup> In his analysis, San Juan suggests that overseas Filipinos are still 'in the process of becoming' a collective agency that constitutes diverse and complex lived experiences, memories and struggles in both the homeland and the diaspora. He calls this process the 'diaspora-in-the-making' – an emerging overseas Filipino 'collectivity in transit' that comprises 'a shared history of colonial and racial subordination, marginalisation, and struggles for cultural survival through heterogeneous forms of covert resistance and open rebellion'.<sup>476</sup>

San Juan's approach provides a different and radical perspective on the Filipino diaspora as a collectivity of political 'agency-in-the-making'. It is relevant in this thesis for two reasons: first, it opens up a new form of 'collective identity' based on a culture of resistance emanating from a particular group's lived experiences, history and socio-cultural realities; and, second, a diaspora is

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<sup>471</sup> Robin Cohen, *Global Diasporas: An Introduction* (Routledge, 2nd ed, 2008) 17.

<sup>472</sup> Filomeno V Aguilar Jr, 'Is the Filipino diaspora a diaspora?' (2015) 47(3) *Critical Asian Studies* 440.

<sup>473</sup> See, for instance, the following scholarly works on the Filipino diaspora in the US context: Susanah Lily Mendoza, *Between the Homeland and the Diaspora: The Politics of Theorizing Filipino and Filipino American Identities* (Routledge, 2002); and Antonio T Tiongson Jr, Edgardo V Gutierrez and Ricardo V Gutierrez (eds) *Positively No Filipinos Allowed: Building Communities and Discourse* (Temple University Press, 2006).

<sup>474</sup> Aguilar Jr, 'Is the Filipino diaspora a diaspora?', above n 472, 457.

<sup>475</sup> E San Juan Jr, *From Exile to Diaspora: Versions of the Filipino Experience in the United States* (UPMK, 1998) 16 (emphasis added).

<sup>476</sup> San Juan, 'Contemporary global capitalism', above n 37, 21.

not a static entity, but a living collectivity that is always redefining and reconstituting itself – the process of ‘becoming’ – through various enactments and practices as carried out by specific agents.<sup>477</sup> The formation of a new Filipino collective identity in Australia will be fully explored in Chapter 8 of the thesis, and in my final analysis below, I outline the implications of diaspora activism for the notion and practice of citizenship.

#### 4.4.2 Acts of citizenship

Reading diaspora activism as a form of contestation and resistance provides a different way of looking at the notion and practice of citizenship that not only adheres to the strictly formal understanding that is based on democratic institutions within which all members are incorporated, but also takes the perspective of various actors ‘from below’ and ‘from within’ Filipino migrant collectivity that transforms various forms, subjectivities and locations of citizenship. I argue that an alternative type of citizenship should be considered that takes into account various ‘acts of citizenship’ performed and initiated by migrants and non-citizens.

From this perspective, ‘acts of citizenship’ are ‘those acts that transform forms (orientations, strategies, technologies) and modes (citizens, strangers, outsiders, aliens) of being political by bringing into being new actors as activist citizens (claimants of rights and responsibilities) through creating new sites and scales of struggles’.<sup>478</sup> This approach shifts its focus from the narrow liberal perspective that is focused on rights and status to the notion of citizenship that is based on the diaspora activism of Filipino migrants in Australia that produces new ways of ‘becoming political’, which I will examine in more detail in Chapter 8. Following Isin, ‘becoming political’ means ‘that moment when the naturalness of the dominant virtues is called into question and their arbitrariness revealed ... by developing symbolic, social, cultural and economic practices that enabled them to constitute themselves as *political agents* under new terms’.<sup>479</sup>

This is the essence of diaspora activism that I aim to propose in this thesis – in which the ‘migrant figure’ not only moves across borders, but ‘acts (interrogates and transgresses) against frontiers’.<sup>480</sup> Isin uses the term ‘activist citizenship’ to depict these newly emerging types of citizen subjectivities in contrast to the ‘active citizenship’ that is traditionally associated with the ideals and principles of modern liberal citizenship. He argues that, in contrast to the ‘active citizens’ who ‘become activated through scripts ... that are conducive to strategies articulated by governing authorities’, ‘activist citizens’ are those ‘who struggle against injustice (wrong), for equality and for

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<sup>477</sup> Francesco Ragazzi, ‘Diaspora: the politics of its meanings’ (2012) 6(1) *International Political Sociology* 107, 109.

<sup>478</sup> Engin F Isin, ‘Theorizing acts of citizenship’ in Engin F Isin and Greg M Nielsen (eds) *Acts of Citizenship* (Zed Books, 2008) 15, 39.

<sup>479</sup> Isin, *Being Political*, above n 36, 275–76 (emphasis added).

<sup>480</sup> Isin, *Citizens Without Frontiers*, above n 35, 11.

identification ... [who] relentlessly pursue possibilities for writing new scripts with creativity, inventiveness and autonomy'.<sup>481</sup> This involves the use of 'performative acts' through which people become citizens in exercising or claiming rights and duties.<sup>482</sup>

Thinking about migrants as activist citizens also shows a co-constitutive relationship between non-citizen migrants and citizens in general.<sup>483</sup> Rethinking citizenship as acts of contestation, rupture and resistance has the power to transcend our conventional way of thinking about citizenship as inclusion/exclusion in favour of a more fluid interaction between various subjects. It produces a new spatial dimension and, as McNevin argues, 'spaces that resist subordination to territorial norms and to neoliberal rationalities – spaces of excess that are located in the crevices and gaps of sovereign power and that shape solidarities across alternative grounds'.<sup>484</sup>

This new space operates not only 'transnationally' in terms of the territorial boundary of the nation-state, but also 'inter-subjectively' in that 'it allows us to shift the frame for understanding political activism that centres on and begins with the citizen to one that begins with non-citizens'.<sup>485</sup> McNevin examines various cases that demonstrate how migrants reject their position as aliens and make claims on their communities in which they live and work, including undocumented migrant workers in the United States, asylum seekers in Australia and *sans papiers* in France. She also connects migrants' activism to the complex rescaling of the neoliberal state that prioritises market relations rather than human rights, which also maps the broad dynamics of political belonging in the current globalised world.<sup>486</sup>

Often, migrants' activism demonstrates transnational linkages with their struggle in the homeland. In the case of Filipino migrants, their transnational link with their homeland is characterised by familial, economic and sometimes symbolic relations that simultaneously connect and disconnect the Filipino diaspora.<sup>487</sup> With other Filipino groups, their link binds both migrants and immigrants in the diaspora 'in a struggle to not only expand the economic, political and social rights and privileges of overseas Filipinos globally, but indeed to struggle for a new kind of citizenship at home'.<sup>488</sup> This is a type of transnational migrant politics that connects migrants' and

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<sup>481</sup> Ibid 148.

<sup>482</sup> Engin F Isin, 'Performative citizenship' in Ayelet Shachar et al (eds) *The Oxford Handbook of Citizenship* (Oxford University Press, 2017) 500, 517. See also Karen Zivi, *Making Rights Claim: A Practice of Democratic Citizenship* (Oxford University Press, 2012), particularly Ch 3 and 4 in relation to the performative aspect of rights claiming.

<sup>483</sup> Peter Nyers and Kim Rygiel, 'Introduction' in Peter Nyers and Kim Rygiel (eds) *Citizenship, Migrant Activism and the Politics of Movement* (Routledge, 2012) 1, 10.

<sup>484</sup> McNevin, *Contesting Citizenship*, above n 278, 149.

<sup>485</sup> Heather Johnson, 'Moments of solidarity: migrant activism and (non)citizens at global borders' in Peter Nyers and Kim Rygiel (eds) *Citizenship, Migrant Activism and the Politics of Movement* (Routledge, 2012) 109, 122.

<sup>486</sup> McNevin, *Contesting Citizenship*, above n 278, 1–10.

<sup>487</sup> Espiritu, *Homebound*, above n 324, 2.

<sup>488</sup> Rodriguez, 'Migrant heroes', above n 367, 355.

immigrants' rights overseas with their political struggles in the Philippines. Migrante Australia is an example of a prototype 'global migrants' movement' that unites for a common cause against neoliberal globalisation and connects the injustices that this process causes for both Filipinos in the homeland and overseas Filipinos in the diaspora, a topic which I will fully explore in Chapter 6 of the thesis.

## **4.5 Conclusion**

Citizenship is not a straightforward concept; its ideals and practices entail some inherent contradictions, complexities and ambiguities. Citizenship as a bounded and exclusivist conception entails full membership of individuals in a political community. For those who are members of the polity, citizenship confers a certain status, rights and identity. It implies inclusion and belonging. But for those who are excluded, citizenship is a means of subordination and exclusion. This tension is expressed in different competing notions of citizenship put forward by various frameworks and approaches explored in this chapter.

As neoliberal globalisation intensifies, the movement of people around the world also increases, affecting the lives of many migrant workers and their families. Many subordinate groups, including migrants and diasporans, have been the subject of abuse, exploitation and subordination in their host countries. And many have also struggled for their rights and welfare, as well as contesting these neoliberal hegemonic tendencies. This chapter has provided alternative, oppositional discourses which have emerged within the periphery of neoliberal hegemonic projects.

Thus, I have described how a counter-hegemonic approach can become an alternative project that opens up spaces of critical reflection, intervention and resistance, rather than the closure set forth by the current hegemonic order. Using diaspora as a framework, I put forward the possibility of diaspora activism as a form of 'activist citizenship' which is based on the idea of contestation and rupture of 'the other'. Therefore, citizenship through the lens of diaspora activism demonstrates how migrants can become 'activist citizens' who exercise their political agency to transform various forms, subjectivities and locations of citizenship locally and transnationally.

# Chapter 5

## Hannah Arendt and Conscious Citizenship

### 5.1 Introduction

This chapter outlines the central conceptual framework I call ‘conscious citizenship’ for understanding the political activism of a Filipino migrant group in Australia – Migrante Australia. Following Hannah Arendt’s political theory, it builds upon the notion of activist citizenship presented in the previous chapter (Chapter 4), where diaspora activism and counter-hegemonic contestation open up other possibilities of political engagement and participation in the public sphere. Here, I suggest that an Arendtian approach is the most suitable theoretical framework to examine the notion of conscious citizenship performed collectively by Migrante Australia, which is the subject of the next chapter of the thesis (Chapter 6).

The chapter is divided into two sections. In the first section, I explore Arendt’s political theories on politics, citizenship, identity and ethics. My discussion covers her two main sets of work: first, *The Jewish Writings* and her discussion of the ‘conscious pariah’;<sup>489</sup> and, second, her writings on *The Human Condition* that introduce key conceptual themes such as action, public realm, freedom, equality and power.<sup>490</sup> In this section, I also make some remarks on her 1963 reporting and discussion of the Eichmann trial.

In the second section, I explain in more detail why an Arendtian approach is relevant to this study and how this approach is desirable for exploring the notion of conscious citizenship that recognises, on the one hand, plurality, distinction and contestation, and on the other hand, the solidarity, togetherness and collective action of Migrante Australia. As I explained in Chapter 1, an Arendtian approach is a synthesis of Arendt’s personal experience as a Jewess pariah, as well as the ‘dialectics’ of her different theories and political thought in her major books, notably *The Jewish Writings*, *The Human Condition* and her later work *The Life of the Mind*. Within this approach, I argue that the idea of the conscious pariah does not only pertain to individual actors. With a closer analysis, considering her later work, one sees that Arendt’s concept of the conscious pariah points to a collective/community action of citizens.

Moreover, I argue that conscious citizenship in Arendt’s thought is not only about the collective and participatory engagement of citizens (and non-citizens) in the *polity*, but it is also about dissenting practices that are equally valuable for challenging and contesting the very boundary of

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<sup>489</sup> See Hannah Arendt, *The Jewish Writings* (Schocken Books, 2007).

<sup>490</sup> See Arendt, *The Human Condition*, above n 29.

the political. I propose that these are the key elements of conscious citizenship – a citizenship that is forged between these two dialectical poles (i.e. solidarity/distinction, consent/dissent) from which several virtues including political responsibility, courage and commitment/promise arise as a result.

## 5.2 Arendt and her political theory

Hannah Arendt remains one of the most influential thinkers of the twentieth century whose works are broad in scope, addressing questions such as freedom and responsibility, violence and revolution, war and totalitarianism, social alienation and commodity fetishism, imagination and judgement, participatory politics and civil disobedience, and the meaning of human existence itself.<sup>491</sup> In this section, I briefly outline important moments in Arendt's life to show how her own lived experience as an independent thinker and a conscious pariah greatly influenced her later work. I then examine some of the central themes in her two major works, *The Jewish Writings* and *The Human Condition*.

### 5.2.1 The life of a Jewess pariah

Arendt was born into a secular German Jewish family in 1906 in Linden (present-day Hanover). When she was three, she moved with her family to Königsberg and at eighteen she left home to study philosophy with Martin Heidegger at the University of Marburg. She moved to Heidelberg, where she wrote her dissertation on 'The concept of love in Augustine'<sup>492</sup> under the existentialist philosopher Karl Jaspers. Arendt's life was shaken by the events that came to be seen as the 'dark times'<sup>493</sup> of the twentieth century. She escaped Nazi Germany in 1933 at the age of 27 and left for Paris, for the next eight years working for several Jewish organisations. In 1941, she was forced to leave France and sought asylum in America together with her husband, Heinrich Blücher, and her mother, Martha Arendt.

In New York, she became active within the intelligentsia of writers and academics and lectured at a number of American universities including Princeton, UC Berkeley and Chicago. She was known for the publication of her magnum opus, *The Origins of Totalitarianism*, and soon after her most influential philosophical work, *The Human Condition*. She was later known as a very outspoken and controversial intellectual, especially with the publication of her book *Eichmann in*

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<sup>491</sup> Patrick Hayden, 'Introduction: illuminating Hannah Arendt' in Patrick Hayden (ed) *Hannah Arendt: Key Concepts* (Routledge, 2014) 1, 1.

<sup>492</sup> Hannah Arendt, *Love and Saint Augustine* (University of Chicago Press, 1996).

<sup>493</sup> The phrase 'dark times' was borrowed by Arendt from the German poet and playwright Bertolt Brecht in his famous poem 'To posterity' and she uses it to signify not just 'the monstrosities of this century' but also the hope that 'illuminates' from the extraordinary lives and works of men and women who uphold 'humanity' during the darkest hours: see Hannah Arendt, Preface in *Men in Dark Times* (Harcourt Brace, 1968) ix.

*Jerusalem* in 1963. This resulted in waves of protest across America and she was vilified by the Jewish-American community. Many Jewish public figures criticised her for being 'anti-Jewish' because they saw her as blaming the victims. In her book on Eichmann, she develops the term the 'banality of evil' to describe him not as a 'monstrous' evil being, but as a 'banal' person—that is, Eichmann's disposition was 'too normal'.

For Arendt, Eichmann's banality was the result of his 'thoughtlessness' and his inability to think independently. He took it as his duty to obey orders and pursued that 'duty' relentlessly and without further reflection. Arendt warns that the 'trouble with Eichmann was precisely that so many were like him', people who conform to mass opinion without critical examination of the consequences of their actions or omissions.<sup>494</sup> I explicated in Chapter 2 how neoliberal hegemonic culture affects individual subjectivity and drives citizens towards consumerism, competition and a market-driven outlook. A 'conscious pariah' like Arendt is someone who critically reflects on their standing with the rest of society, which actively intervenes or resists hegemonic conditions under high levels of popular consent and mass conformity.

Unlike Eichmann, Arendt resisted and refused to accept (or assimilate to) any given and prevailing societal norm. Throughout her life, she was always an outsider—a pariah. As a child, she became aware of her 'Jewishness' because she 'looked different from other children'.<sup>495</sup> She was taught by her mother to defend herself against anti-Semitic slurs from her schoolmates.<sup>496</sup> Later on, in a letter to her friend Gershom Scholem, she writes: 'To be a Jew belongs for me to the indisputable facts of my life, and I have never had the wish to change or disclaim facts of this kind'.<sup>497</sup> This shows that it is an 'indisputable fact' of her life that she could not escape her Jewishness. She came to the view that, in the midst of Nazi persecution and extermination, the Jewish people had no other alternative but to stand up and act politically in terms of their hated image in European society. As she expressly states in the interview with Günter Gaus: 'If one is attacked as a Jew, one must defend oneself as a Jew. Not as a German, not as a world citizen, not as an upholder of the rights of man, or whatever'.<sup>498</sup> Her solution to her own Jewishness was neither to deny nor to blindly affirm it, but to embrace the position of what she calls the 'conscious pariah'—an outsider among the non-Jews and a rebel among her own people.<sup>499</sup>

The Jewish experience of persecution at the time indeed highlights what Arendt saw as the defining condition of ongoing mass hatred, racism and enforced prejudice against particular social

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<sup>494</sup> Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (Penguin, 2006) 276.

<sup>495</sup> Arendt, "'What remains?' The language remains', above n 49, 6–8.

<sup>496</sup> Ibid 8.

<sup>497</sup> Hannah Arendt, 'The Eichmann controversy: a letter to Gershom Scholem', in Jerome Kohn and Ron H Feldman (eds) *The Jewish Writings* (Schocken Books, 2007) 465, 466.

<sup>498</sup> Arendt, "'What remains?' The language remains', above n 49, 12.

<sup>499</sup> Hannah Arendt, 'The Jew as pariah: a hidden tradition' in Jerome Kohn and Ron H Feldman (eds) *The Jewish Writings* (Schocken Books, 2007) 275.



groups that turned every member of that group into a pariah. But a pariah, like Arendt herself, embraces her identity and willingly accepts the challenge and commitment to resist (and to act) politically against the dominant norm of that society. Arendt explores the so-called 'hidden tradition' of the Jewish pariah that reflects the political condition of the entire Jewish pariahdom. The concept of pariahdom in Arendt's thought pertains to '*the absence of a political community* in the long history of the Jewish pariah in the Diaspora with a concomitant lack of political self-consciousness and, until it was too late, a general disinterest in the political affairs of the environment in which they live'.<sup>500</sup> It is this idea of Jewish pariahdom (the lack of a sense of political community) from which one can analyse the concept of the conscious pariah in the context of belonging or a place in the 'common world', the 'worldliness' of things—that both relates and separates humans together.

### 5.2.2 Bernard Lazare: the worldliness of the conscious pariah

Arendt's essays, now collected in *The Jewish Writings*, provide the first context to analyse the theoretical framework of conscious citizenship. In what follows, I explain that the conscious pariah figure provides a framework in which to understand political dissent and action as a 'place in the world'. In her 1944 essay 'The Jew as pariah', Arendt divides those who possess outsider status into two types: the *conscious pariah*, that is, someone who is aware of their status, and the *parvenu*, someone who tries to succeed in the gentile world but can never escape their Jewish roots.<sup>501</sup> But Arendt elevates the conscious pariah to a respected status, arguing that it is the conscious pariahs who 'did most for the spiritual dignity of their people'.<sup>502</sup> Using Bernard Lazare as her exemplar, she argues that Lazare's courageous action of placing the Jewish struggle for emancipation and against anti-Semitism at the forefront of the political arena is one of the central characteristics of a conscious pariah.

Lazare becomes one of Arendt's outstanding figures because he possessed the greatest qualities of the conscious pariah. In her view, what was unique about Lazare was his 'heroic effort to bring the Jewish question openly into the arena of *politics*'.<sup>503</sup> Growing up in a Jewish bourgeois family, Lazare came to recognise the uneasiness of Jewish assimilation as a solution to the Jewish misery. Later in his life, the growing anti-Semitism in France in the wake of the Dreyfus affair<sup>504</sup> led

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<sup>500</sup> Ferenc Feher, 'The pariah and the citizen (on Arendt's political theory)' (1986) *Thesis Eleven* 15, 16 (emphasis in original).

<sup>501</sup> See Ron H Feldman, 'Introduction: The Jew as pariah: the case of Hannah Arendt (1906–1975)' in Jerome Kohn and Ron H Feldman (eds) *The Jewish Writings* (Schocken Books, 2007) xli, xlii (my emphasis).

<sup>502</sup> Arendt, 'The Jew as pariah', above n 499, 275.

<sup>503</sup> Ibid 283 (emphasis added).

<sup>504</sup> The Dreyfus affair was a political controversy in France in 1894 that involved the conviction of Captain Alfred Dreyfus, a young French army officer of Jewish descent, to life imprisonment for allegedly

him to consider the political significance of the Jewish question<sup>505</sup> and bring it into the political arena. Being aware of becoming an 'outcast' as a result of his publication on the Dreyfus affair, Lazare joined the Zionist movement alongside Theodor Herzl.<sup>506</sup> He left the movement in 1899 because he 'could find no place in Herzl's essentially reactionary movement'.<sup>507</sup> As Arendt further explains on the difference between Lazare and Herzl in relation to the Jewish question:

Herzl's solution of the Jewish problem was, in the final analysis, escape or deliverance in a homeland. In the light of the Dreyfus case the whole of the gentile world seemed to him hostile; there were only Jews and anti-Semites ... To Lazare, on the other hand, the territorial question was secondary – a mere outcome of the primary demand that 'the Jews should be emancipated as a people and in the form of a nation'. What he sought was not *escape* from anti-Semitism but a *mobilisation* of the people against its foes.<sup>508</sup>

Thus, Lazare saw the necessity 'to rouse the Jewish pariah to fight against the Jewish parvenu'.<sup>509</sup> For Lazare, the Jew must abandon the so-called 'double-slavery' – 'dependence, on the one hand, upon the hostile elements of his environment and, on the other, on his own "highly placed brethren" who are somehow in league with them'.<sup>510</sup>

Arendt depicts Lazare's conception of conscious pariahdom as a paradigmatic type of a pariah rebel. Thus, she argues that, once the conscious pariah enters politics, they become a rebel.<sup>511</sup> Arendt defines the conscious pariah as a person who is aware of their status in society and, because they are *conscious* of their position, they become a *rebel* against the complacency and conformity imposed by society. Therefore, in the end, they become 'a champion of an oppressed people'.<sup>512</sup> The conscious pariah freely accepts this outsider status and takes it as a positive challenge. The quality

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communicating French military secrets to the German Embassy in Paris. He was later acquitted and pardoned in 1906. The affair is often seen as one of the most classic examples of miscarriage of justice and antisemitism, which has deeply divided France between those who supported Dreyfus and those who condemned him (mostly Catholics). For a detailed discussion of the Dreyfus affair, see Arendt, *The Origins of Totalitarianism*, above n 30, particularly Chapter 4 The Dreyfus Affair, 89-120.

<sup>505</sup> The term 'Jewish question' in this context refers to the problematic situation of the Jewish diaspora in early modern Europe – the image of wandering Jews in search of a land that is not their land, but of another people. The question becomes whether the Jews really belonged to the European nation-state: see Jerome Kohn, 'Preface: a Jewish life: 1906-1975' in Jerome Kohn and Ron H Feldman (eds) *The Jewish Writings* (Schocken Books, 2007), xv.

<sup>506</sup> An influential figure in the early Zionist movement, Theodor Herzl published an important pamphlet in 1896 entitled *The Jewish State* which laid out his vision of the Jewish people and the founding of the Jewish state in Palestine: see Hannah Arendt, 'The Jewish state: fifty years after, where have Herzl's politics led?' in Jerome Kohn and Ron H Feldman (eds) *The Jewish Writings* (Schocken Books, 2007) 375.

<sup>507</sup> Ibid 381.

<sup>508</sup> Hannah Arendt, 'Herzl and Lazare' in Jerome Kohn and Ron H Feldman (eds) *The Jewish Writings* (Schocken Books, 2007) 338, 339 (emphasis added).

<sup>509</sup> Ibid 284.

<sup>510</sup> Arendt, 'The Jew as pariah', above n 499, 284.

<sup>511</sup> Ron H Feldman, 'The pariah as rebel: Hannah Arendt's Jewish writings' in Roger Berkowitz, Jeffrey Kats and Thomas Keenan (eds) *Thinking in Dark Times: Hannah Arendt on Ethics and Politics* (Fordham University Press, 2010) 197, 200.

<sup>512</sup> Arendt, 'The Jew as pariah', above n 499, 283.

of a rebel pariah involves this act of resistance and rebellion against the dominant societal norms and structures that perpetuate oppression, domination and subjugation of a group of people from the margin of society.

Unlike the conscious pariahs, the parvenus, on the other hand, try to escape their pariah status and persistently 'climb by fraud into a society, a rank, a class, [that is] not theirs by birthright'.<sup>513</sup> To climb by 'fraud' means 'concealment' of a particular group/ethnic identity in order to fit into the world of high society. The difference between the conscious pariah and the conformist parvenu is that the conscious pariah draws their strength from the separateness that insists on an individual's unique identity, whereas the parvenu, the social climber and the assimilationist, denies their identity in order to make a personal, mainly economic, success in life, as opposed to the committed political life espoused by the conscious pariah.

So, for Arendt, the starting point for Lazare's conscious pariahdom is the conviction that 'it is the duty of every human being to resist oppression'.<sup>514</sup> Lazare's intention was that the Jews must come out openly in the political realm as the true representatives of the pariah people. The conscious pariah in particular must 'relinquish once and for all the prerogative of the *schlemiel*,<sup>515</sup> cut loose from the world of fancy and illusion, renounce the comfortable protection of nature, and come to grips with the world of men and women'.<sup>516</sup> By coming out openly, the conscious pariah rejects the 'self-exclusivism' of the Jewish pariahdom that stems from the community of *schlemiels*. What Lazare endorses is a kind of *political community* that is responsible for its own political destiny. Thus, the modern conscious pariah accepts the inescapability of their own personal responsibility for their own fate and for the 'common world'. Here, Arendt's notion of the 'common world' is both material and non-material. It is both a 'physical in-between' and an 'inter-subjective in-between' that is constituted by words and deeds.<sup>517</sup> In this chapter, I am interested in exploring Arendt's second sense of the common world, which consists of an intangible 'web of human relationships' that is akin to building political institutions and communities as a result of speech and action.<sup>518</sup> To say that the common world is created inter-subjectively means that the world does not simply exist for us as private individuals, but also between communities of individuals.

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<sup>513</sup> Arendt, *Rahel Varnhagen: The Life of a Jewess* (John Hopkins University Press, 1997) 237. In this biographical book, Arendt depicts Rahel as a person who spent her life fighting to assimilate into gentile society. Becoming a parvenu was the only escape for her, but she always stood as a pariah in the eyes of the bourgeois society: 82, 89-92.

<sup>514</sup> Arendt, 'The Jew as pariah', above n 499, 284.

<sup>515</sup> Arendt uses the word *schlemiel* to refer to those early pariahs who were ignorant of their own social and political conditions and thought only of their own daily survival. She identifies Heinrich Heine as a typical *schlemiel* because of Heine's sense of 'natural freedom' and 'innocence' as the people's poet: *ibid* 278.

<sup>516</sup> *Ibid* 284.

<sup>517</sup> Arendt, *The Human Condition*, above n 29, 52.

<sup>518</sup> *Ibid* 183.

It is also important to bring out Arendt's idea of *sensus communis* or the 'common sense' of the community, because *sensus communis* allows the conscious pariah to become part of the common world as a result of their political action. Here, the idea of common sense is different from the Gramscian perspective on common sense, which was identified in the previous chapter (Chapter 4). For Gramsci, common sense is a norm, practice or belief that has become the dominant culture of society, whereas for Arendt, common sense is our sense of *realness* – the sense that fits all other senses together – because individuals must compare their judgement or *doxa* (opinion) with the judgements of others in the community.<sup>519</sup> She connects the idea of common sense to the notion of 'enlarged mentality' or what she calls 'representative thinking'.<sup>520</sup> So for Arendt, the best political judgements come from those who actually use their imagination to the greatest extent and envision the most potential positions by hypothetically 'visiting' the opinions of others.

In a sense, the idea of common sense is rooted in the common world because it allows us to fit in and be part of the world. Without common sense, we are left worldless and bereft of the capability of interacting with, acting upon or transforming reality. In the realm of *worldlessness*, that is, the condition of meaninglessness and alienation, we are forced to retreat into our own private subjective experiences and feelings, in that we have lost touch with ourselves and lost confidence in the world.<sup>521</sup> On the other hand, *worldliness* is the outcome of human relationships in which the common world serves as the meaningful hub of speech, action and sense experience. As I explore further below, the public realm of speech, action and experience exemplifies for Arendt the true meaning of political action and participation in the polity. To summarise, the conscious pariah, because of their engagement in the public realm and bringing matters of concern into the political arena, possesses the attribute of worldliness. To be a conscious pariah means to care for the world, a stance that transcends private concerns and private benefits into public ones. Being a conscious pariah also signifies a 'belonging in the world' where actions become meaningful and real.

### 5.2.3 The public sphere and political action

In her book *The Human Condition*, Arendt explores the human capacity for action as the fundamental condition of politics: 'that it goes on among *plural* human beings, each of whom can act and start something new'.<sup>522</sup> Human beings are the same because they are members of the human species and share the human world; yet humans are also different from one another because they are all unique,

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<sup>519</sup> Hannah Arendt, *Lectures on Kant's Political Philosophy* (University of Chicago Press, 1992) 72.

<sup>520</sup> Hannah Arendt, 'Truth and politics' in *Between Past and Future: Eight Exercises in Political Thought* (Penguin, 2006) 223, 237. See also explanation of 'enlarged mentality' in Hannah Arendt, 'The crisis in culture' in *Between Past and Future: Eight Exercises in Political Thought* (Penguin, 2006) 194, 217.

<sup>521</sup> Arendt, *The Origins of Totalitarianism*, above n 30, 477.

<sup>522</sup> See Margaret Canovan, Introduction in Arendt, *The Human Condition* (University of Chicago Press, 2nd ed, 1958) viii–ix (emphasis in original).

distinct individuals who are capable of bringing something new or unexpected into the world.<sup>523</sup> It is also vital to delineate Arendt's notion of political action, as it locates how the conscious pariah as a political actor can reclaim the common world, forged between human plurality and human togetherness. For Arendt, action is the central activity, the highest of all human undertakings. She separates action conceptually from other human activities such as labour and work, while all three considered together constitute what she calls the *vita activa* or the active life. The book's most obvious organising principle lies in phenomenological analysis of the three fundamental activities of labour, work and action. Arendt argues that distinctions among these activities have been largely ignored within the philosophical tradition.

One of Arendt's main purposes in *The Human Condition* is to challenge the entire tradition of political philosophy, which emphasises philosophy rather than politics, by recovering and bringing to light these neglected human capacities, most especially political action.<sup>524</sup> At the heart of her analysis of the human condition is the importance of the public sphere: the creation of the common world through the capacity to begin something anew and to keep promises among a plurality of humans who mutually respect one another. In order to see why Arendt regards action and the public sphere as so important, it is essential to first understand the fundamental characteristics of labour and work, and the rise of mass society that has encouraged human beings to behave and think of themselves in terms of their desire to produce and to consume.

I now review the categories of labour, work and action, followed by a brief outline of Arendt's thought on politics and the public sphere. The first category is the activity of *labour*, which corresponds to the maintenance of life—'the biological process of the human body'—that is necessitated by the need to live and survive.<sup>525</sup> Labour is an activity in which natural man, the so-called *animal laborans*, is closest to nature. From an Arendtian point of view, nature simply means the embodiment of life on Earth, which mirrors the natural processes of growth and decay, being repetitive and cyclical in form.<sup>526</sup> Labour entails both production and consumption, and it includes all those endless tasks that sustain the life process. For example, tilling fields, harvesting crops, preparing food are all part of labour. Labour is no more than the response of humans to necessity and it makes life possible; whether the labourer is a slave, a hunter or an executive is not at all relevant.<sup>527</sup> Labour leaves nothing lasting in the world of things and its products disappear immediately through consumption or decay, moving in the same cycle of biological life. Arendt maintains that labour is the domain of the private realm. The private sphere is the natural condition of human beings that satisfies the needs and wants of the human body. In the realm of the household,

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<sup>523</sup> Arendt, *The Human Condition*, above n 29, 178.

<sup>524</sup> Ibid 17.

<sup>525</sup> Ibid 7.

<sup>526</sup> Ibid 98.

<sup>527</sup> Ibid 86–87.

privacy and necessity are not incidental, but are dictated by the nature of organic repetitive life. Hence, labour (the concern for 'life') is a matter for the household, that is, the private realm of human life.

So, within this cycle of labour, human beings are seen through their sameness of biological needs. As an example, Arendt explains that the division of labour is based on an understanding that two individuals labour in unison and 'behave towards each other as though they were one'.<sup>528</sup> This 'one-ness' is the complete opposite of 'co-operation':<sup>529</sup> 'one-ness' indicates the unity of human beings with regards to which every individual is the same and exchangeable; whereas 'co-operation' can be found from old guilds to modern types of trade unions, whose members are bound together by the skills and specialisations that distinguish them from others. She argues that labour is hardly the peak of human existence because it allows for no human individuality nor any real expression of human interaction. At a philosophical level, our existence as creatures who labour appears to be identical to that of other people, because of the sameness of the gestures and movements required in any labour and because of the predictability of our naturally determined needs and wants. Because it is commanded by necessity, the *animal laborans* is characterised by unfreedom and is seen as the equivalent of a (modern-day) 'slave' who labours so that they may consume and consumes so that they may labour.<sup>530</sup> Arendt argues that, in modern commercial societies where the purely economic activities of consumption and production are paradigmatic of all activity, the deterministic character of the labour process has become the hallmark of the society. Arendt calls this phenomenon 'the rise of the social', that is, 'the emergence of society – the rise of housekeeping, its activities, problems, and organisational devices – from the shadowy interior of the household into the light of the public sphere'.<sup>531</sup>

In the modern world, the rise of the social coincided with the expansion of the market economy to the ever-increasing accumulation of capital and wealth: all such activities have taken over the public realm and transformed it into a sphere for the satisfaction of material needs.<sup>532</sup> This produces alienation, loneliness, consumerism and the lack of a sense of belonging in the world. It promotes conformity rather than distinction. This is what Arendt observes as a kind of 'conformism' in America, 'which needs no threats or violence, but arises spontaneously in a society that conditions each of its members so perfectly to its exigencies that no one knows that he is [being] conditioned'.<sup>533</sup>

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<sup>528</sup> Ibid 123.

<sup>529</sup> Ibid 123.

<sup>530</sup> Ibid 87.

<sup>531</sup> Ibid 38.

<sup>532</sup> In the ancient Greek world, concerns for 'life' were a matter for the household (*oikia*); but in the modern world, the distinction between the public and the private spheres has collapsed and concerns for 'life' have come to dominate, which has now become a 'nation-wide administration of housekeeping': ibid 28.

<sup>533</sup> Hannah Arendt, 'The threat of conformism' in *Essays in Understanding 1930–1945: Formation, Exile and Totalitarianism* (Schocken Books, 1994) 423, 424.

Human beings are deprived of a sense of political belonging by not 'speaking' to one another or by not witnessing or participating in political acts that allow them to reveal and distinguish their full human qualities. Thus, the rise of the social has resulted in blurring of the distinction between the private and the public spheres, the space in-between, that is, the relationship and interaction between human beings, which *relates* (solidarity) and *separates* (distinction) us from one another. The idea of 'space in-between' is particularly relevant for the concept of conscious citizenship because it espouses the formation of a political community, couched between solidarity and distinction, that addresses the rising conformism and lack of political participation and engagement in society.

The second category in Arendt's *vita activa* is the activity of *work*. Unlike labour, where products are consumed or rapidly decay, work produces lasting products such as shelters and furniture that separate human beings from nature. Work provides 'permanence and durability', which differs from the results of labour, which disappear quickly.<sup>534</sup> It gives us a sense of space and location, which mitigates the complete sameness that can be found in the activity of labour. Human beings located in this durable worldly space become distinguishable from one another and so are capable of interacting with one another from different perspectives. Arendt describes the worker as *homo faber* or 'the creator of the human artifice' in their highest fabricating capacity.<sup>535</sup> Work, as Arendt sees it, involves the formulation of a blueprint or an idea that guides *homo faber* (as an artist or a craftsperson) to actualise the imagined object by developing new techniques for its realisation.<sup>536</sup>

In this way, the process of fabrication, or in Arendt's words 'reification', allows for the creation of public space which relates and separates individuals and makes political action (in words and in deeds) possible. Reification enables speech and action, in themselves intangible, to be made material in the form of poetry, books, paintings, sculpture and monuments.<sup>537</sup> The world of human affairs depends for its reality and perpetual existence, first, upon the presence of others who have seen, heard and will remember, and, second, on the transformation of the intangible to the tangibility of 'worldly things'.<sup>538</sup> Speech and action are in themselves evanescent, so acting and speaking humans need the help of *homo faber* in their highest capacity, that is, the help of the artists, poets and historiographers, of monument-builders and writers, 'because without them the only product of their activity, the story they enact and tell, would not survive at all'.<sup>539</sup> In other words, *homo faber* lends a stable home to human life and creates a source of reality and reliability for all in the human

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<sup>534</sup> Arendt, *The Human Condition*, above n 29, 94.

<sup>535</sup> Ibid 139.

<sup>536</sup> Ibid 140.

<sup>537</sup> Arendt's notion of 'worldly things' denotes 'the "products" of action and speech, which together constitute the fabric of human relationship': ibid 95. Her notion is similar to Heidegger's idea of 'the thing', which originally meant 'a gathering, and specifically a gathering to deliberate a matter under discussion, a contested matter': see Martin Heidegger, 'The thing' in *Poetry, Language, Thought* (Harper & Row, 1971) 161, 174.

<sup>538</sup> Arendt, *The Human Condition*, above n 29, 95.

<sup>539</sup> Ibid 173.

world. It is in this respect that the activity of work is closely related to the activity of action, which I expound on in more detail below.

Compared to the 'worldlessness' of labour,<sup>540</sup> work builds a world and a home for humanity that provides shelter from the unpredictable world of 'nature'.<sup>541</sup> That is why work is more public than labour because *homo faber* fabricates a durable, tangible array of artefacts and objects beyond nature. This realm of objects indicates the beginning of a common world, which provides tangible human relationships so that we 'can retrieve [our] sameness, that is, [our] identity, by being related to the same chair and the same table'.<sup>542</sup> Unlike the *animal laborans*, *homo faber* steps out of their sphere of isolation and the worldlessness of the private realm, and into the realm of public interaction and worldly actions. Although humans become distinct beings in the realm of work, this distinctiveness is nonetheless subject to the reductive effects of exchangeability. According to Arendt, humans do not appear as unique persons (or workers), as their uniqueness is impeded by the conditions of market exchange.<sup>543</sup> The exchange market is a public place, but it is not the public realm of speech and action because it is governed by private and commercial interests. With the rise of industrialisation, Arendt believes that work begins to take priority over speech and action, 'in which usefulness and utility are established as the ultimate standards for life and the world of men'.<sup>544</sup>

As seen earlier, the rise of consumerism has caused the activity of work to lose its ability to provide meaningful experience for human beings. Arendt also thinks that the overlap and blurring of the distinction between labour and work reduces all activities to securing the necessities of life and seeking material abundance, because many fabricated items that are made through work have become more like objects of labour.<sup>545</sup> Nowadays, consumer goods are easily used up, thrown away and swiftly replaced, 'so that a chair or a table is now consumed as rapidly as a dress and a dress used up almost as quickly as food'.<sup>546</sup> Indeed, this is one of Arendt's criticism of Karl Marx and Marxist theory in *The Human Condition* — that Marx misconceives political action in terms of a mixture of the other human activities of labour and work. She observes that this blurring of human activities is 'a revealing representation of modern society, in which economic concerns have come to dominate both politics and human self-consciousness'.<sup>547</sup> Economic concerns have become the centre of public life and have caused alienation and an increasing tendency for human beings to

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<sup>540</sup> Arendt uses the term 'worldlessness' to denote the *animal laborans*' need to survive, which concentrates exclusively on life and its maintenance, driven by its natural metabolism: *ibid* 118.

<sup>541</sup> In Arendt's thought, nature is life per se: the idea of eternal recurrence of growth and decay in the world. As she explains, 'all human activities which arise out of the necessity to cope with them are bound to the recurring cycles of nature and have in themselves no beginning and no end': *ibid* 98.

<sup>542</sup> *Ibid* 137.

<sup>543</sup> *Ibid* 162.

<sup>544</sup> *Ibid* 157.

<sup>545</sup> *Ibid* 124.

<sup>546</sup> *Ibid* 124.

<sup>547</sup> Canovan, 'Introduction', 'above n 522, xii.



conceive of themselves in terms of their desire to produce and consume. Thus, Arendt's concern about the rise of consumerism and mass society and the overlap between the private and public realms, labour and work, points us towards her analysis of the third category in the *vita activa*, and that is the activity of action.

The final and most important activity for Arendt is *action*. In contrast to the activities of labour and work, action represents the public sphere and provides access to the realm of the political. As Arendt argues, 'in acting and speaking, men show who they are, reveal actively their unique personal identities and thus make their appearance in the human world'.<sup>548</sup> For her, action involves two conditions: natality and plurality. By *natality*, Arendt means the capacity to bring something new to the world and that new birth promises new beginnings; and by *plurality* she means that many and different (distinct) beings inhabit the common world although each person enters the world as a unique presence.<sup>549</sup> Because human beings are both similar (that is, being human) and unique, they need to communicate with each other, and because each being is unique in their own way, they will always be capable of saying or doing something new or unexpected. In these realms of natality and plurality indeed lie the foundation of action and freedom. Yet natality and plurality need a venue for freedom's and action's actualisation, and Arendt calls this the 'space of appearance' or the public (political) realm. The space of appearance is the result of encounters between different beings in the polis, where humans act and speak together and make their appearance explicit.<sup>550</sup>

The public realm plays an important part in the realisation of action and freedom in Arendt's thought. *Freedom* is a crucial concept for Arendt because the expression of freedom in action is at the heart of her understanding of politics.<sup>551</sup> As she explains in her essay 'What is freedom?':

Freedom ... is actually the reason that men live together in political organisation at all. Without it, political life as such would be meaningless. The *raison de'être* of politics is freedom, and its field of experience is action.<sup>552</sup>

Politics, on the other hand, is centred around freedom because freedom creates a space where humans can speak and act freely and equally in the presence of others.<sup>553</sup> Arendt looks to the Ancient Greeks as the cornerstone of her analysis of action. Historically the Greeks experienced freedom in the life of the *polis*. To be free meant to be able 'to leave the household and enter the political realm, where all were equals' in the polity.<sup>554</sup> In the Greek *polis*, this was precisely the freedom of the citizen, as opposed to women and slaves, who were unfree and remained servants of the necessities of life.

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<sup>548</sup> Ibid 179.

<sup>549</sup> Ibid 178–79.

<sup>550</sup> Ibid 198–99.

<sup>551</sup> Arendt, 'Introduction into politics' in *The Promise of Politics*, edited and with an introduction by Jerome Kohn (Schocken Books, 2005) 93, 108.

<sup>552</sup> Hannah Arendt, 'What is freedom?' in *Between Past and Future: Eight Exercises in Political Thought* (Penguin, 2006) 142, 145.

<sup>553</sup> Arendt, 'Introduction into politics', above n 551, 117.

<sup>554</sup> Arendt, *The Human Condition*, above n 29, 32.

Freedom thus is a public phenomenon which resides in the plurality of human beings who interact with one another without coercion as equals among equals.

The capacity to act in concert in politics is what Arendt calls power. *Power*, in Arendt's thought, 'is what keeps the public realm, the potential space of appearance between acting and speaking men, in existence'.<sup>555</sup> As I outlined above, the *polis* represents the space of appearance and it comes into existence wherever humans act together in public.<sup>556</sup> The space of appearance is a 'potential' space that attains its actualisation in speech and action wherever actors gather together to pursue a common political goal or deliberate about matters of public concern.<sup>557</sup> The word 'power' itself, like the Latin word *potentia*, indicates its 'potential' character. The concept of power, which binds actors together, is significant to the notion of 'activist citizenship' (outlined in Chapter 4) because this new type of citizenship opens up possibilities for collective political action and engagement. Similar to the idea of 'rupture' explored in the previous chapter, power has an inherent potentiality because it may rise up immediately, as in the case of revolution or public demonstration, or it may progress gradually, such as a petition to change a law. This is related to Arendt's idea of an 'event' as a 'rupture' which disrupts the usual course of affairs.<sup>558</sup>

Power, like action, is boundless and has no physical limitation. That is why Arendt distinguishes power from strength, force and violence. Unlike strength, power is not a property inherent in a person but of a plurality of persons acting together in concert; unlike force, it is not a natural phenomenon akin to the 'forces of nature', but a worldly outcome through collective effort; and, finally, unlike violence, it is not based on compulsion and terror, but on consent and rational persuasion.<sup>559</sup> Power, in Arendt's thought, is 'relational' and arises between agents and cannot be viewed in terms of a utilitarian means/ends approach.<sup>560</sup> Power therefore lies in the very foundation of a political community, the formation of the 'we' brought about by the actors' consent and mutual promises.

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<sup>555</sup> Ibid 200.

<sup>556</sup> Ibid 199.

<sup>557</sup> For Habermas and other Habermasian theorists like Benhabib, power arises as a result of communication and interaction between citizens and is only legitimate and strong as long as the participants agree and deliberate collectively about matters of common concern: see Jürgen Habermas, 'Hannah Arendt: on the concept of power' in *Philosophical–Political Profiles* (MIT Press, 1983) 173, 174–75; and Seyla Benhabib, *The Reluctant Modernism of Hannah Arendt* (Rowman & Littlefield, new ed, 2000) 205.

<sup>558</sup> Arendt, 'Introduction into politics', above n 551, 111.

<sup>559</sup> For a more detailed discussion of power as opposed to strength, force and violence, see Hannah Arendt, *On Violence* (Harcourt Brace, 1970) 35–56.

<sup>560</sup> Leo J Penta, 'Hannah Arendt: on power' (1996) 10(3) *Journal of Speculative Philosophy* 210, 220.

### 5.3 The significance of an Arendtian approach

In this final section, I outline the features of my idea of conscious citizenship and how this concept provides an appropriate framework to look at the experience of Migrante Australia's political activism in Australia (the subject of the next chapter). The notion of conscious citizenship which I propose in this thesis is based on an Arendtian approach, which I briefly discussed in Chapter 1 and have further developed in this chapter as a synthesis of Arendt's various theories and political thought.<sup>561</sup>

My formulation of conscious citizenship is also built upon the idea of activist citizenship (Chapter 4), which takes into account the dissenting practices of resistance and contestation of a diasporan group (in this case Migrante Australia) against oppression, injustice and inequality brought about by neoliberal policies, through acting together and forming alliances with each other and through raising matters of public concern that affect both Australia and the Philippines. At the core of conscious citizenship are two factors: first is the development of political responsibility within the conscious pariah; and second is the formation of a political community that is grounded in courage, friendship and mutual promises, which I now examine in turn.

#### 5.3.1 The development of political responsibility

From Arendt's point of view, the idea of responsibility is a positive, forward-looking concept. Responsibility acts upon the present and looks into future projects and consequences. Because humans dwell as 'being-in-the-world' and not simply inside the house, individuals cannot avoid the imperative to have a relationship with others and the actions and events performed by the institutions of society. It is vital to look at the concept of responsibility in the context of Arendt's *The Life of the Mind* and her analysis of the role of *willing* in politics. For Arendt, the will is significant to her overall concept of action because willing is 'the spring of action' and, as described by Saint Augustine, 'the Will prepares the *ground* on which action can take place'.<sup>562</sup> Arendt argues that willing is concerned with future projects (not objects)<sup>563</sup> and involves the projection of particular projects as a matter of contingency and not of necessity.<sup>564</sup> Moreover, willing possesses an inherently unsettling nature that involves 'impatience, disquiet and worry'.<sup>565</sup> Aside from this unsettling nature of willing, there are two major elements of the willing process that need to be highlighted because willing can influence responsibility in political action.

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<sup>561</sup> See above discussion in section 5.2 Arendt and her political theory.

<sup>562</sup> Hannah Arendt, 'Willing' in *The Life of the Mind* (Harcourt, 1978) 3, 101 (emphasis added).

<sup>563</sup> Ibid 13-14.

<sup>564</sup> Ibid 31-34.

<sup>565</sup> Ibid 37.

Arendt's first element of the concept of willing consists of a certain experience that is derived from our sense of 'awareness' that leads us to understand ourselves as free agents. This awareness of the self involves the relationship between the will and freedom and, from what I explicated earlier, is the foundation of politics itself. For Arendt, the experience of freedom is associated with a sense of empowerment, that is, the will's uncertainty and restlessness are only resolved when the 'I-will and I-can' is proven in practice (action) and instead becomes the 'I-can and I-do'.<sup>566</sup> She distinguishes two types of freedom, one that is motivated by choice and the other by action and the capacity to begin. The false notion is based on choice—the will itself, what is also known as the 'free will' or what she calls the *liberum arbitrium* (free choice or free decision), which, according to the Christian doctrine, is given to us by God.<sup>567</sup> The other notion is real freedom, the capacity to start something new and to do the unexpected, and is rooted in natality—the fact that each birth represents a new beginning and novelty in the world. Following Augustine, Arendt observes that the will as a 'spring of action' belongs to humans and, through their awareness and being conscious of their beginning or origin, 'is able to act as a beginner and enact the story of mankind'.<sup>568</sup>

This sense of awareness gives rise to a kind of self-discovery and self-affirmation on how 'I' decide 'who' I am going to be and how I want to show myself in the world. This is the second feature of Arendt's concept of willing, which is based on the creation of a person's character. She argues that the will, as an organ of spontaneity, enables the self to act spontaneously and is the agent of producing the self's *character*.<sup>569</sup> What this means is that the actor's immediate engagement in the public realm shows their worldly character. Following Machiavelli, Arendt also speaks of the idea of *virtù* as a specifically political human quality and excellence, 'with which man answers the opportunities the world opens up before him'.<sup>570</sup> In other words, *virtù* is a response to the world, in as much as responsibility is a response to current injustices and wrongs to promote better ends. Bonnie Honig argues that an Arendtian *virtù*, as oppose to a Nietzschean form,<sup>571</sup> 'has a role to play in a kind of transvaluation of values, one that might embolden citizens for the ruptures, the genuinely discomforting pleasures and uncertainties, of democratic political actions'.<sup>572</sup>

So, the essence of political responsibility in conscious citizenship entails 'paying critical attention to the moral consequences of the actions, policies and beliefs of his or her political community and fellow citizens'.<sup>573</sup> As observed earlier, taking a 'stand' or accepting their own

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<sup>566</sup> Ibid 37. See also, Arendt, 'What is freedom?', above n 552, 158–59.

<sup>567</sup> Ibid 29.

<sup>568</sup> Arendt, *Love and Saint Augustine*, above n 492, 55.

<sup>569</sup> Arendt, 'Willing', above n 562, 195 (my emphasis).

<sup>570</sup> Arendt, 'What is freedom?', above n 552, 151.

<sup>571</sup> Nietzsche's form of virtue is very individual and despises all that is political: see Friedrich Nietzsche, *The Will to Power* (Vintage, 1968) 170.

<sup>572</sup> Bonnie Honig, 'Negotiating positions: the politics of virtue and *virtù*' in *Political Theory and the Displacement of Politics* (Cornell University Press, 1993) 1, 4.

<sup>573</sup> Danna Villa, *Socratic Citizenship* (Princeton University Press, 2001) 299.

responsibility is what makes the conscious pariah different from the conformist parvenu. Tuija Parvikko calls this commitment the 'partial responsibility' of the pariah, and by 'partial' she means 'personal' (rather than collective) responsibility, in which personal responsibility also has political significance. For Parvikko, the personal responsibility of the pariah has a double character:

On the one hand, it refers to the inescapable fact that personal choices and decisions contribute to the political fate of the pariah. On the other hand, what is at stake in the responsibility of the pariah is no more and no less than maintaining one's personal dignity.<sup>574</sup>

Here, the idea of personal responsibility is very much tied up with one's moral stance to do something where morality or conscience plays an important part in political judgement.<sup>575</sup> This is what Rosalyn Diprose calls 'responsive conscience', which the conscious pariah uses as a response to totalisation and conformism.<sup>576</sup>

Here it is crucial to elaborate the two distinctive moments of responsibility in Arendt's thought. The first one is the 'personal responsibility' that stems from the faculty of *thinking* as a private dialogue—'the soundless dialogue of the I with itself'.<sup>577</sup> Again in *The Life of the Mind*, she looks to Socrates as the model for this type of thinking.<sup>578</sup> She believes that Socrates tirelessly prompted Athenians in the agora to question themselves and their morality through an inner dialogue with themselves (Socratic thinking). When one is alone, one is able to think and have a silent conversation with the self, the process between me and myself, the so-called 'two-in-one', which heals the solitariness of thought.<sup>579</sup> The logic of the self as a 'two-in-one' functions as if one's conscience tells one what not to do (avoid evil doings) for fear that the self would have to live with the wrongdoer and never be friends with the other self again.<sup>580</sup> Arendt thinks that it is better to suffer wrong than to commit it because of one's need to be in harmony with the self. She also acknowledges that this type of thinking (Socratic thinking) is very much related to one's morality.

Arendt argues that it is our *conscience* that actually 'appears as an afterthought' and conditions us from evildoing; it tells us 'what *not* to do'.<sup>581</sup> Conscience puts boundaries on what a

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<sup>574</sup> Tuija Parvikko, *The Responsibility of the Pariah: The Impact of Bernard Lazare on Arendt's Conception of Political Action and Judgement in Extreme Situations* (University of Jyväskylä, 1996) 216.

<sup>575</sup> Arendt points out that *conscience* in its original meaning does not come strictly within the realm of ethics and morality, but instead what we now call *consciousness*, 'that is, the faculty by which we know, are aware of, ourselves': Hannah Arendt, 'Some questions of moral philosophy' in *Responsibility and Judgment* (Schocken Books, 2003) 49, 76 (my emphasis).

<sup>576</sup> Rosalyn Diprose, 'Arendt on responsibility, sensibility and democratic pluralism' in Andrew Schaap, Danielle Celermajer and Vrasidas Karalis (eds) *Power, Judgment and Political Evil: In Conversation with Hannah Arendt* (Ashgate, 2010) 39, 40.

<sup>577</sup> Hannah Arendt, 'Thinking' in *The Life of the Mind* (Harcourt, 1978) 3, 74–75.

<sup>578</sup> Ibid 166–93.

<sup>579</sup> Ibid 187.

<sup>580</sup> Arendt argues that 'it is better to suffer wrong than to do wrong, because we can remain the friend of the sufferer; [but] who would want to be the friend of and have to live together with a murderer?': ibid 188.

<sup>581</sup> Hannah Arendt, 'Thinking and moral considerations' in *Responsibility and Judgment* (Schocken Books, 2003) 159, 187 (emphasis in original).

person will do (and not do) based upon what they can live with after the fact. So conscience is the moral 'side effect' of thinking, like Arendt's notion of action that produces unintended consequences and by-products. And this moral side effect arises in emergencies and, in her words, 'in rare moments when the chips are down'.<sup>582</sup> In this way, thinking is a safeguard against evil in extreme situations in which 'everybody is swept away unthinkingly by what everybody else does'.<sup>583</sup> In other words, thinking is the main source of resistance to political atrocities. Going back to the notion of the conscious pariah, the pariah as a political actor not only is aware of what is happening around them, but their conscience also pushes them to become what I call a 'responsible pariah', that is, and as Diprose argues, 'a conscience sufficiently responsive to mobilise the self into political action'.<sup>584</sup>

I now come to the second mode of responsibility in Arendt's thinking – 'political responsibility'. I argue that Arendt's notion of political responsibility is not only rooted in a person's moral standing, but it is also tied to the external social-political factors. I further contend that the notion of political responsibility is what prompts the individual actor to join in a 'collective' effort, which transforms the moral-personal *virtù* into a political-collective one. Arendt explains that collective responsibility is a kind of responsibility that is political, that derives simply from common membership in a nation or political community.<sup>585</sup> Indeed, the significance of distinguishing the moral-personal aspect of responsibility, on the one hand, and the political aspect of responsibility, on the other, is crucial to Arendt's thought on the pariah's moral standing and political action.

The concept of political responsibility is one of the key features of conscious citizenship because it prompts individual moral consciousness to become group political consciousness for collective action. For instance, in her reading of the Eichmann trial, Arendt finds very few instances in Nazi Germany of the exercise of political-collective responsibility. Whilst very few may have spoken about their opposition privately, many had 'no plan or intention of revolt'.<sup>586</sup> Iris Marion Young's reading of Arendt's *Eichmann in Jerusalem* sheds some light on the notion of political responsibility as 'a duty for individuals to take public stands about actions and events that affect the broad masses of people, and to try to organise collective action to prevent massive harm or foster institutional change for the better'.<sup>587</sup> Like Diprose, Young argues that political responsibility is 'forward looking' because 'one *has* the responsibility always *now*, in relation to current events and in relation to their future consequences'.<sup>588</sup> More so, for Young, 'political responsibility is not about doing something by myself, however, but about exhorting others to join me in collective action'.<sup>589</sup>

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<sup>582</sup> Ibid 189.

<sup>583</sup> Ibid 188.

<sup>584</sup> Diprose, 'Arendt on responsibility', above n 576, 40.

<sup>585</sup> Hannah Arendt, 'Collective responsibility' in *Responsibility and Judgment* (Schocken Books, 2003) 147, 149.

<sup>586</sup> Arendt, *Eichmann in Jerusalem*, above n 494, 99.

<sup>587</sup> Iris Marion Young, *Responsibility for Justice* (Oxford University Press, 2011) 76.

<sup>588</sup> Ibid 92 (emphasis in original).

<sup>589</sup> Ibid 93.

So, one could think about the responsible pariah as possessing, on the one hand, the ‘inner-ethical’ traits of the individual actor, and on the other hand, the ‘external-political’ qualities of the individual in a collective group that form part of conscious citizenship as a whole. This also motivates the actor to form and become a member of a group that continuously participates in the life of the *polis*. Thus, being a *responsible pariah* is a kind of ‘mature’ acceptance of responsibility for the world, for preserving what is valuable in it and for creating better arrangements, which is all part of growing up.<sup>590</sup> Hanna Pitkin uses the metaphor of a growing child and draws on ‘action and freedom’ as a hope for the child, the real untainted self, to grow up into an autonomous responsible adult that both assists the self’s sense of responsibility and serves other people.<sup>591</sup> Thus, the pariah’s responsible action is a self-expression and self-realisation of their inner traits of being conscientious and responsible for others as result of the objective (oppressive) conditions in which the pariah is embedded. With this, we can see the responsible pariah as a model political actor *par excellence* who regards themselves as part of an organised political community.

### 5.3.2 The formation of a political community

Another implication of the Arendtian approach which is relevant to this thesis is the significance of an organised political community. As explained in the previous section, Arendt regards the public sphere as the realm of collective action. It is here in the public realm – the ‘space of appearance’ – that people gather together as an organised community that arises out of acting and speaking together. Drawing from the Ancient Greek’s notion of citizenship, she argues that this ‘space’ lies not in the city-state in its physical location, but in ‘the *organisation of the people* ... which can find its proper location at anytime and anywhere’.<sup>592</sup> Thus, it is arguable that what Arendt has in mind is the formation of some kind of ‘political community’ that is more than a proper physical location like the ancient *polis* or the modern nation-state. The idea of citizenship that I presented in the previous chapter (Chapter 4) entails inclusion and belonging, but it may also infer contestation and resistance that transforms different forms, subjectivities and locations of citizenship. In this last section, I propose three essential ingredients that constitute the formation of a political community, which forms another key aspect of the notion of conscious citizenship.

The first element is the notion of *courage*. For Arendt, courage is a cardinal virtue of politics because it ‘liberates men from their worry about life for the freedom of the world’, not because of any particular danger that awaits us, ‘but is demanded of us by the very nature of the public

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<sup>590</sup> Pitkin, *The Attack of the Blob*, above n 43, 246 (my emphasis).

<sup>591</sup> Ibid 175.

<sup>592</sup> Arendt, *The Human Condition*, above n 29, 198 (emphasis added).

realm'.<sup>593</sup> It is a central component of participatory citizenship because it is a form of commitment to public action and resistance in times of risk, uncertainty and fear. Holloway Spark contends that political courage is an indispensable feature of what she calls 'dissident citizenship'. She explains that it plays an important role in 'path-building', using Susan Bickford's term,<sup>594</sup> in that it 'enables and guides action (speaking, listening and change) in the presence of fear'.<sup>595</sup> Holloway further claims that courage is vital for those citizens who undertake oppositional, democratic and non-institutionalised dissident actions.<sup>596</sup> This is significant in terms of political courage as it has become a crucial aspect for those who engage in dissent and oppositional politics.

The second element that constitutes this political community is the idea of *friendship*. Arendt's idea of friendship stems from her continuing appeal to 'humanity' and care for the world. For Arendt, the political significance of friendship is manifested through discourse and constant interchange of talk between fellow citizens in the *polis*. It is through discourse that 'we humanise what is going on in the world and in ourselves only by speaking of it, and in the course of speaking of it we learn to be human'.<sup>597</sup> As observed in the previous section, Arendt highlights that world alienation and the rise of the social have disconnected us from the common world, and instead we turn to our private selves as the object of concern and medium of all experiences.<sup>598</sup> Arendt's reflection shows us that what needs our attention most is not ourselves, but the world around us and, more specifically, our relationships with one another – a sense of 'being at home in the world'. Danielle Celermajer sees our relationship to the world as a way of 'sharing' which requires a very particular type of dynamic, 'specifically one that holds both mutuality and distinction'.<sup>599</sup> In this analysis, friendship is crucial because it provides a 'space' where solidarity and plurality meet (the space 'in-between').<sup>600</sup> Friendship is inextricably linked to a political belonging or a kind of political community where 'activist citizens' are enacted as part of an organised community.

Connected to the idea of friendship as an enactment of a political community is the third and final element in the equation – *mutual promise*. I discussed earlier the power generated when people act together in concert, which is inherently unpredictable and often disappears the moment they part. So, the force that binds them together is the force of mutual promise or contract.<sup>601</sup> Arendt's

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<sup>593</sup> Arendt, 'What is freedom?', above n 552, 155.

<sup>594</sup> Susan Bickford uses the term 'path-building' to depict political action's 'inherently risky and uncertain enterprise': Susan Bickford, *The Dissonance of Democracy: Listening, Conflict, and Citizenship* (Cornell University Press, 1996) 148.

<sup>595</sup> Sparks, 'Dissident citizenship' above n 26, 94.

<sup>596</sup> Ibid 95.

<sup>597</sup> Hannah Arendt, 'On humanity in dark times: thoughts on Lessing' in *Men In Dark Times* (Harcourt Brace, 1968) 3, 25.

<sup>598</sup> Arendt, *The Human Condition*, above n 29, 254.

<sup>599</sup> Danielle Celermajer, 'The ethics of friendship' in Andrew Schaap, Danielle Celermajer and Vrasidas Karalis (eds) *Power, Judgment and Political Evil: In Conversation with Hannah Arendt* (Ashgate, 2010) 55, 61.

<sup>600</sup> Jon Nixon, *Hannah Arendt and the Politics of Friendship* (Bloomsbury, 2015) 188–89.

<sup>601</sup> Arendt, *The Human Condition*, above n 29, 245.



concept of promise-making shows how human commitment can produce reality. For her, a promise has the ability to create ‘an isolated island of certainty in a sea of uncertainty’.<sup>602</sup> What this means is that a promise may not be able to cover the whole future or secure all areas of human affairs, but can be restricted in a specific area. In a sense, it serves as a ‘guidepost of reliability’ for future actions.<sup>603</sup> What lies behind promise-making is this motivation or commitment to bind ourselves to others and create this power to form a political community. Thus, promise-making has two sub-elements that bind people together and create the possibility of a political community: one is the world-building capacity to found and constitute an organised community; and the second is the ability to establish long-lasting relationships with other individuals or groups of people.

In *On Revolution*, Arendt provides a concrete example of how power is created by people bound together by mutual promise: the Mayflower Compact. This was a mutual agreement drawn up on board the *Mayflower* on its journey to America and signed upon landing. Arendt explains that this covenant may have had no great significance as there is no documentation proving why they did this. What strikes Arendt most is not their fear upon landing in the new world, but their confidence in their own power ‘to combine themselves together into a “civil Body Politick” which held together solely by the strength of mutual promise “in the presence of God and one another”’.<sup>604</sup> For them, this promise was powerful enough to enact and constitute all the necessary laws and instruments of government. Their mutual promise on board the *Mayflower* allowed them to form a new ‘civil Body Politick’ – a political community that was not conceived as government strictly speaking but, according to Arendt, was really ‘political societies’ in which they were ‘entitled to claim rights without possessing or claiming sovereignty’.<sup>605</sup> In Arendt’s analysis, the American experience taught the people of the revolution that action could only be achieved through collective effort and by binding themselves to form a new community. The basis of such a new community is reciprocity and it presupposes equality. The content of this agreement is a promise and the result is a ‘society’ or ‘cosociation’ in the old Roman sense of *societas*, which means an *alliance*.<sup>606</sup> Thus, such an alliance gathers together the isolated strength of the allied partners and binds them into a new power structure by virtue of a free and sincere promise, which Arendt calls *consent*.

The idea of consent points us to the second sub-feature of promise-making, and that is the ability of a promise to build lasting relationships with others and other groups of people. It is interesting to examine Arendt’s thought on law and its role in the foundation of a political

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<sup>602</sup> Ibid 244.

<sup>603</sup> Jan Klabbers, ‘Possible islands of predictability: the legal thought of Hannah Arendt’ (2007) 20 *Leiden Journal of International Law* 1, 9.

<sup>604</sup> Hannah Arendt, *On Revolution* (Penguin, 1977) 158.

<sup>605</sup> Ibid 159. The meaning of ‘sovereignty’ in this context derives from the Hobbesian model of a social contract based on consent between a ruler and the people, where each member gives up their isolated strength in order to constitute a government.

<sup>606</sup> Ibid 161 (my emphasis).

community. Arendt differentiates the types of law in the Greek and Roman sense: the Greek notion of law as *nomos* – a hedge or ‘city wall’ – and the Roman concept of law as *lex* – a ‘lasting tie’ or a ‘contract’.<sup>607</sup> To the Greeks, law consisted of ‘hedges’, ‘walls’ or ‘boundaries [that] men establish between themselves or between city and city’.<sup>608</sup> To the Romans, on the other hand, the importance of law was that it brings people together and establishes a *new relationship* between people, including former enemies.<sup>609</sup> *Lex* is a kind of agreement – a treaty or a contract that binds one another in words and in deeds. For Arendt, this law is the key element of political action because ‘politics grew not between citizens of equal rank within a city, but rather between alien and unequally matched peoples who first came together in battle’.<sup>610</sup>

The law, in this sense, becomes a binding force that ties various groups of people who recognise both themselves and their opponents. In a sense, the Roman *lex* coincides with the second part of Arendt’s idea of the ‘world’ as an inter-subjective ‘in-between’, that is, the ‘web of human relationships’ that overlays and complements human artifice.<sup>611</sup> Because it is innately relational, *lex* contributes to and sustains this web, which permits politics not only between citizens per se, but also between strangers and other groups. As noted in Chapter 4, migrants as activist citizens reveal a co-constitutive relationship between citizens and migrant non-citizens, in that their acts of contestation, rupture and resistance change the way we see citizenship as a simple binary of inclusion/exclusion. Rather, citizenship can become a more fluid relationship between various individuals and institutions in the polity, as well as transnationally.

This ‘relational’ aspect of Arendt’s conception of the law goes to the heart of her notion of citizenship because the law (in both senses of *nomos* and *lex*) is at one and the same time limiting and relational, creating a space bounded by rules (*nomos*) and establishing relationships between distinct actors (*lex*).<sup>612</sup> This is the essence of the ‘in-between’ that both establishes the power to bind people together (solidarity and unity) as well as building allegiances and friendships between different actors and groups without losing their collective identity (distinction). Again, Young talks about the idea of ‘togetherness in difference’, where social groups exist not because of their ‘otherness’ or having an essential nature composed of a set of attributes, but because of their ‘social and interactive relation to others’.<sup>613</sup> Here, group identity, which I will explore in more detail in Chapter 8, is not a

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<sup>607</sup> Arendt, ‘Introduction into politics’, above n 551, 178–79.

<sup>608</sup> Hannah Arendt, ‘The great tradition I: law and power’ (2007) 74(3) *Social Research* 713, 716. This article has been republished recently in Hannah Arendt, ‘The great tradition I: law and power’ in *Thinking Without Banister: Essays in Understanding, 1953–1975* (Schocken Books, 2018) 43, 46. See also *ibid* 181.

<sup>609</sup> Arendt, ‘Introduction into politics’, above n 551, 180 (my emphasis).

<sup>610</sup> *Ibid* 178.

<sup>611</sup> Arendt, *The Human Condition*, above n 29, 183–84. See also *ibid* 161.

<sup>612</sup> Keith Breen, ‘Law beyond command? An evaluation of Arendt’s understanding of law’ in Marco Goldoni and Christopher McCorkindale (eds) *Hannah Arendt and the Law* (Hart, 2012) 15, 24.

<sup>613</sup> Iris Marion Young, ‘Together in difference: transforming the logic of group political conflict’ in Will Kymlicka (ed) *The Rights of Minority Cultures* (Oxford University Press, 1995) 155, 161.

set of objective facts, but a product of experienced meanings and constant renegotiations and struggles in politics. Examples range from gays and lesbians to women, blacks, Hispanics and other subordinated groups. Arendt specifically identifies what she calls 'organised minorities' who cannot simply be disregarded 'not merely in numbers, but in *quality of opinion*'.<sup>614</sup>

Thus, if Arendtian citizenship is about the collective and participatory engagement of citizens (and non-citizens) in the polity in one sense, it also implies that dissenting practices are equally valuable for challenging and contesting the very boundary of the political in another sense. As Arendt argues: 'Dissent implies consent ... one who knows that he may dissent knows also that he somehow consents when he does not dissent'.<sup>615</sup> This captures the essence of the idea and practice of conscious citizenship, which relates both solidarity and distinctness, consent and dissent—the space 'in-between' that both relates and separates us in the life of the political community.

## 5.4 Conclusion

This chapter has outlined how Arendt's body of work is relevant to my formulation of what comprises conscious citizenship and how this relates to the political awareness and practices of Migrant Australia. Her notion of the conscious pariah provides an understanding that the pariah's engagement in the public realm signifies a 'belonging' and 'care for the world' where actions become meaningful and real. On the other hand, Arendt's ideas of the public realm and political action locate how the conscious pariah as a political actor can reclaim the common world, which is forged between human plurality and human togetherness.

I have argued that conscious citizenship is influenced by two main factors: first is the development of political responsibility within the conscious pariah; and second is the formation of a political community that is grounded in courage, friendship and mutual promises. By exploring these two fundamental ingredients of conscious citizenship, I have concluded that at the heart of this notion is the Arendtian idea of the space 'in-between'—the formation of a political community that oscillates between plurality, distinction and contestation on the one hand, and solidarity, togetherness and collective action on the other.

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<sup>614</sup> Hannah Arendt, 'Civil disobedience' in *Crises of the Republic* (Harcourt Brace, 1972) 49, 76 (emphasis in original).

<sup>615</sup> Ibid 88.

## Part III

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## Practices

# Chapter 6

## The Transnationalism of the Filipino Migrant Movement: The Case of Migrante Australia

### 6.1 Introduction

This chapter analyses the transnationalism of a Filipino grassroots migrant movement in Australia as a model of a collective group that is enacting the idea of conscious citizenship. My focus in this chapter is on Migrante Australia, an activist Filipino migrant transnational organisation, to illustrate how the group collectively organises and mobilises itself transnationally in various ways to contest the project of neoliberal globalisation discussed in the earlier chapters. Here, the notion of transnationalism will be used in a distinct way that describes, as I have in Chapter 4, a counter-hegemonic political engagement by migrant activists on a transnational level effecting changes both in the homeland and in the diaspora.

In the previous chapter, I considered conscious citizenship as a type of activist citizenship that is forged between two dialectical poles of solidarity and plurality, consent and dissent, in which several virtues including political responsibility, courage, commitment and promise converge. Using Migrante as a case study, this chapter considers how the group enacts the idea of conscious citizenship in a way that demonstrates solidarity, contestation and commitment that go beyond the boundaries of the nation-state. My overall argument in this chapter is that Migrante's transnational activism should be understood as part of the historical continuity of social transformation and struggle of Filipino people both in their homeland and also within the diaspora.

My discussion in this chapter is divided into three main sections: first, I outline the historical and transnational context within which Migrante's activism is rooted in the broader social and political movements in the Philippines. In this section, I engage a social movement theoretical framework to examine the different elements of a social movement, elements which can be attributed to the work of Migrante as a grassroots migrant movement organisation; second, I examine Migrante Australia in more detail as my case study and, here, I outline the group's historical background as well as the issues and campaigns that it carries out and implements; and third, I explore how Migrante differs from other non-state actors like NGOs and civil society groups, and the circumstances and context in which the group practises conscious citizenship.

## 6.2 The Filipino migrant movement: historical and transnational context

Filipino migrant grassroots activism can be situated within the context of social and political movements in the Philippines. The Filipino people, particularly amongst the lower strata of society composed of mainly workers and peasants, have a long history and rich tradition of struggle against foreign domination. This tradition of resistance continues to the present time, when the neocolonial and neoliberal political project persists as the state's official policy. Even before the advent of neoliberal globalisation, social and political movements in the country, mainly initiated by the Left movement, had begun to contest the neocolonial consciousness and imperialist determination of the United States in the Philippines.

This section outlines the historical and transnational context and traces the evolution of social and political movements in the Philippines from the Spanish colonial period up until the present day. In particular, it explores the growth of social movements in the Philippines as a type of social conflict and collective identity formation, which I further explore in Chapter 8 of the thesis. The section also highlights the transnational character of Migrante's political engagement, which engages with and links to political issues, strategies and campaigns/actions both in the home country (the Philippines) and in the diaspora (Australia).

### 6.2.1 Social movement as analytical framework

A social movement is a distinct social phenomenon that involves a process through which actors are engaged in collective action to effect political and social change in society. Social movement scholarship is wide-ranging and comprised of different theories, approaches and methodologies. Such social movement theories include amongst others: resource mobilisation theory (1970s);<sup>616</sup> political process theory (1980s);<sup>617</sup> framing theory (1990s);<sup>618</sup> and new social movement theory (1990s).<sup>619</sup> One of the most comprehensive studies of contemporary approaches and methods in the field of social movement literature is a book edited by David Snow, Sarah Soule and Hanspeter

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<sup>616</sup> See particularly John D McCarthy and Mayer N Zald, 'Resource mobilization and social movements: a partial theory' (1977) 82(6) *American Journal of Sociology* 1212.

<sup>617</sup> See particularly Sidney Tarrow, *Power in Movement: Social Movements and Contentious Politics* (Cambridge University Press, 2nd ed, 1998) and his recent book on transnational activism that focuses on 'process and mechanisms that link "the local and the global"': Sidney Tarrow, *The New Transnational Activism* (Cambridge University Press, 2005) 24.

<sup>618</sup> See the work of David Snow and his colleagues in David Snow et al, 'Frame alignment processes, micromobilization, and movement participation' (1986) 51(4) *American Sociological Review* 464; and Robert Benford and David Snow, 'Framing processes and social movements: an overview and assessment' (2000) 26 *Annual Review of Sociology* 611.

<sup>619</sup> See Alberto Melucci, 'The new social movements: a theoretical approach' (1980) 19(2) *Social Science Information* 199.

Kriesi.<sup>620</sup> More recently, Donatella Della Porta and Mario Diani edited a collection with an updated exploration of theoretical perspectives, dynamics of collective action and movements' contributions to political and social change in the field of social movement studies.<sup>621</sup>

Beginning in the 1970s, resource mobilisation theory has become the dominant paradigm for investigating social movements across the Western world. Resource mobilisation emphasises the ability of rational actors within a movement to obtain resources and mobilise the public towards gaining the movement's goal.<sup>622</sup> However, recent scholars have questioned the application of this theory and developed alternative perspectives for studying social movements. One such approach is framing theory, which provides a symbolic interaction approach to analyse social movements by highlighting the role of framing activities and cultural processes in political mobilisation.<sup>623</sup> In the 1990s, another approach to resource mobilisation, known as new social movement theory, emerged as a response to the inadequacies of the classical Marxist approach to social movements.<sup>624</sup> New social movement theory focuses on the culture and identity of group actors and has become an influential approach to date, especially with the rise of the anti-globalisation movement, gay rights movement and migrant movement, among others, across the globe.

In this section, however, I do not intend to explore these different debates and approaches in the social movement literature. Rather, my aim is to bring out the different elements and features of a social movement that will highlight the dynamics of Migrante Australia's political activism within the context of a social movement framework. Thus, I draw on the analysis provided by Della Porta and Diani, who consider that a social movement consists of three basic elements: first, social movements are involved in *conflictual* relations with clearly identified opponents; second, they share a distinct *collective identity*; and third, they are linked by dense *informal networks*.<sup>625</sup> These basic features are significant in my examination of Migrante Australia in that Migrante can be distinguished from other non-state actors like NGOs and other community organisations, as I will explain in the final section of this chapter. Now, let me explore these three elements of a social movement in more detail.

The first element of a social movement points to the idea that social movement actors are normally engaged in a type of social conflict (political or cultural) that contests social change in society. By 'conflict', I follow Alain Touraine's notion of social conflict to signify an oppositional

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<sup>620</sup> David Snow, Sarah Soule and Hanspeter Kriesi (eds), *The Blackwell Companion to Social Movements* (Blackwell, 2004).

<sup>621</sup> Donatella Della Porta and Mario Diani (eds) *The Oxford Handbook of Social Movements* (Oxford University Press, 2015).

<sup>622</sup> See above McCarthy and Zald, above n 613; see also Charles Tilly, *From Mobilization to Revolution* (Addison-Wesley, 1978).

<sup>623</sup> See Snow et al, 'Frame alignment processes', above n 618.

<sup>624</sup> See Melucci, 'The new social movements', above n 619.

<sup>625</sup> Donatella Della Porta and Mario Diani, *Social Movements: An Introduction* (Blackwell, 2nd ed, 2006) 20 (my emphasis).

relationship between competing actors who seek control of similar stakes—be they political, economic or cultural power—and in the process make demands which, if realised, would damage the interests of other actors.<sup>626</sup> Touraine explains that social movements are ‘conflicts between organised actors over the social use of common cultural values’.<sup>627</sup> His conflict-based approach to social movements emphasises the aspect of the ‘confrontation of opposing interests’—that is, the existence of a ‘countermovement’ to which the movement actors are in opposition in a given historical experience.<sup>628</sup> For example, the labour movement ‘is not a social movement unless, beyond all protest against the crises of social organisation, beyond any pressures for negotiation, it is challenging the domination of the ruling class’.<sup>629</sup> As shown in Chapter 4, a counter-hegemonic movement constitutes the essence of social contestation and, in Touraine’s point of view, social conflict is the basis of social movements and actors engaging in societal change.

The second important element of a social movement is that the movement itself contributes to the formation of a distinct collective identity. Alberto Melucci develops a comprehensive and systematic account of collective identity in social movements. Influenced by the work of Touraine, Melucci is writing in a European context where class-based movements are declining and so-called ‘new social movements’ (e.g. peace, civil rights, environmental and women rights activists) are emerging that cannot be explained by a class-based analysis. His point of departure is that a collective identity is not a given fact, but a dynamic process through which actors negotiate, understand and construct their actions ‘through a repeated activation of the relationships that link individuals (or groups)’.<sup>630</sup> The process involves cognitive definitions of ends, means and fields of action that are produced through a common language, set of rituals, practices and cultural artefacts.<sup>631</sup> Melucci also highlights the importance of the ‘emotional’ involvement of the activists and their ability to distinguish the ‘collective’ self from the ‘other’ and to be recognised by those ‘others’.<sup>632</sup> Finally, following Touraine, he emphasises that conflict is the basis for the consolidation of collective identity and internal solidarity of the group, rather than shared interests.<sup>633</sup> The difference is that the solidarity that ties individuals to others enables them to affirm themselves as subjects of their actions and to make sense of who they are and what they are doing (collective identity); whereas a shared interest can only be temporary and instrumental (a means to an end). This second feature of social movements is relevant for this thesis because of its emphasis on the

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<sup>626</sup> Alain Touraine, ‘An introduction to the study of social movements’ (1985) 52(4) *Social Research* 749, 750–51.

<sup>627</sup> Alain Touraine, ‘The importance of social movements’ (2002) 1(1) *Social Movement Studies* 89, 90.

<sup>628</sup> Alain Touraine, *The Self-Production of Society* (University of Chicago Press, 1977) 310.

<sup>629</sup> Ibid 310.

<sup>630</sup> Alberto Melucci, ‘The process of collective identity’ in Hank Johnston and Bert Klandermans (eds) *Social Movements and Culture* (University of Minnesota Press, 1995) 41, 44.

<sup>631</sup> Ibid 44.

<sup>632</sup> Ibid 45.

<sup>633</sup> Ibid 48.



cultural and historical aspects of the Filipino migrant activism and I will explore this aspect in more detail in Chapter 8, that is, the emergence of a new Filipino collective identity in Australia.

The third and final element of a social movement is the use of informal networks through building solidarity and alliances with individuals and other groups. Recent analysis of the use of networks in social movement shows 'how participation in multiple organisations as well as in different personal networks creates webs of links that connect different instances of collective action, political protest, and countercultural activity to each other'.<sup>634</sup> Networks are often the site and outcome of recruitment attempts and, in some instances, develop into a model of network organisations combining elements of formality and loose network structures of groups and individuals.<sup>635</sup> The network organisation model is normally discussed in relation to organisations mobilising and organising on a transnational level.

The study by Margaret Keck and Kathryn Sikkink is relevant here, particularly with Migrante Australia's tie with Migrante International in the Philippines and Migrante networks all over the world. Keck and Sikkink calls this a 'transnational advocacy network', which includes 'actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services'.<sup>636</sup> They identify four types of tactics that transnational advocacy networks use to actively seek ways to bring issues to the public arena. These include:

- *information politics*: the ability to move politically usable information quickly and credibly to where it will have the most impact;
- *symbolic politics*: the ability to call upon symbols, actions or stories that make sense of a situation or claim for an audience that is frequently far away;
- *leverage politics*: the ability to call upon powerful actors to affect a situation where weaker members of a network are unlikely to have influence; and
- *accountability politics*: the effort to oblige more powerful actors to act on vaguer policies or principles they have formally endorsed (for instance, in favour of human rights or democracy – networks can use those positions, and their command of information, to expose the distance between discourse and practice).<sup>637</sup>

Transnational networks also use various political tactics and strategies in their advocacy work, which Snow and his colleagues call a 'frame alignment process'—'by rendering events or

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<sup>634</sup> See Mario Diani, 'Networks and participation' in David Snow, Sarah Soule and Hanspeter Kriesi (eds) *The Blackwell Companion to Social Movements* (Blackwell, 2004) 339, 351.

<sup>635</sup> Mario Diani, 'Social movements and collective actions' in John Scott and Peter Carrington (eds) *The SAGE Handbook of Social Network Analysis* (SAGE, 2011) 223, 225–26.

<sup>636</sup> Margaret Keck and Kathryn Sikkink, 'Transnational advocacy networks in international and regional politics' (1999) 51 *International Social Science Journal* 89, 89.

<sup>637</sup> Ibid 95.

occurrences meaningful ... to organise experience and guide action, whether individual or collective'.<sup>638</sup> Through this frame alignment process, networks are frequently formed around particular campaigns or claims. Transnational networks expand into other networks globally as networking becomes a repertoire of action. Over time, participation in these transnational networks can develop as an essential component of the collective identity of activists involved.<sup>639</sup>

The three basic elements of a social movement outlined above provide an analytical framework to understand and distinguish Migrante from other non-state actors. In addition to my use of this analytical framework, it is also important to analyse Migrante's development 'as parts of a process of *historical change*'.<sup>640</sup> I now discuss some of the major developments of social movements in the Philippines to situate Migrante's grassroots activism in a broader socio-historical context.

### 6.2.2 The growth of social movements in the Philippines

Grassroots activism and community political engagement have been important parts of vibrant social movements in the Philippines since colonial times. In the Philippine context, a so-called 'mass movement' or 'people's movement' is normally understood as a historical phenomenon of the Filipino people's struggle and resistance against colonialism, neocolonialism and imperialism of the dominant forces in the country. Ligaya Lindio-McGovern describes this type of group formation as 'movement organisations' that collectively act and resist to correct an unjust, exploitative and oppressive situation which is mainly perpetrated by state actors.<sup>641</sup>

Since the Spanish colonisation of the 1500s, peasants and working class Filipinos had a history of rural-based rebellion against the Spanish colonial regime and engaged in various forms of resistance against the unjust actions of the more wealthy and powerful.<sup>642</sup> The so-called 'propaganda movement' in the later part of the Spanish colonialism period (1870s to 1892) witnessed the demand of the Filipino *ilustrado*<sup>643</sup> and intellectuals to grant Filipinos greater political rights as enjoyed by the Spaniards. In 1889, the founding of *La Solidaridad*, a fortnightly newspaper in Barcelona, Spain, gave the propagandists a voice to expose the dire political and social conditions in the Philippines at the time. José Rizal, one of the founders of *La Solidaridad* and considered to be a Philippine national hero, also wrote two novels — *Noli Me Tangere* (The Social Cancer) and *El*

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<sup>638</sup> Snow et al, 'Frame alignment processes, above n 618, 464.

<sup>639</sup> Keck and Sikkink, above n 636, 93.

<sup>640</sup> Touraine calls this approach 'historical movements', that is, the growing importance of 'new conflicts about historical change, the process of industrialisation, post-industrialisation or, as people say, about globalisation': Touraine, 'The importance of social movements', above n 627, 91-92.

<sup>641</sup> Lindio-McGovern, above n 374, 16.

<sup>642</sup> Renato Constantino, *The Philippines: A Past Revisited* (Vol. I) (Quezon City, 1975) 85-112.

<sup>643</sup> The term *ilustrado* refers to the petty bourgeoisie or the Filipino educated class who were exposed to Western liberal and nationalist ideals during the late Spanish colonial period (1870s-1890s).

*Filibusterismo* (The Subversion), which are believed to have influenced the advent of the Philippine revolution against Spain in the later part of the nineteenth century. In 1892, a secret society was founded by Andres Bonifacio under the banner of *Katipunan*.<sup>644</sup> Its fundamental objectives were to unite all Filipinos under a single ideology of freedom and equality, and to create an independent nation by means of revolution.<sup>645</sup> The *Katipunan* grew spontaneously throughout the Philippines with an estimated number of members reaching at 400,000 on the eve of the revolution.<sup>646</sup>

During American colonial rule (1901–1946), the labour movement in the Philippines developed and reached a new height, particularly during the great depression of the 1930s. The market crash of 1929 brought economic meltdown to the Philippines as the prices of basic export crops dropped drastically, causing grave hardship to poor farmers.<sup>647</sup> Urban workers also lost their jobs as businesses went bankrupt. Industrial strikes and mass actions occurred frequently in urban areas and, by the end of 1939, the Department of Labour estimated that there were 84,015 union members in the country.<sup>648</sup> Many urban and rural workers joined trade unions and peasant organisations such as the *Union Obrera Democratica*, a federation of smaller unions in small-scale industries including printing, tailors, cigar-makers and shoemakers, and the *Union de Aparceros de Filipinas*, a federation of all peasant organisations that fought the problems of land tenancy and usury.<sup>649</sup>

After independence in 1946, it is claimed that the basic problems of the Filipino people persisted because of the peculiar character of Philippine society. Amado Guerrero identifies this condition as ‘semicolonial and semifeudal’: it is a ‘semicolonial’ society because the Philippines is ‘principally determined by US imperialism’;<sup>650</sup> and it is a ‘semifeudal’ society because the country is determined ‘by the impingement of US monopoly capitalism on the old feudal mode of production and the subordination of the latter to the former’.<sup>651</sup> In other words, the term ‘semicolonial’, more often referred to as ‘neocolonial’, is a political condition that pertains to the indirect colonial influence in the Philippines that is evidenced by the existence of large foreign (mainly US)

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<sup>644</sup> The word *katipunan* is a Tagalog word meaning ‘association’. The full name of the society was *Kataas-taasan Kagalang-galangang Katipunan ng mga Anak ng Bayan* (The Highest and Most Respectable Association of the Sons of the People). In practice, the society was simply called *Katipunan* or *KKK*.

<sup>645</sup> Cesar Adib Majul, *The Political and Constitutional Ideas of the Philippine Revolution* (University of the Philippines Press, 1996) 4.

<sup>646</sup> Constantino, *The Philippines: A Past Revisited*, above n 642, 175.

<sup>647</sup> *Ibid* 369.

<sup>648</sup> *Ibid* 370.

<sup>649</sup> *Ibid* 362–65.

<sup>650</sup> The notion of imperialism in this context comes from Lenin’s description of modern imperialism when he describes it as the monopoly stage of capitalism. He points out five basic features of imperialism: (1) concentration of production and creation of monopolies; (2) creation of finance capital; (3) export of capital as opposed to export of commodities; (4) formation of international monopoly capitalists that share the world amongst themselves; and (5) territorial division of the world among the largest capitalist powers: Vladimir I Lenin, *Imperialism, The Highest Stage of Capitalism* (Foreign Language Press, 1973).

<sup>651</sup> Amado Guerrero, *Philippine Society and Revolution* (Aklat ng Bayan, 5th ed, 2006) 63–64.

enterprises and military bases, whilst 'semifeudal' is an economic term that points to an economy whose internal forces and modes of production are mainly agrarian and preindustrial, and still dominated by the combination of the bourgeoisie in the cities and the landlord elites in the countryside.<sup>652</sup>

A strong civil society began to emerge between the late 1960s and the late 1980s. The growth of a strong mass movement was evidenced dramatically when student demonstrations filled the streets of Manila to protest against US imperialism and the rise of an authoritarian state under President Marcos. With the so-called 'People Power' revolution of 1986, when hundreds of thousands of Filipinos protested in the streets of Manila, it was evident that social movements in the Philippines including insurgent groups, trade unions, NGOs and people's organisations (POs) had grown dramatically under the Marcos dictatorship, shaping popular struggle in the country.<sup>653</sup> By the 1990s, various kinds of NGOs and POs began to proliferate as part of the democratic transition from Marcos' authoritarian regime to the culmination of 'democratisation' as a process of democratic institution-building.<sup>654</sup> At present, the POs in particular, which comprise mainly grassroots movement organisations, are the most active in mobilising the Filipino masses along: class/sectoral lines (e.g. peasant organisations, trade unions, indigenous peoples, youth, overseas Filipino workers); gender (e.g. women); geographical proximity (e.g. village, province); or combinations of these different concerns and issues. Amongst the largest and most vibrant POs are *Kilusang Magbubukid ng Pilipinas* (Peasant Movement of the Philippines), *Pamalakaya-Pilipinas* (National Federation of Small Fisherfolk Organisations in the Philippines), *Kilusang Mayo Uno* (May First Movement), GABRIELA (Alliance of Filipino Women) and Migrante International, which are all national organisations with local and international links and chapters.

### 6.2.3 Migrant movement organisation and political transnationalism

To date, Filipino migrant activists and their grassroots movement organisations like Migrante have been at the forefront of organising migrant workers and building alliances with other groups and organisations as essential parts of their transnational political activism. I use the term 'political' to emphasise the Filipino migrants' unique transnational political engagement, as distinct from their 'diverse lived experiences' or 'shifting multiple identities' at home and abroad, which are invoked by some scholars in the field.<sup>655</sup> The notion of transnationalism, on the other hand, points to 'human

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<sup>652</sup> Jose Maria Sison, *The Philippine Revolution: The Leader's View* (Taylor & Francis, 1989) 21–22.

<sup>653</sup> Vincent Boudreau, 'Philippine contention in the democratic "transitions"' in Michele Ford (ed) *Social Activism in Southeast Asia* (Routledge, 2013) 56, 57.

<sup>654</sup> Jose V Abueva, 'Philippine democratization and the consolidation of democracy since the 1986 EDSA revolution: an overview of the main issues, trends and prospects' in Felipe B Miranda (ed) *Democratization: Philippine Perspectives* (University of the Philippines Press, 1997) 1, 3.

<sup>655</sup> Cf Camroux, 'Nationalizing transnationalism?', above n 353. See also Espiritu, above n 324.

activities and human institutions that extend across national borders'.<sup>656</sup> Thus, for this purpose, Filipino migrants' political transnationalism describes the counter-hegemonic political engagement by migrant activists on a transnational scale, where actors and their groups 'participate in contentious politics against their "home" states' neoliberal developmental agendas because these agendas facilitate and exacerbate out-migration'.<sup>657</sup>

This political transnationalism is clearly demonstrated by Migrante International, a movement organisation of different Filipino migrant organisations in various countries around the world. Its main office is based in Manila, Philippines, and serves as a campaign centre for issues and campaigns related to labour export and its impact on Filipino migrants and their families in the Philippines. Migrante International was established in December 1996 after the death of a Filipina domestic worker, Flor Contemplacion, who was hanged in Singapore for allegedly murdering another Filipina domestic worker in 1995. Since then, Migrante International has been actively running campaigns and raising international awareness on issues affecting OFWs, including cases of OFWs stranded abroad, detentions and mysterious deaths, rape and sex trafficking, wage cuts and maltreatment, anti-migrant policies and laws, plunder and corruption of OFW funds, and the continuing demand for genuine public services and good governance for OFWs, as well as advocating for broader societal change and social justice issues in the Philippines.<sup>658</sup>

Worldwide, Migrante International comprises more than 100 affiliated migrant organisations from almost all regions of the globe. Its approach to collective actions demonstrates how its work cuts across national borders, as it simultaneously organises and mobilises both in the Philippines and abroad in a way that binds networks and activists across borders. Migrante's political transnationalism can be demonstrated by its link with international alliances and networks of other organisations around the world, a connection with a strong base of mass movements at home and its emphasis on grassroots organising and mobilisation.

International alliances and networking are vital aspects of Migrante's movement-building activity. Within Migrante's transnational networks, for example, different groups can use the power of its information, ideas and strategies to alter the information and value context within which states make policies. The combined use of 'soft' tactics (e.g. press releases, educational materials) and direct actions such as picketing, rallies and demonstrations has proven to be effective in terms of education and raising issues at a global level. Network members are able to bring issues to the broader public arena by framing them in creative and direct ways that seek better understanding.<sup>659</sup> For instance, Migrante International engages the Philippine state by rallying in front of Philippine embassies and

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<sup>656</sup> Rainer Bauböck, 'Towards a political theory of migrant transnationalism' (2003) 37(3) *International Migration Review* 700, 701.

<sup>657</sup> Rodriguez, 'Beyond citizenship', above n 39, 739.

<sup>658</sup> See Migrante International website, 'Our history': <<https://migranteinternational.org/about/>>.

<sup>659</sup> Keck and Sikkink, above n 636, 95.

consular offices in the receiving countries to raise awareness of its claims of injustice and to demand justice. Migrante International's network and affiliate organisations can simultaneously hold rallies in front of Philippine government offices both in the Philippines and in other parts of the world (Philippine embassies) to press the government to address their issues.

Another strategy for building international alliances and networking is organising international conferences that bring various grassroots migrant organisations together to share their ideas, their work and their experiences. A definitive example of this is the establishment of the International Migrants Alliance (IMA), a conference which was held in Hong Kong in 2008. Migrante International took the leading role in IMA's formation. In 2006, Migrante International together with the Asian Migrants Coordinating Body (AMCB)—an inter-ethnic alliance of migrant domestic workers in Hong Kong—formed an organising committee to launch and build IMA. Its founding assembly was attended by 167 delegates representing 118 organisations from 25 countries around the world.<sup>660</sup> IMA's basis of unity and general program of action include: education and information; campaigns and mobilisation; international advocacy; and coordination and expansion of IMA's membership worldwide.<sup>661</sup> IMA activists are very explicit in creating an alternative transnational political space through which they can 'speak for themselves'.<sup>662</sup> As Rodriguez argues, 'IMA aims at engaging politics outside the conventional channels for international policy advocacy (e.g. formal spaces constituted by bodies like the United Nations for NGO participation) or other similar forums and networks ... through which international human rights and other conventions relevant to migrants are discussed and asserted.'<sup>663</sup>

In summary, by using a social movement framework, it has been demonstrated that Migrante's development as a migrant movement organisation is well embedded within the social, political and historical changes brought about by strong social movements in the Philippines since the colonial era. Migrante's transnational character also highlights its strong links and interaction with different groups around the world, and the transmitting of various issues and campaigns from the homeland to the diaspora.

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<sup>660</sup> IMA, 'Communiqué of the International Migrants Alliance Founding Assembly' in *International Migrants Alliance (IMA): 2008 Founding Assembly Documents* (IBON Books, 2008) 1.

<sup>661</sup> See IMA, 'IMA basis of unity' in *International Migrants Alliance (IMA): 2008 Founding Assembly Documents* (IBON Books, 2008) 174–78. See also IMA, 'General program of action' in *International Migrants Alliance (IMA): 2008 Founding Assembly Documents* (IBON Books, 2008) 189–90.

<sup>662</sup> See 'Communiqué', above n 660, 1.

<sup>663</sup> Rodriguez, 'Beyond citizenship', above n 39, 740.

## 6.3 Migrante Australia: a case study

In this section, I examine Migrante Australia in more detail as an example of a transnational migrant movement organisation that organises and mobilises Filipino migrants in Australia. Migrante Australia offers a significant case study because of the group's distinctive style of political activism that highlights not only its transnational character, but also the way in which it distinguishes itself from other community groups in Australia by building a migrant movement, as demonstrated above. Here, I briefly outline Migrante's historical development in Australia and the issues and campaign that the group undertakes in organising and mobilising Filipino migrants in Australia.

### 6.3.1 Historical background

Migrante Australia is an alliance of community-based mass organisations of Filipino migrants and immigrants in Australia. It serves as a campaign centre for issues and policies related to the LEP in the Philippines and its impact on Filipino migrants in Australia. Migrante Australia is one of more than a hundred member organisations of Migrante International across the globe. As an alliance organisation, its membership is open to all community-based Filipino migrant groups in Australia. Migrante Australia was formed on 12 June 2010 in Sydney, New South Wales, and is currently comprised of nine Filipino community-based mass organisations. Table 2 below shows Migrante's affiliate organisations in Victoria, New South Wales and Western Australia:

**Table 2:** Affiliate organisations of Migrante Australia

Organisation	Community sector	Location	Active members
Migrante Melbourne	Migrant sector	Melbourne, Victoria	100
GABRIELA Australia	Women's sector	Melbourne, Victoria	60
AnakBayan Melbourne	Youth sector	Melbourne, Victoria	20
Migrante Sydney Neighbourhood (MSN)	Migrant sector	Sydney, New South Wales	30
Lingap Migrante	Migrant sector	Sydney, New South Wales	100
Philippines–Australia Women's Association (PAWA)	Women's sector	Sydney, New South Wales	50
Migrante WA	Migrant sector	Perth, Western Australia	100
GABRIELA WA	Women's sector	Perth, Western Australia	60

Migrante Australia's main objective is to motivate, organise and mobilise Filipino migrants in Australia, which includes *inter alia*: raising the political consciousness of the Filipino community in Australia and Filipino-Australian migrant organisations; promoting and defending the rights and wellbeing of migrants and their families; participating in the struggle of the Filipino people for genuine freedom and democracy in the Philippines; and strengthening the unity and solidarity among migrant organisations, trade unions and basic sectors in Australia and in the Philippines.<sup>664</sup>

Although formally established in 2010, Migrante's effort to motivate, organise and mobilise Filipino migrants in Australia had its beginnings in 1995 when it actively campaigned in Australia on the issue of the hanging of Flor Contemplacion in Singapore. Migrante activists have also raised political awareness and run campaigns around the issues of racism, discrimination and family violence against Filipinas in mixed-marriages, as well as the issue of OFWs' exploitation and abuse driven by the Philippine government's LEP program. Since then, Migrante organisations have expanded in Victoria and New South Wales, with a recent expansion in Western Australia and an organising group in South Australia. The organisation's work and awareness-raising campaigns not only focus on migrant sector issues, but also encompass issues that affect women and youth amongst migrant Filipinos in Australia. Migrante recognises that the sending and receiving countries' neoliberal policies, as discussed in Chapter 3, are pressing issues for Filipino migrants in Australia because they 'face huge problems relating to work, migration and settlement, welfare, culture, family violence, and racial discrimination'.<sup>665</sup>

Migrante Australia promotes and implements several programs in motivating, organising and mobilising Filipino migrants in Australia. The group's main work and programs include:

- *organising and advocacy*: bringing to public attention issues about the rights and welfare of Filipino migrants in Australia. Organising Filipino migrants (and non-Filipinos) in Australia is a key strategy towards the attainment of Migrante's aims and objectives. Campaigns and advocacy are vital in achieving coordinated and favourable responses in raising political issues in Australia.
- *networking and solidarity*: encouraging the development of positive relations among existing Filipino organisations and other organisations in Australia through various activities, projects and programs. Migrante also facilitates dialogue and audiences with concerned government and non-government agencies.
- *education and research*: conducting various public fora and seminars to raise the political consciousness of members as well as educating the Filipino community and the wider Australian public. Migrante disseminates information and campaign materials such as booklets, newsletters and news updates on various issues affecting Filipino migrants. Its

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<sup>664</sup> Article III: aims and purposes, Migrante Australia Constitution.

<sup>665</sup> See Migrante Melbourne brochure.



research program is focused on undertaking specific studies on the situation and plight of Filipino migrants in Australia.

- *welfare and assistance*: advocating for immediate legal and welfare action from relevant government agencies. Migrante also conducts fundraising events in the Filipino community to assist distressed Filipino migrants with regards to their financial, accommodation and welfare needs.<sup>666</sup>

Each member organisation of Migrante Australia functions independently and initiates its own activities and campaigns. The group is composed of a National Council (Executive Committee) and members from each Australian state (currently Victoria, New South Wales and Western Australia) who are voted into the National Assembly every three consecutive years. The National Council meets regularly and plans actions and campaigns. Migrante's main (calendared) activities, amongst others, include:

- *International Women's Day* (March): This event is spearheaded by GABRIELA Australia (Melbourne) and other women's group in NSW and WA under the Migrante Australia alliance. The group participates in an International Women's Day march and rally in the city's central business district (CBD) every year to commemorate women's struggle in Australia and around the world.<sup>667</sup>
- *International Labour Day* (May): Migrante joins the May Day celebration in each respective Australian state. In Melbourne, the group partakes in the march and rally in front of the Victorian Trades Hall and also participates in the May Day Multicultural night by presenting cultural/musical performances.<sup>668</sup>
- *International Day of Peace* (September): This event is normally commemorated in conjunction with the remembrance of the victims of martial law in the Philippines.<sup>669</sup> In Melbourne and Sydney, Migrante holds a candlelight vigil at important landmarks in the city's CBD such as the Sydney Town Hall and the State Library of Victoria. A statement is also handed out during the vigil.<sup>670</sup>
- *International Human Rights Day* (December):<sup>671</sup> In Melbourne, for instance, International Human Rights Day is celebrated by holding a public forum on human rights issues in

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<sup>666</sup> Ibid.

<sup>667</sup> See news article: Migrante Melbourne, 'GABRIELA Australia participates in the International Women's Day celebration', *Batingaw* (Migrante Melbourne Newsletter), Issue 7, April-May 2007, 4.

<sup>668</sup> See news article: Migrante Melbourne, 'Filipino and Australians celebrate May Day 2010', *Batingaw* (Migrante Melbourne Newsletter), Issue 22, April-May 2010, 6.

<sup>669</sup> See Chapter 3, subsection 3.3.2 The beginning of the Labour Export Policy, for a brief explanation of the declaration of martial law in the Philippines on 21 September 1972.

<sup>670</sup> See Migrante Australia, 'Statement on the commemoration International Day of Peace', 21 September 2016.

<sup>671</sup> See Fig 6.1.

Australia and in the Philippines. Migrante continuously organises this event in collaboration with PASA<sup>672</sup> to highlight the importance of human rights campaigns in both countries.



**Fig 6.1:** International Human Rights Day 10th year anniversary celebration in December 2013 with a guest speaker, Philippine Congressman Neri Colmenares (bottom photo) at a public forum on the human rights situation in the Philippines. Photos taken by the author.

From time to time, Migrante Australia also responds to Migrante International's call on certain issues that affect the welfare of OFWs, such as the recent campaign to save the life of Mary

<sup>672</sup> PASA is a Melbourne-based solidarity group between Filipinos and non-Filipinos (Australians) that promotes peace, justice and human rights in Australia and the Philippines. Since its establishment in 2003, the group's main focus is a human rights campaign to stop political killings in the Philippines through various activities like public fora, film showings, vigils, and lobbying Australian politicians and Philippine government officials.

Jane Veloso,<sup>673</sup> the continuous human rights abuses and political killings in the country and providing financial assistance to the victims of the typhoon in the Philippines. As part of its solidarity work, Migrante does networking and alliance work with trade unions, church groups and other Filipino community groups in Australia. It has established a referral/point of contact relationship with the Department of Immigration and Border Protection (now the Department of Home Affairs), the Australian Federal Police and the Australian Institute of Criminology on the particular issue of 457 visa exploitation and labour trafficking.<sup>674</sup>

### 6.3.2 Issues and campaigns

Since its foundation, Migrante Australia has organised Filipino migrants and non-Filipino supporters (Australians) on campaigns regarding the issues of 457 visa abuse and exploitation, labour trafficking, family violence in Australia, and human rights and mining issues in the Philippines. Two major campaigns and issues stand out as Migrante's key undertakings since 2010: the first is the 457 visa issue and, particularly in Victoria, the campaign for permanent residency for and non-deportation of Jessie Cayan; and second is the human rights issues in the Philippines, specifically the campaign against Australian mining operations in the country, which I expound on in the next subsection in relation to Migrante's political transnationalism.

In 2013, Migrante Australia intensified its campaign around the issue of 457 visa workers' abuse and exploitation. The case of Jessie Cayan became a rallying point for Migrante in Victoria to lobby the Australian Government to grant Jessie Cayan a PR visa and protection for 457 visa workers who speak out and expose employers' abuse and maltreatment.<sup>675</sup> Jessie came to Australia in February 2013 as a vehicle-exhaust fitter under the 457 visa scheme. In April 2013, his employer reduced his salary and he was forced to accept an unfair decrease from AU\$977 to AU\$450 weekly because he did not want to lose his job. After deducting payment of his loans to cover his travel expenses to Australia, Jessie was left without any money for his living expenses and for support to his family in the Philippines. He approached Migrante Melbourne, the state chapter of Migrante Australia in Victoria, and sought assistance regarding his visa status and his claim for entitlements and just payment with the Fair Work Ombudsman.

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<sup>673</sup> Mary Jane Veloso is a Filipina domestic worker who was arrested and sentenced to death in 2010 for smuggling heroin in Indonesia. To date, her execution has been delayed due to the ongoing investigation of her trafficker/recruiter by the Philippine police on the basis that her evidence could be invaluable in prosecuting the trafficker.

<sup>674</sup> See Fiona David, 'Labour trafficking' (Research and Public Policy Series 108, Australian Institute of Criminology, 2010). Available at: <<https://aic.gov.au/publications/rpp/rpp108>>.

<sup>675</sup> See Migrante Australia, 'Press release: modern-day slavery exists in Australia', June 2013.





**Fig 6.2:** Top: flyer distributed before the rally. Bottom: Jessie Cayan during the rally on 3 August 2013 in front of the then Workplace Relations Minister, Bill Shorten, in Moonee Ponds, Victoria. Photo taken by the author.

In August 2013, Migrante Australia, with its three state chapter organisations in Victoria – Migrante Melbourne, GABRIELA Australia and Anakbayan Melbourne – organised a rally in front of the office of Bill Shorten, the then Gillard Government’s Workplace Relations Minister.<sup>676</sup> Migrante also mobilised supporters from among non-Filipinos including several trade unions and other progressive groups. Jessie received compensation mediated by the Fair Work Ombudsman. However, in November 2013, his 457 visa was cancelled by a delegate of the Minister for Immigration on the grounds that ‘he ceased employment with his sponsor for more than 90

<sup>676</sup> See Fig 6.2.

consecutive days'.<sup>677</sup> His case went to the Migration Review Tribunal (MRT)<sup>678</sup> and in October 2014 the Tribunal decided to affirm the decision of the Minister's delegate to cancel his 457 visa. The MRT then referred his case to the Minister for Immigration's office for a 'ministerial intervention'<sup>679</sup> on compassionate and humanitarian grounds. On 24 March 2017, the Minister decided that it was not in the public interest to intervene in Jessie Cayanan's case. Jessie departed Australia in early May 2017 to join his wife and three children in the Philippines.

In June 2013, Migrante Australia released a *Position paper on temporary migrants and guest workers in Australia* which called on the Australian Government to change immigration laws to allow 'reasonable pathways to become permanent residents' for migrant workers and their families.<sup>680</sup> The position paper also highlighted several similar cases that Migrante had encountered over the years and looked into various issues including migrant workers' rights to fair wages and entitlements, safe working conditions and provision of welfare services such as free health care (Medicare), legal aid, housing, child care, education and transport fare concessions for students. In particular, the paper called for the abolition of the International English Language Testing System (IELTS) test for those 457 visa workers who have worked or studied in Australia for at least a year because Migrante believes that the IELTS test is not an appropriate method of testing knowledge and skills in the English language. Rather, it is argued that English language skills are acquired through 'practices and socialisation in the workplace and the broader community in general'.<sup>681</sup> Furthermore, the paper demanded that migrant workers should receive government protection from various forms of exploitation and abuse, and from human trafficking, through just compensation, job security and provision of a comprehensive orientation program in the destination country.<sup>682</sup>

## 6.4 Building a movement transnationally

One of Migrante Australia's main objectives is to 'build a strong Filipino mass movement in Australia'.<sup>683</sup> Migrante's activism in Australia is based on building a strong migrant movement at a

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<sup>677</sup> See MRT Decision Record, *Re: Jessie Cayanan*, MRT Case Number: 1318510, para 2.

<sup>678</sup> On 1 July 2015, the MRT was replaced by the Administrative Appeals Tribunal (AAT) and the Migration and Refugee Division of the AAT now reviews decisions made by delegates of the Department of Immigration and Border Protection or the Department of Home Affairs to refuse or cancel visas.

<sup>679</sup> Under ss 351, 417 and 501J of the *Migration Act 1958* (Cth), the Minister has powers to intervene if they think it is in the public interest to do so. Migration policy stipulates that this power is only exercised in 'unique or exceptional circumstances': see 'Ministerial guidelines for intervention' available at: <[www.aph.gov.au/parliamentary\\_business/committees/house\\_of\\_representatives\\_committees?url=mig/report/migrationregulation\\_1999/append.pdf](http://www.aph.gov.au/parliamentary_business/committees/house_of_representatives_committees?url=mig/report/migrationregulation_1999/append.pdf)>.

<sup>680</sup> Migrante Australia, 'Position paper on temporary migrants and guest workers in Australia' (Migrante Australia, June 2013) 6–7.

<sup>681</sup> Ibid 7.

<sup>682</sup> Ibid 10.

<sup>683</sup> See Migrante Australia, 'Draft general program of action for 2014–2017' (presented at the 2nd National General Assembly, Mt Druitt, New South Wales, 25–26 January 2014).

transnational level and, at the same time, engaging in contentious counter-hegemonic political action through which Filipino migrants contest their home state's complicity with neoliberal policies. This is why Migrante, as a migrant movement organisation, can be distinguished from other NGOs and civil society groups, in that it focuses on mass movement-building and counter-hegemonic struggle for political and social change 'from below', rather than using a 'top-level' approach driven by notions of reformism, self-preservation and funding relationships.

#### **6.4.1 Migrante's transnationalism**

What links Migrante Australia with other similar Migrante organisations across the world is its shared focus on issues affecting the Filipino diaspora and the root causes of overseas Filipino migration around the world. As I have shown in Chapter 3, the Philippine state has promoted its LEP over other forms of developmental initiative, which has therefore caused many Filipinos to leave their families behind. The linking of migration issues with issues in the homeland (such as joblessness, genuine land reform, lack of national industrialisation and neoliberal dominance) demonstrates the political transnationalism of Migrante as a community-based and grassroots organisation that advocates for the rights and welfare of migrant Filipinos abroad. Likewise, and at the same time, Migrante also addresses political, social and economic issues that affect Filipino migrants in the diaspora. For example, Migrante has continuously raised the issue of Filipino migrant workers' abuse and exploitation under the subclass 457 visa scheme. In its 'General Program of Action for 2014–2017', Migrante Australia recognises that 'the problem of the Filipino diaspora is systematic and deeply-rooted to the domestic crisis in the Philippines'.<sup>684</sup> Thus, Migrante believes that addressing the issue of forced migration entails 'the aggressive pursuit of local job generation through improving local agriculture and industry by implementing genuine land reform and national industrialisation'.<sup>685</sup> Hsiao-Chuan Hsia calls this 'transnationalism' a kind of 'cross-border organising' that 'simultaneously encounter the states of their [i.e. migrants'] origins, the states of their workplace and settlement and supranational institutions'.<sup>686</sup>

The political transnationalism of Migrante Australia is clearly demonstrated in its recent campaign on indigenous rights affected by mining activities in the Philippines. Migrante has been vigorously campaigning on the issue of large-scale mining in the Philippines because huge Australian mining companies have displaced many indigenous communities in the country. An

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<sup>684</sup> Ibid.

<sup>685</sup> Ibid.

<sup>686</sup> Hsia, above n 45, 115–16.

important issue here is the implications of the *Philippine Mining Act of 1995*,<sup>687</sup> which gives foreign mining companies overriding powers in relation to foreign ownership and tax benefits.<sup>688</sup> According to the IBON Foundation, an independent development organisation in the Philippines, '97% of mineral production in the Philippines goes to foreign industries, providing the export oriented nature of Philippine mining'.<sup>689</sup> The government only requires that mining companies pay 2 per cent of their total return in excise tax, which is then divided between the national, provincial and local governments as well as local indigenous groups.

But the more disturbing issue in relation to mining operations in the Philippines is the human rights violations and killings of indigenous tribal leaders and supporters in Mindanao (southern Philippines), which are perpetrated by the Philippine military and para-military forces.<sup>690</sup> Australian companies such as Oceana Gold and Glencore are the focus of Migrante's and other non-Filipino solidarity groups' human rights campaigns in Australia. During lunchtime on every last Friday of the month between March 2015 and June 2015, Migrante Australia and other non-Filipino support groups including PASA, the Maritime Union of Australia (MUA), Action for Peace and Development in the Philippines (APDP) and activists from an El Salvadoran group staged a protest rally in front of the Oceana Gold office in Collins Street in the Melbourne CBD.<sup>691</sup> Similar protest rallies were also held in front of the World Bank in Martin Place in Sydney CBD to demand that Oceana Gold drop its lawsuit against the government of El Salvador for not granting the company a mining licence. The main purpose of these rallies was to raise public awareness regarding human rights issues and the environmental degradation of large-scale Australian mining in the Philippines and in El Salvador.

Another public awareness strategy that Migrante Australia employs is to organise a speaker from the Philippines to raise and talk about these issues in Australia. An example of this is the recent speaking tour of Sister Mary Francis Añover from the Rural Missionaries of the Philippines<sup>692</sup> to speak about mining and human right issues in the country. Migrante held a series of public fora and meetings on these issues with other Australian NGOs, union officials and Australian politicians in

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<sup>687</sup> See *Republic Act No 7942 An Act Instituting a New System of Mineral Resources Exploration, Development, Utilization and Conservation*.

<sup>688</sup> The so-called Financial Technical Assistance Agreement (FTAA) is a production agreement under the Act that can last up to 25 years, is approved by the President of the Philippines and allows 100 per cent foreign ownership of mining projects: see William N Holden and R Daniel Jacobson, *Mining and Natural Hazard Vulnerability in the Philippines: Digging to Development or Digging to Disaster* (Anthem Press, 2013) 46.

<sup>689</sup> IBON, 'Local mining contributes to foreign industries but leaves PH with little benefit', 17 September 2015. Available at: <<http://ibon.org/2015/09/local-mining-contributes-to-foreign-industries-but-leaves-ph-with-little-benefit/>>.

<sup>690</sup> See Rural Missionaries of the Philippines, *Undermining Patrimony: The Large-Scale Mining Plunder in Mindanao, and the People's Continuing Struggle and Resistance* (Rural Missionaries of the Philippines, 2015).

<sup>691</sup> See Fig 6.3.

<sup>692</sup> Rural Missionaries of the Philippines (RMP) is a church-based organisation that helps peasants, farmers, rural women and indigenous peoples to fight for their rights for genuine land reform in the Philippines. Information available at: <[www.rmp-nmr.org/](http://www.rmp-nmr.org/)>.



Perth, Sydney, Canberra and Melbourne between 22 May and 11 June 2014. Following Keck and Sikkink's framework outlined above, Migrante's use of information, ideas and strategies to influence such changes is vital for the organisation and its network to work effectively in raising awareness and organising human rights campaigns in Australia.



**Fig 6.3:** Migrante Australia and its network organisations APDP, PASA and MUA in front of the Oceana Gold office in Melbourne CBD. Photo taken on behalf of the author.

All of these tactics and strategies can be found as part of Migrante's network's way of organising information dissemination, raising public awareness and symbolically holding rallies at the office of the target entity, and its ability to call upon 'target actors' like mining companies or the Philippine Government to bring about policy change. In Sydney, for instance, one of the research informants, Grace from PAWA, highlights the importance of linking human rights and mining issues in the Philippines, and how this link is relevant to the Australian public to demonstrate the effects of neoliberal policies in indigenous communities in the Philippines. Migrante's transnationalism is demonstrable in this type of activity and, as Grace explains:

So, we positioned ourselves at [Sydney] Town Hall and we started our rally and we had our vigil there, and there were so many people who asked: what's happening? What are you doing? And we handed down this statement, then they read, then they come back and say, what do you mean by this? What's the *Philippine Mining Act*? And what do we have to do with this?



She describes how people who passed by the Sydney Town Hall read the statement and would realise that it was an Australian mining company that is involved. People then asked what could be done and said that they were willing to sign the petition letter on the spot.

This is how Migrante uses the Australian arena as an audience to raise awareness of human rights and mining issues in the Philippines and to effect corporate policy change for Australian companies. Migrante's transnationalism through advocacy networking and solidarity with other groups works effectively by mobilising shared values and understandings of an issue to motivate collective action and to persuade, make demands of and gain leverage over more powerful organisations and governments.

#### **6.4.2 Migrante's counter-hegemonic approach: NGOism versus movement-building**

Migrante's second characteristic points to the fact that the group can be classified as a movement-building organisation rather than tied up with what scholars refer to as 'NGOism' or 'NGOisation'. I explain first the idea of NGOism/NGOisation and then discuss what makes Migrante different from other NGOs and civil society groups which are associated with NGOism. Today, NGOs are part of a broader civil society that includes other groups such as religious groups, gender-based groups, cooperatives, professional and business-related groups, academia and other forms of non-state institutions. The phrase 'NGO' itself can be interpreted literally as non-government organisations and often means not-for-profit groups regardless of funding source, ideology (or lack thereof), values, missions and orientation that covers various activities such as charity and welfare, community development, advocacy and political participation.<sup>693</sup> Generally, NGOs are staffed by paid full-time professional workers (as opposed to unpaid and volunteer workers). Many of these NGOs also form lobby groups within the government circle as well as partnerships and alliances with other organisations and non-government institutions. As part of the broader civil society, NGOs draw upon their relationships with the authorities, yet at times are critical of the government when the authorities fail to fulfil their duties and objectives.<sup>694</sup>

Within the social movement scholarship, many claim that the rise of NGOs pertains to the proliferation of neoliberal ideologies from the 1980s through to the 1990s.<sup>695</sup> As demonstrated in Chapter 2, governments and other institutions promoted the ideas of strengthening civil society and good governance, which are two of the intrinsic pillars of a neoliberal policy environment. The

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<sup>693</sup> Sonny Africa, 'Philippine NGOs: diffusing dissent, spurring change' in Aziz Choudry and Dip Kapoor (eds) *NGOization: Complicity, Contradictions and Prospects* (Zed Books, 2013) 118, 123.

<sup>694</sup> Olena Bagno, Majid Al-Haj and Andrew Jakubowicz, 'The civil society' in Andrew Markus and Moshe Semyonov (eds) *Immigration and Nation Building: Australia and Israel Compared* (Edward Elgar, 2010) 91, 93.

<sup>695</sup> See Sangeeta Kamat, 'The privatization of public interest: theorizing NGO discourse in a neoliberal era' (2004) 11(1) *Review of International Political Economy* 155.

notion of ‘civil society’ in this context ‘emphasises the rights of individuals to pursue their self-interest rather than collective rights, and simultaneously upholds and obscures the interest of state and capital’.<sup>696</sup> The term ‘NGOism’ or ‘NGOisation’ has become increasingly widely used in social movement activist networks to refer to the ‘institutionalisation, professionalisation, depoliticisation and demobilisation of movements for social and environmental change’.<sup>697</sup>

The main features of NGOism/NGOisation include: fostering greater loyalty to funding agencies; more focus on lobbying and trying to influence elites (rather than movement-building); and bureaucratisation and the adoption of corporate practices and standards.<sup>698</sup> NGOs in this context (as opposed to movement-building groups) operate ‘*within* existing structures’ of state and capital ‘rather than seeking to transform the system’.<sup>699</sup> In most instances, these NGOs are ‘gatekeepers’ or ‘intellectual policemen’ who define what is ‘acceptable’ in terms of funding and filter out alternative discourses, knowledges and perspectives that relate to class analysis and political struggle.<sup>700</sup> In Australia, for instance, Ravinder Sidhu and Sandra Taylor observe that community welfare organisations that support refugee resettlement are now being harnessed towards the practices of ‘competitive contractualism’ and ‘managerial accountability’ – that is, public-private partnerships between the government and NGOs – rather than ‘to facilitate broader structural change, including making meaningful contributions to concrete strategies of redistribution to address social inequalities’.<sup>701</sup>

On the other hand, movement-building and grassroots community-based organisations like Migrante Australia are different from the traditional NGOs outlined above for two reasons. First, Migrante and similar mass-movement organisations are different because of their emphasis on grassroots organising. As Rodriguez argues, grassroots organisations are ‘often led by the constituencies they also serve’ and do not normally depend on external funding because ‘often funders can play a role in limiting the sorts of activities [an organisation] can engage in’.<sup>702</sup> Migrante and its allied grassroots organisations in the Philippines and Australia believe in what they call ‘step-by-step organising’. This type of grassroots organising ‘begins with initial social investigation, to building contacts, organising groups, a committee of organising groups and the formation of a

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<sup>696</sup> Aziz Choudry, ‘Global justice? Contesting NGOization: knowledge politics and containment in antiglobalization networks’ in Aziz Choudry and Dip Kapoor (eds) *Learning from Ground Up: Global Perspective on Social Movements and Knowledge Production* (Palgrave Macmillan, 2010) 17, 18.

<sup>697</sup> Aziz Choudry and Dip Kapoor, Introduction in Aziz Choudry and Dip Kapoor (eds) *NGOization: Complicity, Contradictions and Prospects* (Zed Books, 2013) 1, 1.

<sup>698</sup> Hsia, above n 45, 134–35.

<sup>699</sup> Choudry, ‘Global justice?’, above n 696, 20–21.

<sup>700</sup> Ibid 21.

<sup>701</sup> Ravinder Sidhu and Sandra Taylor, ‘The trials and tribulations of partnerships in refugee settlement services in Australia’ (2009) 24(6) *Journal of Policy Education* 655, 669–70.

<sup>702</sup> Robyn Magalit Rodriguez, ‘On the question of expertise: a critical reflection on “civil society” processes’ in Aziz Choudry and Dip Kapoor (eds) *Learning from Ground Up: Global Perspective on Social Movements and Knowledge Production* (Palgrave Macmillan, 2010) 53, 59.

formal mass organisation that will genuinely uphold the interest of migrant Filipinos and the Filipino people'.<sup>703</sup> I will elaborate on this style of organising in more detail in the next chapter (Chapter 7). What really stands out in this type of grassroots organising is the laborious and painstaking process of organising and mobilising Filipino migrants, which reflects Migrante's principle that the exploited masses of overseas Filipinos are the prime movers of social change in the Philippines and in the diaspora.<sup>704</sup> The focus on members' participation and contribution towards building a mass movement is what makes Migrante distinct from NGOs and other traditional community organisations.

Second, Migrante is also unique in that it is part of a wider mass movement of different sectors in the Philippines. In Australia, Migrante Australia is linked to several Filipino grassroots organisations in different states which also form part of Migrante International in the Philippines. Migrante International represents the migrant sector within BAYAN (*Bagong Alyansang Makabayan* or New Patriotic Alliance), a multi-sectoral organisation in the Philippines that struggles for national and social liberation in the country.<sup>705</sup> Migrante recognises that movement-building abroad is a key part of its work in order to contribute to social and political change in Australia and the Philippines.<sup>706</sup> One of the informants I interviewed in New South Wales, Nenita from MSN, explains how Migrante is different from other community organisations in Australia:

Migrante as an organisation is quite different from a lot of organisations in that it has a cause, it has a deep-rooted reason for being different and it doesn't look to itself ... But to push for some cause or some changes in the Philippines.

Filipino migrants who become members and leaders of Migrante organisations often have an awareness of activism in the Philippines or at least may already have organising experience back home when they arrive in Australia. As Nenita further explains:

At the start [1980s to 1990s], there was a strong cohesiveness of Filipinos because they came from an activist background. The level of organisation activities centred on issues regarding the Philippines. But nowadays, your understanding of Australia and situation of Filipinos in Australia is becoming deeper. In order to mobilise and organise them, you need to know their needs, then you mobilise them around those needs.

Migrante's way of organising and mobilising Filipino migrants in Australia demonstrates new forms of counter-hegemonic activism at a transnational level. As discussed in Chapter 4, a counter-hegemonic strategy is a way of contestation and resistance to such hegemonic projects like the neoliberal policies of the state. Migrante Australia has been critical of both the Philippines and Australian governments' aggressive implementation of neoliberal policies when it comes to

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<sup>703</sup> Asia Pacific Mission for Migrants (APMM), 'A brief guide in organizing migrants'. Available at: <[www.apmigrants.org/articles/education\\_materials/APMM%20Migrant%20Orgg%20Guide.pdf](http://www.apmigrants.org/articles/education_materials/APMM%20Migrant%20Orgg%20Guide.pdf)>.

<sup>704</sup> See Migrante Australia, 'Draft general program of action' above n 683.

<sup>705</sup> See BAYAN's history, commitment and program of action at: <[www.bayan.ph/](http://www.bayan.ph/)>.

<sup>706</sup> Migrante Australia, 'Draft general program of action', above n 683.

temporary labour migration programs. Migrante believes that these policies force Filipinos to migrate to find work as cheap labourers far from their families, friends and communities in the Philippines.

## 6.5 Conclusion

In conclusion, this chapter has analysed the emergence of a Filipino migrant movement in Australia as a model of conscious citizenship. Migrante Australia, as an illustrative case, has been demonstrated to collectively organise and mobilise itself transnationally to contest the neoliberal policies of both sending and receiving states when it comes to issues affecting OFWs. It is understood that Migrante's activism is rooted in the broader context of social movement in the Philippines that is embedded within the country's history of struggle against the dominant class and ideology since the Spanish era. Mass movement continues to this day with the current forms of neocolonialism and neoliberalism that are pervasive in Philippine society. Filipino migrants themselves have contributed significantly to the building and continuation of a migrant movement spearheaded by Migrante International.

As I have argued in this chapter, Migrante Australia employs new forms of counter-hegemonic strategies that have a transnational character. It has been shown how Migrante organises and mobilises Filipino migrants and other non-Filipinos (Australians) through its strategy of networking and alliances, particularly in relation to issues of human rights and mining in the Philippines, as well as issues in relation to the 457 visa program in Australia. It has also been established how Migrante is different from NGOs and other institutional organisations because of its movement-building character centred upon the activism of its membership and its counter-hegemonic strategies that contest and resist the status quo. Migrante mobilises new forms of counter-hegemonic political transnationalism such as street protests, public fora, lobbying of politicians and awareness campaigns amongst its membership as well as the general public. In the next chapter, I will expound on the different methods of political activism and awareness campaigns (education and consciousness-raising) which Migrante deploys in its political campaigns and actions.

# Chapter 7

## Educate, Organise and Mobilise: The Role of Collective Consciousness in Migrante's Political Activism

### 7.1 Introduction

The aim of this chapter is to explore the role of collective consciousness in Migrante's political activism in Australia. The development of collective consciousness is an important part of Migrante's continuous activism in the diaspora because it is harnessed within Filipino migrants' lived memory and experience of their homeland which transmits to the diaspora throughout their migration journey. It was demonstrated in the previous chapter (Chapter 6) how Migrante's 'transnationalism' is rooted in the historical continuum of social transformation and struggle of the Filipino people in their homeland and continuously builds political consciousness and action in the diaspora. This chapter shows how political consciousness can turn into group consciousness, which can become, as Arendt puts it, 'the spring of action'<sup>707</sup> towards deeper commitment and responsibility, in this case, in mobilising other Filipino migrants in Australia. It then illustrates how Migrante's particular style of activism, 'step-by-step organising', is vital in raising the political consciousness of its members for political action. This method of organising is not a prescriptive process, but serves as guidance and a means of empowering migrants to gain wider and deeper levels of political consciousness and involvement. It is argued that this method of organising emanates from Migrante's long years of experience in dealing with Filipino migrants around the world, from which different lessons have crystallised into concrete practices and experiences.

The first part outlines the theoretical context in which I invoke the idea of political consciousness and its role in motivating active participation in political mobilisation. As I have highlighted in Chapter 5, one key aspect of conscious citizenship is the development of consciousness and political responsibility that induce the politically conscious individual to become part of an organised political community. For this chapter's purposes, I draw on Rancière's theories to explain the role of political consciousness and, in particular, the role of education, in migrants' political organising and mobilisation. The section then moves on to explain the function of group experience and how this experience can be transformed into a kind of 'counter-conscious' practice

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<sup>707</sup> See Chapter 5, subsection 5.3.1 The development of political responsibility. See also, Arendt, 'Willing', above n 562, 101.

for Filipino migrants as a way of contestation and resistance towards the neoliberal policies of the state, which I have examined in Chapters 2 and 3.

The rest of the chapter (sections 7.3 to 7.5) explores the step-by-step organising method used by Migrante organisations and I divide my discussion into three main stages: first, education and consciousness-raising; second, organising Filipino migrants; and, third, mobilising for political campaigns. In each section, I draw on the data collected in my interviews to describe how Migrante uses these different methods effectively in educating, organising and mobilising Filipino migrants in Australia. The chapter concludes by highlighting the significance of the cultural-community aspect of political action as a means of community belonging for Filipino migrants who share a common experience and struggle overseas.

## 7.2 The role of political consciousness in mobilisation: a theoretical context

Migrant political mobilisation has been the subject of recent studies in the area of social sciences and critical legal studies. Some studies focus on migrant domestic workers,<sup>708</sup> international students<sup>709</sup> or undocumented migrants,<sup>710</sup> whilst others explore how mobilisation occurs in different public spaces and with various forms and strategies<sup>711</sup> in parts of Asia, Europe and North America.<sup>712</sup> In Australia, studies of migrant activism and mobilisation have mainly focused on Indian international student mobilisation,<sup>713</sup> asylum seekers' activism<sup>714</sup> and the role of NGOs and trade unions in representing temporary migrant workers in Australia.<sup>715</sup> No studies have been undertaken that focus on the role of the political consciousness of migrant activists, especially the political activism of the Filipino diaspora in Australia.

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<sup>708</sup> Bridget Anderson, 'Mobilizing migrants, making citizens: migrant domestic workers as political agents' (2010) 33(1) *Ethnic and Racial Studies* 60; and Ming-yan Lai, 'Dancing to different tunes: performances and activism among migrant domestic workers in Hong Kong' (2010) 33 *Women's Studies International Forum* 501.

<sup>709</sup> Shanthi Robertson, 'Cash cows, backdoor migrants or activist citizens? International students, citizenship and rights in Australia' (2011) 24(12) *Ethnic and Racial Studies* 2192.

<sup>710</sup> Anne McNevin, 'Undocumented citizens? Shifting grounds of citizenship in Los Angeles' in Peter Nyers and Kim Rygiel (eds) *Citizenship, Migrant Activism and Politics of Movement* (Taylor & Francis, 2012) 165; Nelia Gonzalez Camara, 'Challenging illegalization: migrant struggles, political actions and Rancière's political philosophy' in Jean-Christophe Merle (ed) *Spheres of Justice: Volume 1 Global Challenges to Liberal Democracy. Political Participation, Minorities and Migrations* (Springer, 2013) 379.

<sup>711</sup> Chris Dixon, *Another Politics: Talking Across Today's Transformative Movements* (University of California Press, 2014); and Pollyanna Ruiz, *Articulating Dissent: Protest and the Public Sphere* (Pluto Press, 2014).

<sup>712</sup> See Michele Ford, *Social Activism in Southeast Asia* (Routledge, 2013); See also Davide Pero and John Solomons, 'Introduction: migrant politics and mobilization: exclusion, engagements, incorporation' (2010) 33(1) *Ethnic and Racial Studies* 1; and Nyers and Rygiel, above n 480.

<sup>713</sup> See Robertson, 'Cash cows', above n 709.

<sup>714</sup> Anne McNevin, 'Becoming political: asylum seeker activism through community theatre' (2010) 8 *Local-Global: Identity, Security, Community* 142.

<sup>715</sup> Nicole Oke, 'Temporary migration, transnational politics? The politics of temporary migration in Australia' (2012) 33(1) *Journal of Intercultural Studies* 85.

It is apparent that the role of political consciousness in political mobilisation studies has been largely overlooked. The above literature actually looks into new forms and patterns of mobilisations in various locations and spaces.<sup>716</sup> A small number of scholars have examined the significance of political consciousness, or what scholars refer to as political subjectivity,<sup>717</sup> but only a few have delved into the importance of actors' 'subjectivity' in migrants' political mobilisation.<sup>718</sup> This key element of subjectivity is significant when it comes to Migrante's work because education and consciousness-raising, which I explore in the next section, are motivating factors that drive Migrante members towards political organising and mobilising. Group consciousness is also relevant in the development of Filipino migrants' collective identity, which will be the subject of the next chapter (Chapter 8).

In this chapter, I draw on the work of French philosopher Jacques Rancière to explore the role and formation of political consciousness in organising and mobilising Filipino migrants in Australia. I utilise Rancière's work for the purpose of this chapter because his theory of 'politics' goes hand-in-hand with Arendt's notion of 'politics' in that both rely on a performative (aesthetic) conception of politics that recognises how solidarity is disclosed in plurality and in conflict. I am aware that these theorists have differences in their understanding of 'politics' and this issue has been dealt with in full detail in recent scholarship.<sup>719</sup> My aim here is to supplement the Arendtian framework I have presented in Chapter 5 by invoking what I see as the critical feature of a Rancièrian approach—the notion of the 'emancipated spectator'. This idea is salient in the case of Migrante's work because organising of Filipino migrants actually starts from educating the public (or in Rancière's term, the 'spectator') as well as continuing the education of the organisation's membership. In this process, and with Migrante's effort, the community becomes well informed with vital information and its members also understand the issues so that they can become politically active in organising and mobilising other people. Finally, I argue how migrants' lived experience can be transformed into a kind of 'counter-consciousness' that generates political mobilisation along class and cultural lines. Filipino migrants' collective experience of migration is a very powerful aspect of their political consciousness, and is embedded in their long history of social and political struggle in their homeland and in the diaspora.

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<sup>716</sup> See Dixon, above n 711; and Ruiz, above n 711.

<sup>717</sup> See recent works by Judith Butler, *Notes Toward a Performative Theory of Assembly* (Harvard University Press, 2015) and Butler and Athanasiou, above n 193.

<sup>718</sup> See, in particular, Isin, *Citizens Without Frontiers*, above n 35; and Rodriguez, 'Beyond citizenship' above n 39.

<sup>719</sup> See Richard Halpern, 'Theater and democratic thought: Arendt to Rancière' (2011) 37(3) *Critical Enquiry* 545; and Andrew Schaap, 'Hannah Arendt and the philosophical repression of politics' in Jean-Philippe Deranty and Alison Ross (eds) *Jacques Rancière and the Contemporary Scene* (Continuum, 2012) 145.

### 7.2.1 Jacques Rancière and the emancipated spectator

Rancière's theory of politics touches upon the role and formation of political consciousness in staging and mobilising protest in public spaces. In his book *Disagreement: Politics and Philosophy*, he formulates a theory of politics that is radically different from what we would normally think of as 'politics' in a conventional 'liberal-democratic' way. Conventional politics, as he sees it, consists of a 'set of procedures whereby the aggregation and consent of collectivities is achieved, the organization of powers, the distribution of places and roles, and the systems for legitimizing this distribution'.<sup>720</sup> Rancière calls this distribution and legitimising system *police*.<sup>721</sup> His notion of 'police' is not exactly the state apparatus that maintains law and order in society, but it is similar to this in the way that police maintain a kind of order or consensus—that is, the sharing of something in common which is enabled by a particular 'distribution of the sensible' (*partage du sensible*).<sup>722</sup> This partition of the sensible (as it is sometimes called) divides the community into groups, social positions and functions such as 'ways of doing, ways of being, and ways of saying, and sees that those bodies are assigned by name to a particular place and task'.<sup>723</sup> In essence, 'police' is a hierarchical social order that distributes goods and services, implements policymaking (bureaucracy and the law), allots roles and occupations, and manages the economy.

It is vital to outline the concept of 'police' in this chapter because the 'police' in fact 'monopolises the interpretations of the sense in the attempt to create a single direction for the movement of society'.<sup>724</sup> 'Police' is primarily about creating a system that provides forms of inclusion and exclusion by partitioning the social order. It attempts to contain, manage, co-opt and undermine any disputes about the basic constitution of society. The 'police' limits political participation by reducing in advance the sphere of political appearances, indicating who is capable of speaking, what they are able to say and what can become a matter of dispute.<sup>725</sup> That is why it is important to highlight the *apolitical* character of the police to understand how Rancière's concept of 'politics' provides an antidote to the conformism and consensus that are prevalent in our society today.

On the other hand, the term *politics* (*la politique* in Rancière's own term) refers to 'an extremely determined activity antagonistic to policing'.<sup>726</sup> 'Politics' stands in distinct opposition to 'police'. Rancière argues that the essence of 'politics' is the interruption of the police order—the 'disturbing [of] this arrangement by supplementing it with a part of those without a part, identified with the

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<sup>720</sup> Jacques Rancière, *Disagreement: Politics and Philosophy* (University of Minnesota Press, 1999) 28.

<sup>721</sup> Ibid. 28 (my emphasis).

<sup>722</sup> Rancière, 'The distribution of the sensible: politics and aesthetics' in *The Politics of Aesthetics* (Continuum, 2004) 7, 12.

<sup>723</sup> Rancière, *Disagreement*, above n 720, 29.

<sup>724</sup> Joseph K Tanke, *Jacques Rancière: An Introduction* (Continuum, 2011) 46.

<sup>725</sup> Ibid 47.

<sup>726</sup> Rancière, *Disagreement*, above n 720, 29.



whole of the community'.<sup>727</sup> So 'politics' emerges whenever the order of the police is disturbed or the distribution of the sensible is reconfigured by acts of *subjectification* on the part of those who have no part. By subjectification, this means the process of 'becoming' a collective subject (the 'we') that has 'the capacity for enunciation not previously identifiable within a given field of experience, whose identification is thus part of the reconfiguration of the field of experience'.<sup>728</sup> A group begins to emerge as a result of subjectification, and this is important in looking at the role of political consciousness in organising and mobilising Filipino migrants because a 'we' emerges that was never there before. In this sense, a social field of experience is reconfigured both ways: for those who have a part, they are obliged to see what they have never seen before; and for those who have no part, they feel empowered (the notion of 'emancipation') and see a role in which they may have a part to play.

Thus, for Rancière 'politics' has this aesthetic element of part-taking: it is a reconfiguration of the perceptual disposition of sights and sounds in any given society. In another sense, he uses the word *dissensus* as the essence of politics. A dissensus is not a conflict of interests, opinions or values; it is 'the demonstration (*manifestation*) of a gap in the sensible itself'.<sup>729</sup> It arises through the meeting of the logic of the police and the logic of equality. To sum up, those who have no name and no part, who remain invisible and inaudible, (migrants) can only challenge the police order and the *partage* by the mode of subjectification (the collective 'we') that transforms the aesthetic coordinates of the community through enacting the universal presupposition of politics — 'equality'.<sup>730</sup> I will come back briefly to the idea of dissensus in connection with the notion of the aesthetic and emancipation further below, but let me first explain Rancière's theory of equality, which is at the heart of his theory of politics.

The principle of equality can be seen as the overarching theme in Rancière's work that fundamentally alters the way we see politics, society, history, literature and the art form.<sup>731</sup> For Rancière, equality is not something that is bestowed, protected or created from the top (for example, the state), where in liberal theories some goods should be distributed in accordance with the principles of distributive justice, such as the theories of John Rawls and Amartya Sen.<sup>732</sup> Rather, equality comes *from* the people (*demos*) themselves and is not granted *for* them by some institution of equality. As Rancière explains: 'Equality is not a given that politics then presses into service, an

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<sup>727</sup> Rancière, 'Ten theses on politics' in *Dissensus: On Politics and Aesthetics*, ed and trans by Steve Corcoran (Continuum, 2010) 27, 36.

<sup>728</sup> Rancière, *Disagreement*, above n 720, 35.

<sup>729</sup> Rancière, 'Ten theses on politics', above n 727, 38.

<sup>730</sup> See his recent collection of interviews in Jacques Rancière, *Dissenting Words: Interviews with Jacques Rancière* (Bloomsbury, 2017) 78–80.

<sup>731</sup> See generally his latest collection of interviews in Jacques Rancière, *The Method of Equality* (Polity, 2016).

<sup>732</sup> See the works of Rawls, *A Theory of Justice*, above n 405; and Amartya Sen, *The Idea of Justice* (Penguin, 2010).

essence embodied in the law or a goal politics set itself the task of attaining. It is a mere *assumption* that needs to be discerned within the practices implementing it'.<sup>733</sup>

So the Rancièrian concept of equality actually 'presupposes' (assumes) rather than distributes equality. Put in another way, the *demos* presuppose their equality when they act together, not to achieve a kind of equality, but out of a presupposition that they are already equal to others. In short, their equality is already there, embedded in their own action. Todd May invokes the US civil rights movement in the 1960s as a good example of Rancière's idea of equality. He explains that groups of African Americans would go to the prohibited lunch counters (that did not serve lunch to blacks), sit there without any banners or shouted slogans and act like customers who expected to be served like other people.<sup>734</sup> In this scenario, they acted out being equal with those who were allowed to order lunch and acted collectively out of the presupposition of being equal. Looking at this from another angle, their protest can be seen as a dissent that follows from that presupposition of equality.

Going back to the idea of *dissensus*, their symbolic protest appears not only as a dissent coming out of that presupposition, but also as something else from the point of view of the aesthetic. Dissensus as a political activity occurs because within the *partage* 'there are words and images ... whose proper order is a source of perpetual disagreement' and this order 'is disrupted by those elements, groups or individuals in society that demand not only to exist but indeed to be perceived'.<sup>735</sup> This is Rancière's idea of the 'aesthetic of politics' and how this is connected to his logic of the 'emancipated spectator'.

Rancière's concern with the *partage* that defines what is visible or not in a common space (a community) is also his concern with the 'aesthetic'. Thus, there is an aesthetic element at the core of Rancièrian politics, which shows that his politics is indeed an 'aesthetic affair'.<sup>736</sup> His notion of the aesthetic is related to a 'form of experience' (a sense experience) within the 'delimitation of spaces and times, of the visible and the invisible, of speech and noise, that simultaneously determines the place and stakes of politics'.<sup>737</sup> Unlike Arendt, Rancière sees politics not as a way of life, but as a process.<sup>738</sup> The process of 'staging' is a way in which a public spectacle (political protest) can be enacted into an aesthetic display because of the political force of poetic imitation and multiplicity, like those of Rancière's early analysis of 'the display of the theatre' in ancient Greece.<sup>739</sup> His use of

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<sup>733</sup> Rancière, *Disagreement*, above n 720, 33 (my emphasis).

<sup>734</sup> Todd May, 'Wrong, disagreement, subjectification' in Jean-Philippe Deranty (ed) *Jacques Rancière: Key Concepts* (Acumen, 2010) 69, 72.

<sup>735</sup> Davide Panagia, "'Partage du sensible': the distribution of the sensible" in Jean-Philippe Deranty (ed) *Jacques Rancière: Key Concepts* (Acumen, 2010) 95, 96, 100.

<sup>736</sup> Jacques Rancière, 'The thinking of dissensus: politics and aesthetics' in Paul Bowman and Richard Stamp (eds) *Reading Rancière* (Continuum, 2011) 1, 7.

<sup>737</sup> Rancière, 'The distribution of the sensible', above n 722, 13.

<sup>738</sup> Jacques Rancière, 'Who is the subject of the rights of man?' in *Dissensus: On Politics and Aesthetics* (Continuum, 2010) 62, 70.

<sup>739</sup> Jacques Rancière, *The Philosopher and His Poor* (Duke University Press, 2003) 45–47.

the concept of imitation (Arendt's *mimēsis*) looks similar to Arendt's but is different because Rancière's political aesthetic revolves around this element of 'visibility'; that is, to make oneself seen is to be counted politically.<sup>740</sup> It is about a 'process' pursued for its own sake in which the aesthetic 'liberates' objects and people from the dominant norms, functions and places in society (the police). According to Peter Hallward, politics is a matter of building a stage, a theatre and sustaining a spectacle or show through a 'contingent dramatization of a disruptive equality, the unauthorised and impromptu improvisation of a democratic voice'.<sup>741</sup> A theatre then can be associated with the idea of empowerment and education, which is liberating or emancipating in the way we see and feel our own (political) experience.

In fact, Rancière addresses the relationship between actor (teacher) and spectator (students) in line with his earlier notion of equality of intelligence in his book *The Ignorant Schoolmaster*. In that book, he simply maintains that everyone has the same intelligence and that the emancipator's (teacher's) main role is not to impart their knowledge to the ignorant pupils, but to actually drive their will.<sup>742</sup> With this, the participating agent is empowered to find out for themselves how their conditions can be changed and improved, without any act of imposition or domination. Within the context of aesthetic and politics, Rancière develops this premise into the idea of an 'emancipated spectator'. Here, he tries to remove the passive spectators from their slumber and push them to become actors, to make 'them conscious of the social situation that gives rise to it and desirous of acting in order to transform it'.<sup>743</sup> Rancière's account of social emancipation begins when the people themselves become aware of their political and social situation by removing themselves from being passive citizens (enjoying the luxuries of life) to 'becoming' emancipated spectators. Again, this goes back to the principle of equality, in particular the equality of intelligence – that spectators are not 'ignoramus' (similar to the relationship between the pupil and the scholar); rather, 'they are thus both distant spectators and active interpreters [i.e. actors] of the spectacle offered to them'.<sup>744</sup> This is the lesson that Rancière wants to impart: that our understanding of works of art, texts, communities and the world does not come from a position of greater knowledge or authority, but develops with the experience of agency, from our own practices and actions that we constantly reinterpret, rewrite, re-think and re-transform to the ever-changing demands of new conditions.

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<sup>740</sup> Halpern, 'Theater and democratic thought' above n 719, 569.

<sup>741</sup> Peter Hallward, 'Staging equality: Rancière's theatrocracy and the limits of anarchic equality' in Gabriel Rockhill and Philip Watts (eds) *Jacques Rancière: History, Politics, Aesthetics* (Durham and London: Duke University Press, 2009) 140, 142.

<sup>742</sup> Jacques Rancière, *The Ignorant Schoolmaster* (Stanford University Press, 1991) 13.

<sup>743</sup> Jacques Rancière, *The Emancipated Spectator* (Verso, 2009) 8.

<sup>744</sup> Ibid 13.

### 7.2.2 Group experience and counter-consciousness

The role and formation of political consciousness plays a significant part in the activation of collective political action and mobilisation. Equally important in this thesis is the function of group experience and how this experience can be transformed into a kind of counter-consciousness which can inspire the counter-hegemonic practices I have examined in Chapter 4. Counter-hegemonic strategy, as we may recall, aims not only to contest neoliberal hegemonic policies, but also to challenge the dominant ideology that legitimises all forms of social exclusion. Filipino migrants' lived experience in the diaspora, for example, demonstrates a form of 'cultural expression' or a 'way of life' that can generate political mobilisation along class and cultural lines. Here, I invoke EP Thompson's idea of *experience* as a cultural expression of a particular class experience. For Thompson, experience arises spontaneously within social beings because we are rational and we think about what is happening to ourselves and our world.<sup>745</sup> He argues that experience is closely connected to consciousness and people's culture is influenced by their productive situation and the given relation (i.e. class) in which they find themselves. In essence, experience operates as a mediating factor between objective conditions within the productive relation, that is, the material determination relative to a social formation and a mode of production, and the social, political and cultural outlook of those 'who have a *disposition to behave like a class*'.<sup>746</sup>

For Thompson, class is not a structure nor even a category, but is something that is happening (or becoming) as a historical relationship.<sup>747</sup> He stresses the process by which a shared culture and a way of life are constructed in response to the exploitative social relations in which people are embedded. As he explains:

Class is a social and cultural formation (often finding institutional expression) which cannot be defined abstractly, or in isolation, but only in terms of relationship with other classes; and, ultimately, the definition can only be made in the medium time—that is, action and reaction, change and conflict.<sup>748</sup>

In other words, class as a relationship goes through a series of experiences that, in the intersection between consciousness and praxis, confer upon it an identity. Experience is presented as a continuing process of change and experimentation, and as a mediator between a social being and their consciousness. Thus, in this dialectical process, the *making* of a subject (an individual or a

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<sup>745</sup> EP Thompson, 'The poverty of theory or an orrery of errors' in *The Poverty of Theory and Other Essays* (Monthly Review Press, 2008) 1, 8.

<sup>746</sup> EP Thompson, 'The peculiarities of the English' in *The Poverty of Theory and Other Essays* (Monthly Review Press, 2008) 245, 295 (emphasis in original).

<sup>747</sup> EP Thompson, *The Making of the English Working Class* (Vintage, 1966) 9.

<sup>748</sup> Thompson, 'The peculiarities of the English', above n 746, 295.

collective) is a continuing process that combines diverse dimensions, contradictions and experiences.

The experience of Filipino migrants in Australia is a prime example of this process of 'becoming'. Dalisay, one of my informants from the solidarity group PASA, emphasises the importance of the consciousness-raising of Filipinos in Australia. She explains that helping your family or compatriots back in the Philippines is not just about sending money or goods to improve their situation. For her, it is about 'changing the system'. As she further elaborates:

So, raising awareness to the Filipinos [in Australia], letting them know what is really happening and educating them will help in changing their prospective in life, in changing their ... outlook, that it is not only you can help your family, not only by giving them goods or by giving them money, because they are all just temporary. They cannot always depend on you but there is a need to change the system, there is a need to change the condition, there is a need to change the status quo to improve the lives of many Filipinos.

This is also true when it comes to the construction of a migrant-citizen subject in both Australia and the Philippines (Chapter 3). It is seen that the Filipino migrant's political consciousness (from homeland to diaspora) is configured in their experiences of subordination, insubordination and awareness, within the broader relation of domination and power. The formation of consciousness plays a large role in the Filipino (migrant) psyche, which has been shaped by a long history of colonialism and subjugation. The Filipino historian Renato Constantino argues that the Filipino psyche is the result of an impaired consciousness produced by colonial culture and miseducation. Constantino observes that the neocolonial consciousness and eventual 'liberation' from its impediment must be examined through the development of what he calls 'counter-consciousness'.<sup>749</sup> According to him, counter-consciousness is a response to the prevailing (colonial and neocolonial) consciousness in the home country and becomes the new consciousness when it eventually prevails.<sup>750</sup>

In the Philippine experience, he argues that counter-consciousness became the new consciousness for a short period of time during the Philippine revolution of 1896 against the Spanish rule, but soon died down after the Americans recolonised the Philippines in the early twentieth century. Constantino further explains that the task of counter-consciousness should begin with an 'intellectualisation' that involves 'a process of objectivising a subjective condition in order to attain an awareness of self-imprisonment and consequently a desire to escape'.<sup>751</sup> In other words, one must study the dynamics of colonialism and neocolonialism in all their aspects to find out how this

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<sup>749</sup> See particularly 'Part III - Towards a counter-consciousness' in Renato Constantino, *Dissent and Counter-Consciousness* (Quezon City, 1970), 147-86. See also Renato Constantino, 'Counter-consciousness and social change' in *Insight and Foresight* (Foundation for Nationalist Studies, 1977) 114, 114-26.

<sup>750</sup> Renato Constantino, 'Identity and consciousness: the Philippine experience' (1976) 6(1) *Journal of Contemporary Asia* 9.

<sup>751</sup> Constantino, 'Counter-consciousness and social change', above n 749, 120-21.

'synthetic culture' became the generalised condition, as well as to develop ways to overcome the status quo. Thus, the prevailing thoughts, ways and ideas that impede the proper development of society must be 'countered' by a system of thought that influences actions and may guide the process of change.<sup>752</sup> With this, he puts a great emphasis on the role of intellectuals and activists in studying and rewriting 'history' from the point of view of the Filipino people themselves, because for him history serves as a guide to the people in perceiving the past in order to understand the present reality. As he further explains: 'Only when the present is seen as a continuation of a historical process, as part of history in flux, can the future be *consciously shaped*'.<sup>753</sup>

This very act of resistance and contestation is embedded in the Filipino experience of subordination and eventual freedom from the shackles of colonial and postcolonial economic domination and power relations. Following Rancière and Thompson, group experience and consciousness play a vital role in the awakening of one's moral responsibility and commitment to change. Another of my informants from Western Australia, Reyna (Migrante WA), explains how her witnessing of social injustices in the Philippines has continuously motivated her to act politically in Australia. As she elaborates:

all these experiences of Filipino-Australian migrants in this country are very similar to what is happening back home. But it is different now [in Australia], and so, I was motivated to assist the 457 visa workers because these are the people that I see who are being exploited in this country. So, I think if it's not for my experience of social injustices in the Philippines, I wouldn't be able to translate my passion in helping these 457 visa workers.

Her passion to act politically even after leaving the Philippines shows how political responsibility in Arendt's framework (Chapter 5) activates a person's willingness and commitment to take action without abandoning their (ethnic) identity, which forms one of the key elements in the ideals and practice of conscious citizenship.

### 7.3 Education and consciousness-raising

Migrante's method of organising and mobilising Filipino migrants abroad starts with what I observed in my fieldwork as 'education and consciousness-raising'. This step is vital for Migrante's organising work because it lays the groundwork for knowing, understanding and analysing Filipino migrants' conditions in a particular workplace, location or group within the Filipino community and the Australian community at large. The group believes that this initial step ensures organisers can

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<sup>752</sup> Constantino, *Dissent and Counter-Consciousness*, above n 749, 148.

<sup>753</sup> Renato Constantino, 'Nationalism and history' in *Nationalism and Liberation* (Karrel, 1988) 7, 10 (my emphasis). See also Constantino, *The Philippines: A Past Revisited*, above n 642, 404.

gather first-hand knowledge and experience that will effectively encourage other migrants to participate and organise within their respective locations and places.

### 7.3.1 Social investigation

One of the very first step in Migrante's organising involves a preliminary survey of the migrants' conditions in a particular place or location. Migrante calls this first step a 'social investigation' or 'SI' (as commonly called by the group). According to Migrante's 'A brief guide in organizing migrants' (the Guide), social investigation involves 'a method of study by gathering data and information, which are fundamental to know the situation, condition, issues and problems confronting migrant Filipinos in a particular country'.<sup>754</sup> Through social investigation, organisers are able to find out the social conditions of migrant Filipinos, for example, where they live, what issues they face, where they congregate, what they do on the weekend and much more.

One of the key elements of the social investigation method is that it provides 'the basis to determine the form or type of mass organisation that will be established, whether it is an association of domestic helpers, or migrant health workers, immigrant's organisation, or the likes of a patriotic organisation'.<sup>755</sup> Likewise, this method can also result in a much deeper understanding of various forms and levels of migrants' exploitation in the host country. In this way, Migrante can formulate different strategies and tactics for political organisation and mobilisation on various issues.

With Migrante's organising practice, social investigation is composed of two elements: one is research and data collecting; and the other is social integration. Research and data collecting involve the gathering of all relevant information through primary sources such as direct methods, for example, data gathered through talking to migrants, written statements from a migrant person themselves if there is a legal/immigration case to be filed and submitted; and secondary sources such as printed and online media, newspapers, academic publications and government and NGO reports and surveys. Social integration, on the other hand, involves deep engagement of the organisers at the community grassroots level, directly communicating with migrants, joining their activities and so on. Through integration, organisers are able to know about migrants' issues and concerns, ways of resolving these issues and things that captures migrants' interests that are close to them.

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<sup>754</sup> APMM, above n 703.

<sup>755</sup> Ibid 3–4.

Marie, my informant from Anakbayan Melbourne, explained to me how the process of social investigation is important in terms of organising young Filipino migrants in order to formally establish their own youth organisation (i.e. Anakbayan Melbourne) in July 2012:<sup>756</sup>

SI [social investigation] is important to know more about what are the issues affecting young Filipinos. It is important to know their background, their visa status and why they came to Australia ... When we first meet someone we ask them their age, where they live, what their visa status is, why they came to Australia, where they grew up, where they studied. We also ask them the issues that they have in Australia and what they experience in their daily lives. From here we can assess their political awareness and educate them.

### 7.3.2 Education and propaganda

Migrante believes that education and propaganda are 'an essential tool/ingredient in organising, consciousness-raising and mobilising migrant organisations'.<sup>757</sup> In particular, holding discussion groups, public fora and seminars is of great importance in consolidating the organisation and generating solid and well-informed members of the organisation. For Migrante, education (sometimes called by Migrante activists 'ED') comprises a series of formal and informal studies as part of either organising/establishing a newly formed Migrante organisation or continuing study for mobilising members and other migrants for a political campaign or issue. By formal, this means that the study contains 'an outline or module of a particular course or lesson is used, inside a classroom or room having an identified number of participants/students'; whereas informal means 'when it is done through group discussion, study of specific issue or concerns and the number of participants/students are not identified'.<sup>758</sup> A good example of the former is the facilitation of a formal introductory study known as 'Migrante Orientation'. An example of the latter is a sequence of an issue-based type of education in the form of a public forum or seminar such as the *Kapihan*<sup>759</sup> and *Pulong Bayan*<sup>760</sup> which Migrante facilitates for the purposes of political campaigning and mobilisation. I explain these two types of education in turn.

The Migrante Orientation is a type of a formal study that is provided to new members of Migrante organisations. GABRIELA and Anakbayan Melbourne also have similar orientations, but slightly different in terms of their focus (i.e. women and youth). The study goes for three to four hours and comprises a PowerPoint presentation led by a presenter who is normally designated by

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<sup>756</sup> See news article by Janelle Reyes, 'Anakbayan Melbourne Founding Assembly: Youth in Action', *Batingaw* (Migrante Melbourne Newsletter), Issue 31, October 2012, 7.

<sup>757</sup> APMM, above n 703, 6.

<sup>758</sup> Ibid 7.

<sup>759</sup> The word *kapihan* roughly means 'discussion over a coffee'.

<sup>760</sup> The phrase *pulong bayan* literally means 'public meeting' or 'people's forum'.



the Executive Committee of the organisation. The contents of the Migrante Orientation consist of the following topics:

- characteristics and conditions of Filipino migrants;
- the root cause of Filipino migration;
- history of Filipino migration;
- about Migrante International; and
- urgent tasks.<sup>761</sup>

Throughout my fieldwork with Migrante, I participated in almost all of the Migrante Orientation studies that the group (Migrante Melbourne) has conducted since 2011. Of particular relevance to this was the establishment of the three Migrante Melbourne chapters – Migrante Melbourne West, Migrante Melbourne North and the Migrante Melbourne East, which I discuss further in the next section (7.4.2). Here, the study was either conducted in a hired community centre room, especially if the number of participants was large (15 to 20 people), or sometimes through a small group discussion in one of the members' house if the number of participants was small (5 to 10 people).<sup>762</sup>



**Fig 7.1:** Migrante Orientation held in one of the members' house. Photo taken by the author.

<sup>761</sup> See Migrante International, 'Migrante Orientation' (in Filipino language, updated October 2012): <<https://migranteinternationaldotorg.files.wordpress.com/2014/05/mig-or-final.pdf>>.

<sup>762</sup> See Fig 7.1.

The *Kapihan* and *Pulong Bayan* are a series of seminars or public fora which discuss a particular issue in Australia or the Philippines. One of the purposes of these fora is to serve as a platform for wider political support or mobilisation for political action such as demonstrations, lobbying or a change in government policy. Another purpose is to provide a venue for membership drive and recruitment, as well as a platform for raising awareness of the issue in the Filipino community and the general public. The audience and participants are wider compared to the Migrante Orientation and they cater not only to members and supporters of Migrante, but also to anyone who is interested in the issue. An example of a *Kapihan* series seminar is the Migration Law Seminar held by Migrante Melbourne every year since 2011.<sup>763</sup> Different topics are presented and discussed, such as: 457 visa workers' exploitation and loopholes within the 457 visa regime; abolition of the IELTS requirement; and changes to the General Skilled Migration regime. Anakbayan Melbourne and GABRIELA Australia also organise a similar *Kapihan*-type seminar on the topics of international student issues and family violence respectively.

The *Pulong Bayan*, on the other hand, is normally organised by Migrante Australia and sometimes held in partnership with a non-Migrante Filipino organisation or other group like a church group or trade union that supports a particular issue or cause. For instance, Migrante Australia held a *Pulong Bayan* in October 2012 in partnership with the Emergency Relief Fund for Philippines (ERFFP), a Filipino organisation that raises funds to assist victims of natural disaster in the Philippines.<sup>764</sup> The forum discussed the relief and humanitarian operation around the devastation of the typhoon 'Gener' in the Philippines, as well as the continuing support and fundraising activities in Australia.

Another example is a *Pulong Bayan* held in June 2013 which was supported by the Filipino Community Council of Victoria Inc (FCCVI) and the Jesus is Lord (JIL) Church in Laverton, Victoria, on the topic of exploitation of Filipino 457 visa workers, job security and provision of welfare to victims of abuse and exploitation. Some Filipino 457 visa workers were invited to speak about their experiences of abuse. They asked the Filipino community how it could help in terms of their welfare and everyday needs, as well as calling the community to rally for support in lobbying the government to change its 457 visa policy. A public forum such as this is very effective in the way that it provides first-hand accounts and stories on such pressing topics and comes up with a concrete resolution for lobbying and garnering community support.

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<sup>763</sup> See Fig 7.2 (top part).

<sup>764</sup> See Fig 7.2 (bottom left)



**Fig 7.2:** From the top clockwise: *Kapihan* seminars organised by Migrante Melbourne and *Pulong Bayan* organised by Migrante Australia with ERFFP on victims of typhoon in the Philippines. Photos taken by the author.

Within mainstream discourse, the term ‘propaganda’ is usually used in a negative sense and many people see it as the deliberate spreading of misinformation or the use of ‘flawed ideologies to cut off rational deliberation and discussion’.<sup>765</sup> However, I argue that the concept of propaganda in the context of Migrante’s political work points to what Jason Stanley calls a ‘civic rhetoric’ – a type of propaganda that enhances ‘the reasonableness of a debate’ in order to ‘appeal to empathy and understanding to lead people to include the perspectives of some citizens whose perspectives had previously been ignored’.<sup>766</sup> This type of propaganda echoes Arendt’s concept of ‘enlarged mentality’ or ‘representative thinking’ discussed in Chapter 5 and Ranciere’s idea of ‘subjectification’ discussed above, that is, the emergence of a collective ‘we’ that has never existed before. Moreover, propaganda also denotes a kind of counter-hegemonic or counter-conscious strategy in a Gramscian/Constantino sense. This strategy forms part of my notion of conscious citizenship, which is transformative because it opens up spaces of critical reflection, intervention

<sup>765</sup> Jason Stanley, *How Propaganda Works* (Princeton University Press, 2015) 47.

<sup>766</sup> Ibid 112.

and resistance, rather than closing a space of contestability. Thus, propaganda in this framework is an attempt to counter the prevailing neoliberal propaganda advanced by the elite, and to provide an alternative discourse for certain groups whose perspectives have been made invisible and inaudible because of the existing hegemonic order.

The term 'propaganda' has been used not only by Migrante activists abroad, but also those activists in the Philippines who are fighting against neoliberal globalisation and for genuine political change in the country. Migrante activists use the words 'prop' or 'propa' to refer to the use of campaign materials in various forms such as newsletters, manifestos, posters, poems, skits and so on which are 'aimed at raising the consciousness and awareness of migrants about their situation and role in the society and identify their sector as part and parcel of the oppressed Philippine society'.<sup>767</sup> Migrante Australia has used different forms of education and propaganda materials such as statements, open letters, petition letters, position papers, flyers, brochures and audio-visual materials. The group produces a quarterly newsletter called *Batingaw* and has a Facebook account.

## **7.4 Organising Filipino migrants in Australia**

Organising a group of Filipino migrants is the second step in the process and involves 'meeting and building relations with the migrants'.<sup>768</sup> In this section, I identify two elements of Migrante's way of organising Filipino migrants in Australia: the first element is contact building; and the second is organising an ad hoc group and formalising the organisation. I now discuss these elements in turn.

### **7.4.1 Contact building**

This first element of organising is the continuation of the social integration identified above. Building continuous communication and rapport to targeted groups of people is central to successful and effective organising work with migrants. Organisers get to know and understand their problems, conditions and needs. They are also able to win their confidence and trust through integration and becoming part of the community. With this method of integration, organisers are able to identify who among the migrants have potential to become members to assist in organising other migrants to form a Migrante organisation.

The Guide enumerates three archetypes of migrants for the purposes of organising, recruitment and forming a formal organisation. These archetypes are: the advanced; the middle; and

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<sup>767</sup> APMM, above n 703, 7.

<sup>768</sup> APMM, 'Empowerment of the grassroots through organizing' in Liberato Bautista and Mervin Sol Toquero (eds) *The Intersections of Migration, Human Rights & Development Justice: A Resource Book of Churches Witnessing with Migrants* (National Council of Churches in the Philippines & General Board of Church and Society of The United Methodist Church, 2014) 325.

the backward. The advanced type of migrants are those who are 'active and who regularly participate in political discussions and are willing to learn and deliver from tasks assigned'. The middle type are those who 'attend discussions albeit irregularly and find difficulty to spare time for education and mass actions'. The third and final type (backward) are those whom organisers 'cannot expect to attend discussions and other forms of education activities but who support and believe in [Migrante's] work and struggle'.<sup>769</sup> Migrants who are identified as advanced and middle are identified as one group who are able to assist in organising other migrants. This is because the advanced and the middle are the ones who are willing to accept responsibility and are able to devote their time to reaching other people. I explain and evaluate the characteristics of these types of migrants in my discussion of political mobilisation in section 7.5 below.

#### **7.4.2 Group of Contacts of Migrants (GCM) and formalising the organisation**

In this process of contact building, a group of contacts (called GCM – Group of Contacts of Migrants) can be formed. This is an ad hoc group which usually consists of three to five individual members whose function is to do a further social investigation in order 'to identify places of concentration of migrant Filipinos'.<sup>770</sup> The GCM can be formed in a particular area or place where there are relative numbers and concentration of migrant Filipinos. In Hong Kong, for example, it is easy to organise Filipina domestic workers every Sunday because they are concentrated in a particular area in Hong Kong, and that is the Central District.<sup>771</sup> Organising Filipino migrants in Australia is different from Hong Kong because concentrations of Filipinos cannot easily be identified in terms of place or geographical area. In Melbourne, I observed that many Filipinos can be found in various subgroups within the Filipino community, mainly in church congregations, ballroom dancing/dinner dance fundraising events and basketball groups. The reason for this is partly religious and cultural, where Filipinos are mainly Christians (predominantly Catholics) and social events like ballroom dancing and basketball are primarily influenced by American culture.<sup>772</sup> As Nenita (MSN) points out:

Filipinos, wherever they are, even in Australia, have a propensity for organisation. So, you can see in Australia, we have, I think the most number of organisations ... lots of traditional organisations for certain pursuits—sports, dance, etc. And they tend to gather, they're very social beings, and also, at the same time, community oriented or community focused.

Throughout my fieldwork, I found that one of the most effective ways in which Migrante is able to organise Filipino migrants in Melbourne is through an organised event like a public forum,

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<sup>769</sup> APMM, 'A brief guide', above n 703, 4.

<sup>770</sup> Ibid 4.

<sup>771</sup> See Lindio-McGovern, above n 374, particularly 'Chapter 3: Resistance in Hong Kong'.

<sup>772</sup> For a discussion of the influence of American culture on the Filipino 'colonial mentality' such as ballroom dancing, see Carolina San Juan, 'Ballroom dance as an indicator of immigrant identity in the Filipino community' (2001) 24(3–4) *Journal of American and Comparative Cultures* 177.

fundraising, film showing or simple get-togethers such as birthday parties and barbecues in the park. Again, let me take the *Kapihan* and *Pulong Bayan* as classic examples of Migrante's work in organising migrants. As a brief historical context, the *Kapihan* was launched in 2011 because of the increasing concern about abused Filipino 457 visa workers in Australia, as well as the issue regarding the growing numbers of Filipino international students who had been misled by education agencies to undertake studies in Australia in order to get Australian PR. In 2013, the 457 visa scheme and the alleged 'rorting' of the system had become a hot political topic in Australia as commentators argued that 'the high level of dependence on the sponsoring employer' was the main factor in such vulnerabilities and widespread abuses.<sup>773</sup> In that same year, Migrante Australia decided that it should hold a much larger public forum and *Pulong Bayan* was then launched because of the pressing concern in the Filipino community.

From my field observations, this type of public forum seminar works really well in terms of organising Filipino migrants and community groups because it calls on people's sense of moral duty to help fellow Filipinos in times of need. Attendees at these events can range from around 30 to 50 people for *Kapihan* and 50 to 70 people for *Pulong Bayan*. Filipino migrants normally come to this type of forum because they want to help their compatriots, particularly leaders of other Filipino community groups including the Philippine Honorary Consul in Melbourne. During question-and-answer time in the forum, they always ask: 'How can we help in terms of food and accommodation? What can we do for change?' In most cases, Filipino 457 visa workers who attend these forums become members of Migrante and eventually become part of a GCM to organise other Filipino 457 visa workers in their respective geographical areas. In fact, some of these 457 visa workers have become leaders and officers of Migrante Melbourne chapters. For instance, the previous Migrante Melbourne North Chapter and Migrante Melbourne West Chapter chairpersons were both 457 visa workers before they were elected as leaders of these groups. In short, the expansion of Migrante Melbourne into three different chapters was the result of vigorous organising, including the formation of GCM, during *Kapihan* and *Pulong Bayan* seminars and fora since 2011.

The final process in forming an organisation usually takes the form of a general assembly. In a general assembly, the members discuss 'the basis of unity, objectives of the organisation, and provisions with regards to the policies of the organisation and the rights and obligations of the membership'.<sup>774</sup> Towards the end of the assembly, proposed resolutions on various issues of concerns are presented and discussed, and the election of officers of the organisation is also conducted. Under the Migrante Australia organisation, various types of organisation have been

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<sup>773</sup> See Editorial, 'Rorting of 457 workers exploits the vulnerable', *The Age*, 7 June 2013. See also Schneiders, above n 298, and Jessie Cayanan's case in Ben Schneiders and Nick McKenzie, '457 worker "told to fork out pay to boss"', *The Age*, 6 June 2013.

<sup>774</sup> APMM, 'A brief guide', above n 703, 5-6.



established based on different sectors and geographical locations. Examples of different sectors under the alliance are the migrant sector (Migrante), women's sector (GABRIELA) and youth sector (Anakbayan Melbourne). The formation of Migrante Melbourne's three chapters (i.e. North, East and West), on the other hand, is an illustration of a type of organisation that is based on geographical location. The three chapters were formally established in July 2012 for the North chapter, September 2013 for the West chapter and January 2015 for the East chapter.<sup>775</sup>

In summary, organising Filipino migrants in Australia involves grassroots organising which starts from a social investigation, that is, first-hand research and community integration, to the formation of a GCM and eventually the formalisation of a particular group. The organisers' willingness and motivation to act do not develop instantaneously, but as a result of a continuous 'reaching out to more fellow migrants, providing education, raising awareness, encouraging them to join the organisation and further deepening the initial knowledge of the condition'.<sup>776</sup> The success of organising ultimately depends on the group's deep knowledge of their conditions and problems, which serve as a basis and thrust for organisers to organise and mobilise Filipino migrants.



**Fig 7.3:** Oath-taking of elected officers of the Migrante Melbourne East chapter during its first General Assembly in January 2015. Photo taken by the author.

<sup>775</sup> See Fig 7.3.

<sup>776</sup> APMM, 'Empowerment of the grassroots' above n 768, 325.

## 7.5 Mobilising for political campaigns

Migrante's mobilisation takes various forms. In this final section, I identify two major types of mobilisation which Migrante employs in terms of political campaigning. The first one is a typical form of political mobilisation that includes street protests such as rallies and demonstrations. The second type involves a social event type of mobilisation, which includes both political and non-political (enjoyment) activities. Here, I briefly evaluate the effectiveness of these two types of mobilisation and demonstrate both their strengths and weaknesses in terms of mobilising Filipino migrants in Australia. The section reveals that Filipino migrants in Australia are mobilised more effectively if political actions are combined with non-political content, which highlights the significance of the cultural and community aspects of the Filipino migrant group in Australia.

### 7.5.1 Street protests

Street protests are a common form of mobilisation. In an Arendtian framework, the street and other public places are sites of political action and engagement. In this context, protests 'are statements of political movement addressed to spectators' that 'challenges state representation and reveal the marginalisation of the masses'.<sup>777</sup> For Migrante, this type of action is a venue to practise and implement the programs and political campaigns of the organisation.<sup>778</sup>

The group uses various types of street protests. For instance, in Melbourne, a small rally is normally held either in front of the State Library or at Federation Square in the CBD. In Sydney, a small rally is often conducted in front of the Town Hall in George Street, sometimes at Circular Quay (near the Sydney Opera House) and often in front of the Philippine Consulate-General office in Wentworth Avenue in the CBD. Grace from PAWA described to me how they 'strategically' conduct a small rally in Sydney:

Most of the time people, for example here in Sydney, they really listen, they really ask. There's a place here in Sydney, the Town Hall – Sydney Town Hall – and it's really famous for people going all over the place and we have observed that there are so many people who are passing by that place ... we have a sense that, of all the places in Sydney and even compared to the Philippine Consulate, there are more people who pass by the Town Hall.

A small rally can be in the form of a stand-up protest carrying banners and placards or a candlelight vigil (usually at night time) handing out leaflets or statements. A stand-up protest is normally attended by 10 to 20 people, both members and supporters. Most stand-up rallies are

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<sup>777</sup> Chester C Arcilla, 'Inferring bodies: political protesters in Philippine streets' (2010) 62(1) *Philippines Social Sciences Review* 35, 42.

<sup>778</sup> APMM, 'A brief guide', above n 703, 7.



organised in conjunction with a commemoration of an event, for example, International Women's Day (March 8) or the declaration of martial law in the Philippines (September 21), or as an act of protest and contestation against government policy such as the Philippine Government's LEP program or the political killings of activists in the Philippines.<sup>779</sup> Organising a small rally is relatively straightforward to mobilise, especially after working hours, because most of the organisers and attendees have full-time work. As a campaign centre, Migrante Australia coordinates the organising and mobilisation of small group rallies.



Fig 7.4: Migrante Australia protesting against the LEP in front of the Philippine Consulate office in Sydney during the group's 3rd General Assembly in 2014. Photo taken on behalf of the author.



GABRIELA Australia commemorating International Women's Day in 2014.



A small group protest by Migrante in Sydney on climate change.

Migrante Australia also participates in large rallies or demonstrations organised by non-Filipino groups. A good case in point is the May Day Rally organised by the May Day Committee in Melbourne.<sup>780</sup> Migrante participates in the May Day Rally every year, which involves participation in week-long activities before the actual march (normally held on the first Sunday of May). One of these activities is the Multicultural Night, when Migrante typically performs a cultural presentation.

<sup>779</sup> See Fig 7.4.

<sup>780</sup> See Fig 7.5 (top).



There is also the Film Night, when Migrante screens a documentary film regarding an important issue in the Philippines such as migrant workers' struggle or human rights abuses.



**Fig 7.5:** Top: Migrante Australia marching at the May Day Rally in Melbourne in May 2015. Bottom: Members of Migrante in Sydney at the Refugee Rally in March 2015 (bottom photo taken by Migrante Sydney).

Another example is Migrante's participation when it comes to the refugee issue. The group always joins in the Palm Sunday Rally both in Melbourne and in Sydney to show solidarity and support for refugees' and asylum seekers' plight in Australia.<sup>781</sup> Participation in rallies and demonstrations empowers those who partake in these street protests. Migrants and non-migrants

<sup>781</sup> See Fig 7.5 (bottom).

alike share their problems, their experiences and their practical knowledge gained in their political work. This type of political action certainly ‘strengthens the solidarity’<sup>782</sup> between migrants and other groups of people.

### 7.5.2 Social events

Social events are the most popular venue where Filipino migrants usually congregate. In Migrante’s long years of experience, this type of gathering has been used as a site for organising and mobilising Filipino migrants for the purpose of raising a political issue or campaign. The biannual *Tipanan*<sup>783</sup> fundraising event organised by Migrante Melbourne is a typical example of mobilising migrants for the dual purposes of enjoyment and fun and, at the same time, raising a political issue or campaign to the community.

*Tipanan* is quite similar to the *Kapihan* and *Pulong Bayan* discussed above, as it involves organising of Filipino migrants for ‘a good cause’. But there are several main differences between a seminar-type and a social-type event like *Tipanan*. First, *Tipanan*’s main objective is to raise funds ‘for the maintenance of Migrante shelter in the Philippines for the distressed Overseas Filipino Workers (OFWs) and their families’.<sup>784</sup> As a fundraising event, the content of *Tipanan*’s program includes dancing, karaoke singing, a trivia competition and cultural performances. Thus, the primary aspect of *Tipanan* is social – that is, enjoyment and fun. The second difference between the two types is that the numbers of attendees and participants in *Tipanan* are larger than for the *Kapihan* event. *Tipanan*’s attendees can reach 150 to 200 people in total, compared to around 70 people (maximum) in a *Kapihan*.

I argue that the main reason for the differences between the two in terms of the number of participants is that *Tipanan* is designed for pleasure and enjoyment, whereas a seminar-type gathering like *Kapihan* involves serious questions of politics. It is a continuing scenario that Filipino migrants (and many other people) are not really interested in attending public fora that deal with political matters. The reasons behind non-attendance in many public fora include work commitments, family commitments or simply not being interested in politics. A similar situation occurs when it comes to the difference between the number of attendees in *Tipanan* compared to the number of attendees at street protests. In one of my conversations with a member of Migrante Melbourne North chapter, he explained to me that a migrant’s willingness to go to a street protest ‘is the highest expression of their political consciousness and action’. As categorised above, this type

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<sup>782</sup> Arcilla, above n 777, 45.

<sup>783</sup> The word *tipanan* means ‘convention’ or ‘meeting’. Migrante’s *Tipanan* is a biannual fundraising event held in summer between February and March and also in winter between July and September every year.

<sup>784</sup> See news article, Migrante Melbourne, ‘Migrante Melbourne marks 5th year’, *Batingaw* (Migrante Melbourne Newsletter), Issue 9, September-October 2007, 5.

of migrants can be identified as the most 'advanced' in terms of their political consciousness and practices, whereas those who are 'middle' or 'backward' are unlikely to attend 'political' events. However, they can nevertheless be organised and mobilised in 'social' events and gatherings such as *Tipanan*.

It would seem that Migrante still sees *Tipanan* as an important site for organising and mobilising Filipino migrants because it is a venue 'to reach out a broader number of migrants'.<sup>785</sup> As explained above, *Tipanan*'s main objectives are fundraising and enjoyment; yet at the same time, the event also serves as a platform for education and propaganda work for Migrante's political issues and campaigns. From my observations, Migrante does this in a number of ways. First, the *Tipanan* program normally starts with an opening remark from one of Migrante's executive officers. In their opening message, there is always a brief update on the situation of Filipino migrants abroad, particularly in Australia. The update includes statistics of the number of Filipinos abroad, the current political campaign from Migrante International and any urgent demands for assistance for OFWs in other parts of the world, such as the recent case of Mary Jane Veloso.<sup>786</sup> Second, the officers ensure that campaign and education materials are distributed at *Tipanan* events. For instance, at the front door, attendees are provided with education/campaign materials and a flyer regarding the group's future activity is normally distributed to each table before the start of the program. The emcees also announce the group's current and future political campaigns and activities throughout the program. Furthermore, most of the contents of the *Tipanan* program include a subtle 'political' message. Even in the trivia competition, for example, almost half of the 30 questions pertain to politics and history in the Australian and Philippine contexts (like events, dates, persons, places). Thus, *Tipanan* can provide a venue for enjoyment and at the same time a place for political education and mobilisation of Filipino migrants, albeit in a subtle way.

### 7.5.3 Cultural performances

Finally, the most distinctive feature of Migrante's way of mobilisation is the use of cultural performances in most of its activities. It is demonstrated in social movements studies that 'cultural performances certainly inspire solidarity and oppositional consciousness' and that 'social movements often adapt, create and use culture—ritual, music, street theatre, art, the Internet, and practices of everyday life—to make collective claims'.<sup>787</sup> A recent study by Ming-yan Lai regarding the performance and activism of migrant domestic workers (MDW) in Hong Kong is a case in point.

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<sup>785</sup> APMM, 'A brief guide', above n 703, 7.

<sup>786</sup> See Chapter 6, in particular, subsection 6.3.1 Historical background.

<sup>787</sup> Verta Taylor and Nella Van Dyke, 'Culture and mobilization: tactical repertoires, same-sex weddings, and the impact on gay activism' (2009) 74 *American Sociological Review* 865, 866.

She argues that 'cultural performances contribute significantly to MDW activism in three respects: building community and collective identity; making visible agency and capabilities of enacting different subjectivities; and visualising diversity in unity'.<sup>788</sup> Referring to what I have described as an Arendtian notion of 'political community' in Chapter 5, this type of belonging in the community draws out contestation and resistance in different forms, subjectivities and locations of citizenship.

The improvisation of 'entertainment' or 'fun' has been utilised by Migrante over the years as a means to draw people to a kind of spectacle and performance. For instance, Migrante Melbourne organised a special *Tipanan* called Cultural Tipanan in October 2013 to showcase Filipino culture, tradition and talent in Australia. The Cultural Tipanan involved various cultural performances including songs, dances and poetry reading.<sup>789</sup> This event drew almost 200 attendees. Church groups such as the Southwest Christian Church and JIL Church Laverton actively participated in the Cultural Tipanan. Church groups with Filipino congregations (like the Uniting Church in Australia) have continuously supported Migrante's *Tipanan* because it reinforces a sense of belonging in the community that comes from the shared experience and common struggle of Filipino migrants living in Australia.

A street performance is another example of Migrante's utilisation of cultural performance in public. Indeed, some of Migrante's participation in marches and street protests makes use of creative devices to attract spectators and passersby to 'stop and watch'. A song presentation by the group is generally performed in a small stand-up rally, particularly in a candlelight vigil protest, where issues such as human rights abuses in the Philippines call viewers' attention and emotion.<sup>790</sup> Filipino songs like *Bayan Ko* (My Country), a song popularised during the overthrow of the Marcos dictatorship in 1986, is usually sung as everyone in the group knows how to sing it. Another feature is the use of caricature such as the image of a 'greedy capitalist'<sup>791</sup> which is effective in attracting people's attention during the march. As Lai further argues:

The cultural performances break down the conventional divide between activist participants and passive onlookers, and bring a carnivalesque celebration of difference and openness in public protests to the strategically planned actions and unified platform of demand for change by the politically oriented MDW organisations.<sup>792</sup>

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<sup>788</sup> Lai, above n 708, 502.

<sup>789</sup> See Fig 7.6 (bottom left).

<sup>790</sup> See Fig 7.6 (top part).

<sup>791</sup> See Fig 7.6 (bottom right).

<sup>792</sup> Lai, above n 708, 502.





Fig 7.6: Migrante Australia members at a rally on Philippine issues with a song performance. Photo taken by the author.



An indigenous dance performance from a JIL Church group at Migrante's Cultural Tipanan.



Migrante member using a caricature at a May Day Rally.

In a way, the notion of cultural performance in the context of migrant activism brings a kind of 'community-in-the-making'<sup>793</sup> that demonstrates shared group experiences (the 'pariah's experience') of struggle, discrimination and inequality in the diaspora. What is clear in Migrante's activities is the use of creativity and cultural devices in order to convey a political statement in organising and mobilising Filipino migrants in Australia. This 'community-in-the-making' emerges as a result of a collective effort that brings forth a new form of Filipino collective identity in Australia.

## 7.6 Conclusion

This chapter has illustrated the importance of political consciousness in organising and mobilising Filipino migrants in Australia. By drawing on Rancière's body of work, I have been able to demonstrate how consciousness-raising is part of a political 'staging'—an aesthetic process in 'politics' that emancipates objects and people from the dominant norms, functions and places in society (the police). Following Thompson and Constantino, I have also shown how the 'group

<sup>793</sup> Ibid 502.

experience' of Filipinos from the homeland can become a unifying force which transforms overseas Filipinos' collective consciousness into counter-hegemonic political participation in the diaspora. A central feature of my idea of conscious citizenship revolves around this process of group consciousness-raising that strengthens individual agency and transforms into collective political action. Indeed, Rancière's framework of consciousness-raising through political staging and enactment provides a valuable perspective for this thesis because it shows how citizens can become politically conscious because of their lived experience, struggle and social conditions from the homeland to the diaspora. This process of 'becoming political' is one of the important aspects of my idea of conscious citizenship, which I will consider in the next chapter of the thesis (Chapter 8).

Migrante's step-by-step organising method proves to be an essential model for educating, organising and mobilising Filipino migrants in a host country like Australia. It has been shown that the method begins with knowing the conditions of migrants and consciousness-raising through education, to building contacts among them and finally to forming an organisation and building alliances with other groups in order to effect change both in Australia and in the Philippines. It has been seen that Migrante employs various kinds of techniques, locations and forms in its political work, which also implies different ways of organising and mobilising Filipino migrants according to their level of political consciousness, commitment and orientation. This is clearly seen in the differences between organising a pure political event like *Kapihan* or a street protest as opposed to a social gathering like *Tipanan*. Yet there is one unifying feature that binds Filipino migrants together in Migrante's activities and political work, and that is the cultural-community inclination of overseas Filipinos. The idea of community belonging in the diaspora remains a vital aspect of the formation of a new collectivity of Filipino migrants in Australia and around the world.

## Part IV

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# Implications



# Chapter 8

## Becoming Conscious Citizens:

### The Making of a New Filipino Collective Identity in Australia

#### 8.1 Introduction

This final main chapter looks into the formation of a new collective identity for Filipino migrant activists in Australia. In the previous chapter (Chapter 7), I delved into the role of collective consciousness, which is fundamental to Migrante's political activism in Australia. By exploring Migrante's different ways of organising and mobilising Filipino migrants, one remarkable feature stands out, and that is the cultural-community aspect of Migrante's activism. This chapter examines in more detail how this cultural-community aspect paves the way for the making of a new collective identity in Australia. It is of great significance in bringing out the formation of this new collective identity because, as I explain below, culture and community belonging ('being Filipino') postulate a particular collective consciousness and experience that prompts the group into 'becoming political'. Yet I would argue that the cultural-community aspect alone does not necessarily trigger a group's political activism. Other factors, such as a sense of solidarity and commitment, which may be universally applicable to all kinds of social groups, are also significant because passion and emotion are part and parcel of 'becoming political' in a given society. I assess this new phenomenon (Filipino collective identity) in terms of three general questions. These three enquiries comprise the structure of this chapter.

First, what are the important features of this new collective identity? In the first section, I discuss the different conceptions and debates surrounding the notion of collective identity and, in my discussion, I come up with a different notion of collective identity that is based on a sense of agency, oppositional consciousness and a positive attachment to a particular social group. Second, I query where this new collective identity comes from and how this new collective identity fits within Migrante as a collectivity of Filipino migrant activists. The second section then examines two different sources, which emanate from: on the one hand, universal values and principles; and on the other hand, Filipino indigenous norms and practices. I argue that these two sources are not static and are always informed by other factors in society. And finally, I ask what are the implications and impacts of this new phenomenon in terms of our understanding of 'being Filipino' in Australia and how that 'Filipinoness' is related to the question of 'the political'? The final section looks into a

couple of implications of how this new collective identity affects the question of 'being Filipino' and 'becoming political' in Australia.

## 8.2 Collective identity in context

In order to understand the emergence of a new Filipino collective identity in Australia, it is significant to situate the concept of collective identity within the context of social movement scholarship. As briefly discussed in Chapter 6, one of the elements of a social movement is that it creates a unique collective identity of actors within the movement. The idea of collective identity itself covers multiple and complex meanings, and theories surrounding these different types of identity are informed by a particular cultural, social and political circumstance. In this section, I first analyse the different conceptions of collective identity and how the concept has become useful in examining the emergence, dynamics and impacts of social movements. I then highlight the different interpretations of the concept in the context of social movement literature. Finally, I propose an alternative way of looking at the concept of collective identity in terms of a positive collective identification with a particular group.

### 8.2.1 Central concepts and debates

Collective identity has been a widely used concept, particularly in the field of movement and mobilisation studies. Political and social scientists have invoked a collective identity framework to look into the 'emergence, trajectories, and impacts of social movements'.<sup>794</sup> It is a central feature in the formation of 'one-ness' or 'we-ness', which corresponds to a sense of 'collective agency'.<sup>795</sup> Several debates in this area have been raised in relation to whether or not collective identity is a process or a product of social movements, and whether or not collective identity really strengthens such movements.<sup>796</sup> The concept has been incorporated into studies of collective action framing

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<sup>794</sup> Francesca Polletta and James M Jasper, 'Collective identity and social movements' (2001) 27 *Annual Review of Sociology* 283, 283.

<sup>795</sup> David Snow, 'Collective identity and expressive forms' (Centre for the Study of Democracy Working Paper, University of California, 1 October 2001). Available at: <<http://escholarship.org/uc/item/2zn1t7bj>>.

<sup>796</sup> Cristina Flesher Fominaya, 'Collective identity in social movements: central concepts and debates' (2010) 4(6) *Sociology Compass* 393.

process,<sup>797</sup> group participation and tactical choices,<sup>798</sup> and emotions and affective ties.<sup>799</sup> Collective identity therefore appears to be either a central concept or a peripheral category for theoretical discussion and empirical enquiry associated with contemporary studies of social movements and political mobilisation. My position within this debate, which is connected to my conclusion in Chapter 7, is that collective identity is a crucial concept when it comes to exploring a particular group's collective consciousness that leads to this group of people 'becoming political' as a result of a complex interaction between different values, norms and affinities.

Let me start with the basic features of collective identity. It is understood that collective identity is a shared sense of 'we-ness' that comprises a form of 'collective agency'.<sup>800</sup> On a more complex level, I invoke Francesca Polletta and James Jasper's definition of collective identity to include as follows:

an individual's cognitive, moral and emotional connection with a broader community, category, practice, or institution. It is a perception of a *shared status or relation*, which may be imagined rather than expressed directly, and it is distinct from personal identities, although it may form part of personal identity ... Collective identities are expressed in *cultural materials*—names, narratives, symbols, verbal styles, rituals, clothing, and so on—but not all cultural materials express collective identities. Collective identity does not imply the rational calculus for evaluating choices that 'interest' does. And unlike ideology, collective identity carries with it *positive feelings* for other members of the group.<sup>801</sup>

This broader definition highlights (in italics) the important aspects of collective identity, which I develop to come up with an appropriate framework to analyse the formation of a new Filipino collective identity in Australia within the context of social movements.

The concept of collective identity is not entirely new in social movement and mobilisation studies and has its roots in the classical theories of Marx, Durkheim and Weber, who provide the groundwork for analysing the structural-cultural basis of group identity formation.<sup>802</sup> Yet contemporary studies of collective identity draw significantly from the work of Melucci, who brought the notion of collective identity to the forefront of the study of 'new social movements',

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<sup>797</sup> Scott A Hunt, Robert D Benford and David A Snow, 'Identity fields: framing processes and the social construction of movement identities' in E Larania, H Johnston and JR Gusfield (eds) *New Social Movements: From Ideology to Identity* (Temple University Press, 1994) 185.

<sup>798</sup> Bert Klandermans, 'The demand and supply of participation: social-psychological correlates to participation in social movements' in David A Snow, Sarah A Soule and Hanspeter Kriesi (eds) *The Blackwell Companion to Social Movements* (Blackwell, 2004) 380.

<sup>799</sup> Scott A Hunt and Robert D Benford, 'Collective identity, solidarity and commitment' in David A Snow, Sarah A Soule and Hanspeter Kriesi (eds) *The Blackwell Companion to Social Movements* (Blackwell, 2004) 433, 450.

<sup>800</sup> Snow, 'Collective identity and expressive forms', above n 795, online document no page number.

<sup>801</sup> Polletta and Jasper, above n 794, 285 (emphasis added).

<sup>802</sup> See Hunt and Benford, 'Collective identity, solidarity and commitment', above n 799, 434–35.

briefly discussed in Chapter 6.<sup>803</sup> Influenced by the work of Touraine<sup>804</sup> and Tilly<sup>805</sup> amongst others, Melucci advances the most comprehensive and logical theory of collective identity in social movements. It is crucial to delineate his theory because he emphasises that collective identity is a 'process' and comprises a 'relational dimension'. I explain his theory in the following.

Melucci starts with the premise that 'social movement should be considered as a result rather than a starting point' in the analysis of collective identity.<sup>806</sup> For him, collective identity is not something that is given, but a fact to be explained. He is interested in exploring how a particular group became a movement in the first place and how actors negotiate, interact and produce their action in any given environment. With that, he identifies collective identity as an 'interactive and shared' definition 'that must be conceived as a *process* because it is constructed and negotiated through a repeated activation of the relationships that link individuals (or groups)'.<sup>807</sup> By 'interactive and shared', Melucci means a definition that must be conceived as a process that involves a shared belief or meanings through which actors in a 'network of active relationships ... interact, communicate, influence each other, negotiate, and make decisions'.<sup>808</sup> This process is expressed through a common language and enacted in a given set of rituals, practices and cultural artefacts.

For Melucci, this cognitive framework need not be unified or coherent, but is shaped through active interaction within a network of relationships. This idea of interaction is vital for this thesis because it implies that actors do not necessarily have to be in complete agreement with one another in terms of ideologies, beliefs, interests or objectives in order to act together collectively. I develop this notion of interaction in the next subsection (8.2.2 Movement identity) but for now, what I am trying to point out here is that there is a possibility of coming together and acting collectively even though different groups have differing ideologies, beliefs and goals. Furthermore, Melucci underlines the importance of the emotional involvement of activists, as well as the ability of a collective actor to distinguish itself from 'others' and to be recognised by those 'others'.<sup>809</sup> He argues that conflict provides the basis for the consolidation of group identity through solidarity, rather than shared interests.<sup>810</sup> Despite criticism that his theory is too Eurocentric,<sup>811</sup> Melucci's comprehensive

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<sup>803</sup> See particularly Alberto Melucci, 'Getting involved: identity and mobilization in social movements' (1988) 1 *International Social Movement Research* 329; and Alberto Melucci, 'The symbolic challenge of contemporary movements' (1989) 52 *Social Research* 781.

<sup>804</sup> Alain Touraine, *The Voice and the Eye: An Analysis of Social Movements* (Cambridge University Press, 1981); see also Touraine, *The Self-Production of Society*, above n 628.

<sup>805</sup> Tilly, above n 622.

<sup>806</sup> Melucci, 'The process of collective identity', above n 630, 43.

<sup>807</sup> Ibid 44 (emphasis added).

<sup>808</sup> Ibid 45.

<sup>809</sup> Ibid 47.

<sup>810</sup> Ibid 48.

<sup>811</sup> Peyman Vahabzadeh, 'A critique of ultimate referentiality in the new social movement theory of Alberto Melucci' (2001) 26(4) *Canadian Journal of Sociology* 611, 624.

approach brings out some critical aspects of collective identity which have been developed by other contemporary scholars in the area.

As noted above, also significant within the debate around the concept of collective identity is the question of whether or not collective identity is the result of a 'process' or a 'product' of group formation and action. Again, Melucci emphasises the significance of collective identity as an 'active *process* that is not immediately visible'.<sup>812</sup> In particular, he is interested in movements that generate cultural meanings through daily interactions and, as such, he argues that collective identity must be understood as a dynamic reflexive process. But this framework does not sit well with other scholars such as Snow, who argues that, while process is important, 'it is both questionable and unnecessary to contend that the process is more fundamental than the product to understanding the character and functionality of collective identity'.<sup>813</sup> For Snow, the *product* is 'generative of a sense of agency that can be a powerful impetus to collective action, [because] it functions, as well, as the orientational identity for other actors within the field of action'.<sup>814</sup> In other words, it is the set of properties of social actors — 'a sense of "we"' — which is equally important in affecting actions and orientations for other collectivities.

Cristina Flesher Fominaya clarifies the debate between the process and product elements of social movements when she argues that, while both are legitimate uses of the term, they refer to two different things and are not two elements of the same thing. As she explains:

The 'product' definition refers more to a perception of shared attributes, goals and interests (something that can be felt by movement insiders but also by those outside the movement), whereas the 'process' definition is more concerned with shared meanings, experiences and reciprocal emotional ties as experienced by movement actors themselves through interaction with each other.<sup>815</sup>

She further explains that the distinction between collective identity as a process or as a product has sometimes been blurred because collective identity can be understood as comprising shared interests, ideologies, subcultures, goals, rituals, practices, values, worldviews, commitments, solidarity, tactics, definitions of the 'enemy' or the opposition and framing of issues, which 'is not synonymous with and cannot be reduced to any of these'.<sup>816</sup>

The other issue related to the process or product debate is whether or not collective identity really strengthens social movements. Generally, collective identity is understood as essential in strengthening and sustaining social movements. Yet some scholars like Kevin McDonald are sceptical about the idea of collective identity because the new pattern of social movements is not about the emergence of a collective identity, but 'a struggle for (rather than mobilisation of) identity

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<sup>812</sup> Melucci, 'The process of collective identity', above n 630, 46 (emphasis added).

<sup>813</sup> Snow, 'Collective identity and expressive forms', above n 792, online document no page number.

<sup>814</sup> Ibid.

<sup>815</sup> Flesher Fominaya, above n 796, 397.

<sup>816</sup> Ibid 398.

that is more personal than collective'.<sup>817</sup> On the other hand, there are commentators who argue that individuals who belong to a particular activist group do not necessarily identify with the broader movement to which that group belongs.<sup>818</sup> Clare Saunders, for instance, looking at radical, conservative and reformist environmental organisations in the UK, claims that there exists a theoretical confusion between collective identity at a group level and at a movement level. She argues that the kinds of collective identity formation that Melucci and others describe can only take place at a group level. For Saunders, collective identity is a concept best reserved for groups as opposed to movements. As she explains: 'Collective identity (in the singular) at the movement level does not exist, but *collective identities* do'.<sup>819</sup> She concludes that collective identity at the movement level is impossible 'unless we choose to water down our definition of collective identity until it becomes virtually meaningless'.<sup>820</sup>

In my view, the above debate regarding whether or not collective identity exists at a group or movement level neglects the complexity and multidimensional aspects of collective identity that cut across different groups, levels and affinities. I argue that collective identity/identities do exist at both a group and a movement level as a result of the complex interaction between various cultural norms, practices and structural relations (class or status). What I propose below (8.2.2 Movement identity), which I explore in more detail in the final section (8.4 Implications and impact), is a shared (collective) identity that cuts across group similarities and differences through 'interaction' with one another within a social movement framework.

### 8.2.2 Movement identity

I invoke the idea of movement identity because it captures the salient features of this new collective identity for Filipino migrant activists in Australia. Movement identity<sup>821</sup> is utilised here in order to understand the formation of a particular social (ethnic) group's political agency in the context of that group's experience of stigma and marginalisation in a migrant host country. This group experience, as demonstrated in the previous chapter (Chapter 7), is one of the central elements of my notion of conscious citizenship—an awareness and consciousness of one's history, culture and experiences.

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<sup>817</sup> Kevin McDonald, 'From solidarity to fluidarity: social movements beyond "collective identity" — The case of globalization conflicts' (2002) 1(2) *Social Movement Studies* 109, 125.

<sup>818</sup> See Jocelyn Elise Crowley, 'On the cusp of a movement: identity work and social movement identification processes within father's rights groups' (2008) 28(6) *Sociological Spectrum* 705.

<sup>819</sup> Clare Saunders, 'Double-edge swords? Collective identity and solidarity in the environmental movement' (2008) 59(2) *British Journal of Sociology* 227, 232 (emphasis in original).

<sup>820</sup> *Ibid* 249.

<sup>821</sup> This notion partly comes from Lisa García Bedolla's formulation of 'mobilising identity' that looks into the political engagement and personal agency of Latino immigrants in Los Angeles, USA: see Lisa García Bedolla, *Fluid Borders: Latino Power, Identity and Politics in Los Angeles* (University of California Press, 2005). The difference between my formulation of 'movement identity' and García Bedolla's definition of 'mobilising identity' is that my definition adds an oppositional or counter-hegemonic character.

My idea of a 'collective' or 'particular social group' comes from Young's definition of a social group as a 'collective of persons differentiated from others by cultural forms, practices, special needs or capacities, structures of power or privilege'.<sup>822</sup> According to Young, what makes a collection of people into a group is their 'specific affinity with one another because of their *similar experience* or way of life, which prompts them to associate with one another more than with those not identified with the group'.<sup>823</sup> Thus, for example, members of Migrante groups do not necessarily have to have the same interests or political beliefs as members of other Filipino groups in Australia like church or sports groups. The encounter with other Filipino-Australian groups creates an *awareness of difference*, even though members of each group may consider that they have much in common with the members of the other group and consider that they belong to the same (Australian) society.

This is the point that I briefly discussed in Chapter 5 regarding the relational character of conscious citizenship that is based on Young's notion of 'togetherness in difference'. The idea is that a group can exist and identify itself in relation to other groups. A group identification usually arises 'in the *encounter and interaction* between social collectives that experience some differences in their way of life and forms of association, even if they also regard themselves as belonging to the same society'.<sup>824</sup> Thus, I follow her relational approach on the way a particular social group like Migrante is conceived because social groups emerge from the way people (or groups of people) interact with one another. Relational encounters with other people produce perceptions of both similarity and difference.<sup>825</sup> Thus, to conceive group differentiation as a function of relation, comparison and interaction allows for overlap, fluidity and interdependence among groups and their members.<sup>826</sup>

The notion of movement identity encapsulates this relational aspect of group differentiation because a group identity in a social movement framework comprises: first, a sense of personal agency; and, second, a positive collective identification with that group in a stigmatised and marginalised social context. These are the two main aspects by which Lisa García Bedolla formulates her idea of 'mobilising identity' to study the political engagement and personal agency of Latino immigrants in America. For her, mobilising identity is a group identity that includes 'a particular ideology *plus* a sense of personal [i.e. group] agency'.<sup>827</sup> She uses the term 'ideology' differently to include 'not only a particular outlook on the world but also a sense of having the ability to have an *impact* on that world'.<sup>828</sup> This is the second aspect of her definition of mobilising identity – a positive

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<sup>822</sup> Iris Marion Young, *Inclusion and Democracy* (Oxford University Press, 2000) 90.

<sup>823</sup> Young, *Justice and the Politics of Difference*, above n 432, 43 (emphasis added).

<sup>824</sup> Ibid 43 (emphasis added).

<sup>825</sup> Young, *Inclusion and Democracy*, above n 822, 90.

<sup>826</sup> For the relational understanding of group differences, see also William Connolly, *Identity/Difference* (Cornell University Press, 1993) and Chantal Mouffe, 'Democracy, power and the 'political'' in Seyla Benhabib (ed) *Democracy and Difference* (Princeton University Press, 1996) 245.

<sup>827</sup> García Bedolla, *Fluid Borders*, above n 821, 6 (emphasis in original).

<sup>828</sup> Ibid 6 (emphasis added).

collective identification of the group. Like Young, she focuses on the relational aspect of identity formation because, in her study, other factors such gender, race and class play important roles in her description of collective identification. She conceptualises 'collective identity(ies) as shifting, situational, contextually driven understandings of self and place in particular historical moments'.<sup>829</sup>

Still, what I am adding in my description of movement identity is a third aspect, which Jane Mansbridge refers to as 'oppositional consciousness'. Similar to the ideas of counter-hegemony and counter-consciousness I have explored in the previous chapters,<sup>830</sup> oppositional consciousness is a crucial aspect of my formulation because 'it is an empowering mental state that prepares members of an oppressed group to act to undermine, reform, or overthrow a system of human domination'.<sup>831</sup> Mansbridge conceptualises oppositional consciousness to include four elements: first, identification with other members of a subordinate group; second, recognition of the injustices done to that group; third, opposition to those injustices; and fourth, awareness that the group has a shared interest in working to end or diminish those injustices.<sup>832</sup>

Similar to the Arendtian framework, Mansbridge's formulation demonstrates this 'oppositional culture' that emanates not only from the individual's internal awareness (of injustices and issues), but also from their experiences and interactions in the social world. As was shown in Chapter 5, Arendt's idea of political responsibility not only is rooted in a person's moral standing, but is also tied to the external social-political factors (the common world). It is the group's self-realisation of being conscientious and responsible for others and for the world. Thus, according to Mansbridge, such groups 'develop a particular form of consciousness in particular historical moments when certain political opportunities, certain mobilising institutions and certain repertoires of action and self-understanding become available'.<sup>833</sup>

In Migrante's case, this type of collective identity in the form of migrant struggle and resistance is quite noticeable. Again, Nenita from MSN in Sydney talks about the Filipino migrant's struggle in the host country as a form of identity. As she explains:

[Our] struggles as Filipinos in this host country has sort of given [us] Filipino identity ... I think Filipino identity is what we are, after we have gone through the struggles of asserting ourselves as migrants in whatever host country. So our struggles define us.

Another informant, Crystal (PAWA/PACSI), talks about Filipino migrants' lived experiences in Australia and turning these experiences into a form of conscious resistance in their day-to-day lives:

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<sup>829</sup> Ibid 7.

<sup>830</sup> See Chapter 4, section 4.3 Counter-hegemony as resistance and strategy; Chapter 6, subsection 6.4.2 Migrante's counter-hegemonic approach: NGOism versus movement-building; and Chapter 7, subsection 7.2.2 Group experience and counter-consciousness.

<sup>831</sup> Jane Mansbridge, 'The making of oppositional consciousness' in Jane Mansbridge and Aldon Morris (eds) *Oppositional Consciousness: The Subjective Roots of Social Protest* (University of Chicago Press, 2001) 1, 4-5.

<sup>832</sup> Ibid 5.

<sup>833</sup> Ibid 5.



I think our history of resistance carries over to us as Filipino migrants and it may not necessarily mean that resistance is about things as happening in the Philippines, but how you practice that in Australia ... When you start asserting your rights or speaking out for your rights or defending other people or defending yourself, I think that's part of the tradition of resistance that we had as Filipinos.

In summary, Nenita's and Crystal's views on Filipino group identity are indicative of a positive group attachment with Migrante. Their positive attachment is what makes them politically active in this particular social group, and this sense of agency, oppositional consciousness and positive group attachment comprises what I identify as movement identity.

### **8.3 Sources of a new collective identity**

In this section, I explore the sources of a new collective identity (i.e. movement identity) which originated from dialectical interaction between the individual and the group, and between different migrant groups and the Australian community at large. I argue that this new collective identity is the result of a constant interaction between two dialectical sources that emanates from: first, universal values and principles of solidarity and commitment; and, second, cultural norms and practices that originate from the Filipino indigenous perspective. I draw on the method of 'dialectical' process (borrowed from Lenin's analysis of change in society) to explain why a collective identity is in constant change and transformation, a dynamic by which social groups, which seem fixed and permanent, are in fact temporary, conditional and relative.<sup>834</sup> This dialectical process reveals the various shades of this new collective identity, highlighting the need to understand the boundaries of what a collective (movement) identity really means in the context of Filipino migrant activism in Australia.

#### **8.3.1 Solidarity and commitment**

The first source of this new collective identity comes from the idea of solidarity, which binds people together in a collective action. As I showed in Chapter 5, solidarity is one of the key elements in my notion of conscious citizenship, based on Arendt's conception of the 'in-between' – plurality/distinction on the one hand and solidarity/togetherness on the other.<sup>835</sup> The essence of the 'in-between' is that it creates the space and moment where people act together in unity (solidarity)

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<sup>834</sup> In Lenin's interpretation of Marx's dialectic, he argues that 'development is the "struggle" of opposites' – that is, development as 'the unity (coincidence, identity, equal action) of opposites is conditional, temporary, transitory, relative': Vladimir I Lenin, 'On the question of dialectics' in *Marx, Engels, Marxism* (Foreign Language Press, 1978) 340, 341–42.

<sup>835</sup> See Chapter 5, section 5.3 The significance of an Arendtian approach.

with other people or groups without losing their own collective identity (distinctness). Scott Hunt and Robert Benford explicate that solidarity can be understood in terms of Herbert Blumer's notion of *esprit de corps* – a feeling of devotion and enthusiasm for a group that is shared by its members.<sup>836</sup> Melucci expresses a similar point, arguing that one important aspect of collective identity is the 'making [of] emotional investments, which enables individuals to recognise themselves'.<sup>837</sup> Solidarity, in other words, is a sense of belonging and emotional attachment to a particular group.

This positive emotional feeling is evident in Migrante's sense of solidarity as a movement organisation. Grace (PAWA) talks about the 'spirit of Migrante' as a collective endeavour that is similar to the Filipino value of *bayanihan*.<sup>838</sup> *Bayanihan* implies a feeling of solidarity amongst people in the community. She describes that Filipinos see themselves as 'really connected to each other' and that 'there are certain values that [Filipinos] share' in general. However, Grace refers to a 'particular group of Filipinos' (i.e. the Migrante group) that embraces solidarity and community spirit beyond the Filipino tradition of '*bayanihan* spirit':

The spirit of Migrante is beyond *bayanihan* because it looks at solutions to deeper problems and that problem is the joblessness in the Philippines, and it looks at long-term solutions of other issues, like peace, lasting peace in the Philippines and also addressing the root causes of poverty in the Philippines. So, this is the other collective of Filipino that I know of and that, for me, is the Migrante spirit, that's the Migrante collective.

She sees the Migrante spirit as transcending the traditional notion of Filipino *bayanihan* in that Migrante 'don't just look at [its] own interest as a people or as a group, but looks at other people as well' in both Australia and other parts of the world. As she further expounds:

We joined forces with other communities, and with other ethnic groups, and with the mainstream Australian society to fight against exploitation, to fight against the forces that cause [the] global financial crisis, for example, and that's what actually is going on even in Europe, so we fight against that. And we fight against economic rationalism, we fight against neoliberalism, and we fight against all forms of racism and discrimination as well. But we have also that perspective of looking at our country of origin, the Philippines, and being actively part of that national democratic liberation movement.

Here, the idea of solidarity as a source of Migrante's collective identity demonstrates its relational character with other groups in Australia and around the world. Migrante's similarities and differences with other social groups are what makes its identity a movement identity. In sum,

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<sup>836</sup> Hunt and Benford, 'Collective identity, solidarity and commitment', above n 799, 439. Herbert Blumer, an American sociologist, defines *esprit de corps* as 'the organising of feelings on behalf of the movement' that creates a sense of belonging to the group and sharing in its mission: Herbert Blumer, 'Collective behavior' in AM Lee (ed) *New Outline of the Principles of Sociology* (Barnes & Noble, 1951) 166, 205.

<sup>837</sup> Melucci, 'The process of collective identity', above n 630, 343.

<sup>838</sup> The word *bayanihan*, which literally means 'community spirit', refers to the country's tradition in rural areas, wherein the people in the community, particularly men, are asked to help a family move their entire house (made out of bamboo and nipa palm leaves) and together they carry the house to a new location.

solidarity is a source of Migrant's *identification* of itself as a collective body of political actors and an *identification with* other groups that share (and differentiate) a common cause and fate.

A commitment to a particular cause is another source of collective identity that drives social movement participation. Solidarity and commitment go together because they heighten group cohesion and participation. William Gamson explains that 'public demonstrations of commitment under conditions of risks help create solidarity and strengthens it'.<sup>839</sup> The willingness of participants to maintain or even increase their commitment to a collective endeavour serves as a powerful motivation for others to do the same.<sup>840</sup> Rosabeth Kanter offers a slightly different perspective, suggesting that commitment, which she calls 'cohesion commitment', is an attachment of an individual 'to a set of social relationships'.<sup>841</sup> Social relationships may involve an 'emotional gratification [which] stems from participation in and from identification with all the members of a close-knit group'.<sup>842</sup> This perspective shows that a strong emotional attachment provides the measure to which the individual is committed to a group collectivity.

In the case of my informants, their commitment to social and political causes began at a young age back in the Philippines during the peak of the Marcos dictatorship in the 1970s. Seven out of eight of my informants (except Marie from Anakbayan Melbourne) have long histories of political activism that date back to the 70s and 80s in the Philippines. This demonstrates the degree and level of their commitment to the movement for change even when they have already migrated to and settled in Australia. Robert (Migrante Australia, Melbourne) explains that 'there is something missing' when he came to Australia in 1985. For him, that 'missing link' was his political involvement and activism in Australia: 'What I wanted was to make aware [in the community] that the struggle of the Philippines is still a struggle that must continue even in the Australian arena'.

For some of my informants, the source of their political commitment emanates from their 'passion' for social justice because of their experiences back in the Philippines. In a sense, passion and commitment are intertwined because of their emotional connotation when it comes to politics. Walzer describes the idea of political passion as the 'emotional demons of political life' in that 'anger at injustice and a sense of solidarity are ... among the passions aroused by anti-hierarchical politics'.<sup>843</sup> He concludes: 'there is no way to join the parties and movements that are struggling for greater equality, and to support the good passions and convictions against the bad ones, except to do so ... passionately'.<sup>844</sup>

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<sup>839</sup> William A Gamson, 'Commitment and agency in social movements' (1991) 6(1) *Sociological Forum* 27, 46.

<sup>840</sup> Ibid 45.

<sup>841</sup> Rosabeth Kanter, 'Commitment and social organization: a study of commitment mechanisms in utopian communities' (1968) 33(4) *American Sociological Review* 499, 507.

<sup>842</sup> Ibid 507.

<sup>843</sup> Michael Walzer, 'Politics and passion' in *Politics and Passion: Towards a More Egalitarian Liberalism* (Yale University Press, 2004) 110, 130.

<sup>844</sup> Ibid 130.

This is true as far as Marcia's experience of transnational activism in both countries is concerned. A long-time leader in a women's group, GABRIELA Australia, Marcia has been an activist and politically engaged in the Philippines since the Marcos dictatorship in the 1970s. When she came to Australia in 1984, she continued her activism in a solidarity group called the Philippine Action Support Group (PASG) and eventually in GABRIELA when it was formally established in 1996. She expresses that, although her level of involvement now 'has increased more or less' because of the different circumstances and conditions in the Philippines and in Australia, she insists that 'the passion is still there, the passion never faded'. Marcia explains that her passion for activism comes from her 'sense of social justice' and her experience of sufferings and injustices in the Philippines. So, for her, passion in politics is an 'emotional investment' that must be performed in an organised collective way: 'I suppose you put your anger in a right direction, and not just be impulsive about it. It should be directed in an organised way. So, therefore, that becomes the passion'.

### 8.3.2 *Sikolohiyang Pilipino* as an indigenisation approach

Another source of this new collective identity comes from the cultural-historical context of the experiences, thoughts and orientations of Filipinos that is understood from a local indigenous perspective. This foundation can be traced in a type of approach or framework that is known as *Sikolohiyang Pilipino* (literally translated as 'Filipino psychology'). The *Sikolohiyang Pilipino* approach was pioneered in the 1970s by a Filipino scholar, Virgilio Gaspar Enriquez, who returned to the Philippines from Northwestern University, USA, with a PhD in social psychology. Enriquez embarked on research into the historical and cultural roots of Filipino psychology which included identifying indigenous concepts, framework and approaches.

The basic tenet of the *Sikolohiyang Pilipino* approach is anchored in the thoughts and experiences of the people from the perspective of indigenous language and culture.<sup>845</sup> The approach is one of 'indigenisation from within'<sup>846</sup> based on 'assessing historical and socio-cultural realities, understanding the local language, unravelling Filipino characteristics and explaining them through the eyes of the native Filipino'.<sup>847</sup> Its principal emphasis is 'to uncover and make conscious the process by which the national psyche became – and to a degree has remained – captive to a colonial imaginary'.<sup>848</sup> As San Juan strongly argues:

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<sup>845</sup> Rogelio Pe-Pua and Elizabeth Protacio-Marcelino, '*Sikolohiyang Pilipino* (Filipino psychology): a legacy of Virgilio G. Enriquez' (2000) 3 *Asian Journal of Social Psychology* 49, 50.

<sup>846</sup> Hereinafter also referred to as an 'indigenisation approach'. This term is used interchangeably with 'Filipino psychology approach'.

<sup>847</sup> Ibid 51.

<sup>848</sup> Mendoza, above n 473, 60.

It [*Sikolohiyang Pilipino*] can be viewed as a reaffirmation of a nation-inspired identity achieved in the process of the national democratic struggle. Part of that *collective identity* may draw from indigenous sources, but it is not equivalent to nativization since it involves a radical political program to democratise the social structure and its undergirding fabric of norms, beliefs, and constitutive behavioural elements.<sup>849</sup>

It has been illustrated in the previous chapter (Chapter 7) that the history of colonisation and its accompanying cultural replacements have contributed largely to what is known as an 'impaired consciousness' that has resulted in a cultural identity crisis—a confusion as to what constitutes a truly authentic Filipino culture and identity.<sup>850</sup> The *Sikolohiyang Pilipino* as an indigenisation approach can therefore be seen as a deliberate way to reverse the 'colonial mentality' ingrained within the Filipino psyche. This approach became a movement in itself from the 1970s, both in the Philippines and abroad, which took the form of revising research methods and approaches in the fields of history, arts, religion, social sciences and languages from the viewpoint of Filipinos rather than those of the Spanish or the Americans.

The focus on Filipino values is of critical importance when it comes to examination of the issues and sources of this new collective identity. It is crucial because Filipino values from an indigenous perspective have been widely marginalised in the popular and academic discourse, and a conventional Western-oriented point of view has been normalised as an identification of some supposedly Filipino national values. According to San Juan, among the frequently mentioned values cited in tourist guidebooks and academic texts are: *hiya* (shame); *pakikisama* (yielding to the will of the leader or the majority); *utang na loob* (gratitude); *amor propio* (sensitivity to personal affront); and *bayanihan* (togetherness in common effort).<sup>851</sup> In his piece examining Filipino values, Enriquez quickly distinguishes these values as "'surface" concepts consistent with the western orientation aimed to perpetuate the colonial status of the Filipino'.<sup>852</sup> For Enriquez, the main task is to take a deeper look at these values using an indigenisation approach to unravel an alternative meaning to such concepts.

Let us take two of the Filipino values mentioned above—*utang na loob* (gratitude) and *pakikisama* (yielding to the will of the leader or the majority)—as cases to rethink these values using an indigenisation approach. First, *utang na loob* simply translates as a 'debt of gratitude'. It is defined by Charles Kaut as an 'indebtedness stemming from an act of theoretical volition so that the item of transaction is not requested, but is offered by one person to another of his own free will (*kusang*

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<sup>849</sup> E San Juan Jr, 'Ordeals of indigenization: on *Sikolohiyang Pilipino*' in *Balikbayang Sinta: An E San Juan Reader* (Ateneo de Manila University Press, 2008) 216, 226 (emphasis added).

<sup>850</sup> E J R David and Sumie Okazaki, 'Colonial mentality: a review and recommendation for Filipino American psychology' (2006) 12(1) *Cultural Diversity and Ethnic Minority Psychology* 1, 8.

<sup>851</sup> San Juan, 'Ordeals of indigenization', above n 849, 228.

<sup>852</sup> Virgilio G Enriquez, '*Kapwa*: a core concept in Filipino social psychology' in Virgilio G Enriquez (ed) *Philippine World-View* (Institute of Southeast Asian Studies, 1986) 6, 8.

*loob* – given with no obligation’.<sup>853</sup> Mary Hollnsteiner goes further to suggest that *utang na loob* is a type of reciprocity that ‘compels the recipient to show his gratitude properly by returning the favour with interest to be sure that he does not remain in the other’s debt’.<sup>854</sup>

However, Rogelio Pe-Pua and Elizabeth Protacio-Marcelino consider that, by looking at *utang na loob* more closely in the context of an indigenisation approach, it actually means ‘gratitude/solidarity’.<sup>855</sup> They argue that the word *utang* (debt) does not necessarily connote a type of ‘burden’ because, in the Filipino pattern of interpersonal relationships, there is always the possibility to return a favour at any time during one’s lifetime or in the next generation. In this view, the person is not absolutely obliged to make repayment immediately, but the obligation (gratitude) is ‘recognised and respected’.<sup>856</sup> It is a positive element of Filipino values because it can be interpreted as a type of continuing respect, recognition and commitment to a person, community or country. These values are clearly evident with regards to many overseas Filipinos’ strong ties with their homeland, which have been transformed into a positive identification of collective identity for many Filipinos abroad.<sup>857</sup>

Secondly, the Filipino value of *pakikisama* is another point of contention when it comes to the issue of social interactions and modes of behaviour of Filipinos. *Pakikisama* is widely understood as a ‘smooth interpersonal relationship’. Frank Lynch explains that this Filipino value refers particularly to ‘the lauded practice of yielding to the will of the leader or majority so as to make the group decision unanimous’.<sup>858</sup> In a narrower sense, *pakikisama* may also denote ‘giving in’, ‘following the lead or suggestion of another’ or, in other words, ‘concession’.<sup>859</sup> But Enriquez unveils a series of concepts that depart from the restricted concept of *pakikisama* that Lynch and others have explored as the pillar of Filipino social interaction. He identifies at least eight levels and modes of social interaction amongst Filipinos: *pakikitungo* (transaction/civility with); *pakikisalamuha* (interaction with); *pakikilahok* (joining/participating with); *pakikibagay* (in conformity/accordance with); and *pakikisama* (being along with), all with reference to outsiders. And on the level of insiders, or ‘one-of-us’, there are three levels: *pakikipagpalagayang-loob* (being in rapport/understanding/acceptance of); *pakikisangkot* (getting involved); and *pakikiisa* (being one with).<sup>860</sup> This sphere of social interaction

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<sup>853</sup> Charles Kaut, ‘*Utang na loob*: a system of contractual obligation among Tagalogs’ (1961) 17(3) *Southwestern Journal of Anthropology* 256, 258.

<sup>854</sup> Mary Hollnsteiner, ‘Reciprocity in the lowland Philippines’ (1961) 9(3) *Philippine Studies* 387, 393 (emphasis in original).

<sup>855</sup> Pe-Pua and Protacio-Marcelino, above n 845, 55.

<sup>856</sup> Ibid 56.

<sup>857</sup> Michael Pinches, ‘Class and national identity: the case of Filipino migrant workers’ in Andrew Brown and Jane Hutchison (eds) *Organising Labour in Globalising Asia* (Taylor and Francis, 2003) 192, 210.

<sup>858</sup> Frank Lynch, ‘Philippine values II: social acceptance’ (1962) 10(1) *Philippine Studies* 82, 90.

<sup>859</sup> Ibid 90.

<sup>860</sup> Enriquez, ‘*Kapwa*: a core concept’, above n 852, 10.

can be grouped under the rubric of *pakikipagkapwa* (shared relationship) based on the superordinate concept of *kapwa* (shared identity) that embraces both the outsider and the insider.<sup>861</sup>

The concept of *kapwa* is significant for the purpose of this chapter because it forms part of the basic pillar of what embodies a new collective identity of Filipino migrant activists in Australia. As Enriquez argues, the word *kapwa* signifies ‘the unity of the “self” and “others”’<sup>862</sup>—that is, as explicated above, the connection between the outsider and the insider (inclusion/exclusion). In other words, *pakikipagkapwa* starts from the apprehension of commonality and shared identity that regards others as equals, with complete recognition of their human dignity and worth. Indeed, Sylvia Guerrero argues that ‘responsibility—a concern for the welfare of others—is actually imbedded in *pakikipagkapwa*, which is integral to Philippine culture’.<sup>863</sup> This is true in the case of Grace (PAWA) in relation to her view about her Filipino values and identity in Australia:

It is important for me to be a Filipino [in Australia] and also to keep my Filipino identity. I will be a better Australian if I keep my Filipino identity because that actually brings my culture with me—the culture of caring, *bayanihan*, *pakikipagkapwa*, and I think with my Filipino identity, I have these positive Filipino aspects of cultural values.

In sum, this new collective identity of Filipino migrant activists can be seen as a continuing interaction between universal principles of solidarity and commitment and Filipino indigenous norms and practices. These two sources do not simply exist in themselves, but are always dialectical with one another. It has been argued above that a relational perspective of group formation views groups as always oriented towards each other and forming identities that are tied to those of other groups in a broader society.

## 8.4 Implications and results

In this final section, I present two significant implications of how this new collective identity (i.e. movement identity) impacts on the question of ‘being Filipino’ and ‘becoming political’ in Australia. The first implication goes to the heart of the issue of Filipino identity: what does ‘being Filipino’ (‘Filipinoness’) mean in the diaspora? And the second forms part of the wider impact on the question of the political, that is, the relationship and development from ‘being’ a Filipino migrant to ‘becoming’ a political activist in Australia. The primary aim of this section is to bring out the

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<sup>861</sup> San Juan, ‘Ordeals of indigenization’, above n 849, 229–30.

<sup>862</sup> Enriquez, ‘*Kapwa*: a core concept’, above n 852, 11.

<sup>863</sup> Sylvia H Guerrero, ‘Filipino notions of responsibility: the shared identity of the self and the other’ in Edith Sizoo (ed) *Responsibility and Cultures of the World: Dialogue Around a Collective Challenge* (Peter Lang, 2010) 167, 172–73.

important aspects of collective identity and the notion of 'the political', that is, the moment of rupture that transforms individuals or groups into 'becoming' political actors.

#### 8.4.1 The emerging micro-collectivity of Filipino identity

The issue of 'being Filipino' has animated both academic and popular discourse, especially when it comes to the question of a 'true' Filipino culture and identity. In fact, it is not easy to pinpoint an encompassing Filipino culture and identity because the Philippines itself is ethno-culturally diverse in terms of its regional languages, local cultures and religions.<sup>864</sup> As has been demonstrated in this thesis, the influence of the colonial past is thought to continue on modern-day Filipino identity and culture both at home and abroad.<sup>865</sup> In her study of Filipino-American identities in San Diego, California, Yen Le Espiritu observes that Filipino-Americans 'have created and maintained fluid and multiple identities that link them simultaneously to both countries'.<sup>866</sup> In the case of second-generation Filipino-Americans, she argues that their identification with ethnicity is 'largely cognitive, intermittent, and political, forged out of their confrontation and struggle against the dominant culture'.<sup>867</sup> Indeed, Filipino-American identities are 'constantly in flux' because their 'shifting terrain of identities is positioned in histories, cultures, languages, classes, localities, communities, and politics'.<sup>868</sup>

Espiritu's study of Filipino-American identities resonates with what I outlined in Chapter 4 (using the diaspora framework) as an emerging Filipino agency in a form of diaspora counter-hegemonic struggle and resistance. As my findings suggest, this chapter highlights how the interaction/relation between identity and context (stigmatised and marginalised) can influence political action and behaviour, and how this interaction continuously shifts and creates new identities as a result. Following the diaspora framework, I argue that there is already an emerging 'micro-collective'<sup>869</sup> identity of Filipino migrant group in Australia that consciously understands their place in Australian society as a result of their lived collective experiences, struggles, memories, cultural practices and ways of life. I use the term 'micro-collective' (a sub-collective within a collective) to highlight the different collectivities of Filipino migrant groups in Australia, whereby

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<sup>864</sup> Fernando Nakpil Zialcita, *Authentic Though Not Exotic: Essays on Filipino Identity* (Ateneo de Manila University Press, 2005) 6.

<sup>865</sup> For an analysis of the experience of Filipinos in the Philippines, see Constantino, 'Identity and consciousness', above n 747. For a study of Filipino-American identity and culture, see above David and Okazaki, 'Colonial mentality', above n 850.

<sup>866</sup> Espiritu, above n 324, 10.

<sup>867</sup> Yen Le Espiritu, 'The intersection of race, ethnicity, and class: the multiple identities of second-generation Filipinos' (1994) 1(2-3) *Identities* 249, 265.

<sup>868</sup> Espiritu, *Homebound*, above n 324, 12.

<sup>869</sup> I owe this term to my Filipino colleague at Monash University, Reagan Maiquez, with whom I have had several discussions on the question of Filipino collective identity in Australia.



group identification can be affiliated with regions, localities, community of languages and traditions and, in Migrante's case, a political conviction. This also signifies the diversity, fluidity and complexity of Filipino identities and experiences that are not necessarily tied up with a single homogenous national culture and identity, but constitute 'a historic bloc of diverse forces'.<sup>870</sup>

My informant Robert (Migrante Australia) describes that he believes there is a Filipino collective identity in Australia which is based on two premises. The first collective identity, he states, is a regional identity: 'we have thirteen regions in the Philippines. Each region is distinct, so we have a proliferation of regional groups'. He goes on to clarify that a Filipino collective identity as a whole is 'still in a sense loose, very loose, because the Filipinos tend to regionalise themselves'. Nevertheless, Robert sees that there is a second collective identity that emanates from being a marginalised group in a host country. He expresses that one possesses a Filipino identity when it comes to the question of politics, economics and marginalisation. As he further articulates:

Whether they are regional or not, when it comes to the question of marginalisation on the international scale, they are Filipino, and they accept that and they are collective in that [sense]. I am a Filipino and I need to address the issue that confronts me.

This statement also echoes what Arendt said, reported in Chapter 5, when confronted as a Jewish pariah: 'if one is attacked as a Jew, one must defend oneself as a Jew'. The solution is not to deny one's identity, but to embrace it as a 'conscious pariah' and a 'conscious citizen' who brings forth political actions collectively in the public arena.

Similarly, Marie (AnakBayan) also thinks that a Filipino collective identity in Australia is shaped by two concepts. One is the collective experiences of Filipinos in different countries, including Australia: 'Collective identity could include experiences and struggles with racism and capitalist exploitation. This is exhibited and explored through joining Filipino organisations that actively work to change the situation'. The other, she expounds, comes from the Filipino migrant's relationship with the Philippines, which is shown through demonstrations of cultural traditions and beliefs: 'One of the biggest activities this is shown in is the Filipino Fiesta in Melbourne [which] every year is attended by hundreds of Filipinos who want to see and experience Filipino traditions and eat Filipino food'.

Thus, one can see from the above observation that the concept of Filipino collective identity in Australia encompasses different and multiple meanings that are formed and informed by their experiences, struggles, regional affiliations and local traditions. In a way, and comparatively, Filipino migrants in Australia and in America have similar experiences in the way they see their 'Filipinoness' with different overlapping affiliations and loyalties.<sup>871</sup> Yet one central implication stands out in my findings, and that is the emergence of a micro-collectivity of Filipino identity in

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<sup>870</sup> San Juan, 'Contemporary global capitalism', above n 37, 25–26.

<sup>871</sup> Espiritu, *Homebound*, above n 324, 16.

Australia as a result of their lived experiences and struggles in multiple locations, with competing commitments to various causes, values and traditions.

#### 8.4.2 Becoming political

The other significant implication that I wish to emphasise in this final section is the transformation of collective identity from a sense of 'who we are' ('being Filipino') to a sense of 'what we have become' ('becoming political'). This phenomenon is significant so far as the question of 'the political' is concerned because, as was shown in Chapter 5, 'the political', in an Arendtian sense, is the time and space (moment and realm) of contestation and rupture where 'transformative possibilities' are enacted and realised.<sup>872</sup> 'Being Filipino' (as illustrated above) and 'becoming political' are enacted simultaneously in a way that exceeds traditional boundaries, discourses and practices.

Postcolonial and decolonisation theorists have long recognised the roles of culture and identity in influencing how subordinate groups see their political role in the context of national liberation movements and struggles.<sup>873</sup> Stuart Hall, in particular, describes a different view of 'cultural identity' that takes into account not only 'points of similarity', but also 'points of deep and significant *difference* which constitute "what we really are"; or rather—since history has intervened—"what we have become"'.<sup>874</sup> I take Hall's notion of 'becoming' as a way to underline the transformation of collective identity, not from something which already exists, but undergoing constant transformation and change.

'Becoming political' is what defines that 'space' (the space of appearance in Arendtian thought) where individuals and groups are at once 'separated and related' to one another to provide a shared domain of experiences for the constitution of political identities.<sup>875</sup> Becoming political is also about that 'moment' (in a Rancièrian sense) 'when freedom becomes responsibility and obligation becomes a right, and involves arduous work upon oneself and others, building solidarity and alterity simultaneously'.<sup>876</sup> Thus, becoming political is what lies at the heart of my notion of conscious citizenship, which embraces the continuing interplay between the individual and the collective, between contestation and solidarity, and between the homeland and the diaspora.

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<sup>872</sup> Mustafa Dikeç, *Space, Politics and Aesthetics* (Edinburgh University Press, 2016) 3.

<sup>873</sup> See particularly Frantz Fanon, 'On national culture' in *The Wretched of the Earth* (Penguin, 2001) 166. See also Homi K Bhabha, *The Location of Culture* (Routledge, 1994) particularly Chapters 2 and 3, 40–65, 171–97.

<sup>874</sup> Stuart Hall, 'Cultural identity and diaspora' in Patrick Williams and Laura Chrisman (eds) *Colonial Discourse and Post-Colonial Theory: A Reader* (Harvester Wheatsheaf, 1994) 392, 394.

<sup>875</sup> Dikeç, above n 872, 2.

<sup>876</sup> Isin, *Being Political*, above n 36, 276.

## 8.5 Conclusion

This chapter has revealed that a micro-collective identity of a Filipino migrant group in Australia is now 'in-the-making'. Indeed, Migrante has shown the many aspects of this new collective consciousness and experience that are based on personal agency, political awareness and positive emotional attachment to group collectiveness. In my discussion of the different debates regarding collective identity in social movements, I have maintained that the concept of collective identity is still a relevant framework to use in analysing the group's sense of belonging, commitment and identification within the larger networks and collectivities. I have suggested a different notion of collective identity, which I call 'movement identity'. Movement identity fits within Migrante's experience as a collective movement organisation in Australia and around the world because of Migrante's sense of personal/group agency, oppositional consciousness and positive collective identification with that group in a stigmatised and marginalised social context.

Furthermore, in my analysis, Migrante's movement identity originates from two sources: the first is universal values and principles of solidarity and commitment; and the second source is Filipino cultural norms and practices that are deeply entrenched in indigenous perspectives. These two sources continuously interact and inform one another to create a unique collective identity formation and experience in the diaspora. This emerging collective identity has significant implications and impacts on both theories and practices in the way we think about Filipino diasporic identity, culture and behaviour, and how those attributes affect Filipino migrants' political belonging, consciousness and practices. Migrante, as a collective group, clearly demonstrates the features of this new phenomenon—micro-collectivity. The experience of 'being Filipino' in the diaspora and at the same time 'becoming political' marks the essence and practice of what I have dubbed conscious citizenship.

# Chapter 9

## Conclusion

Conscious citizenship means being immersed in the practice of ‘becoming political’ through, on the one hand, contestation, dissent and rupture, and on the other hand, solidarity, commitment and collective lived experiences. When migrant groups such as Migrante Australia enact their own collective resistance against unjust and oppressive neoliberal policies of the state, citizenship is constituted in a different way as an expression of group consciousness and practices in which one becomes a citizen of the polis through collective action and public participation. For many years, citizenship, from a Western liberal-democratic perspective, has been considered a universal legal status enforced by the institutions of the modern constitutional state and international law. Yet the recent massive mobilisations of migrant groups in the United States and in Europe have created renewed interest for scholars and activists to rethink the concept and practice of citizenship.

The aim of my thesis is to show how Filipino migrants can transform the way we think about the notion and practices of citizenship—a citizenship that is not inherently given by law or institutions, but is a way of becoming politically active in the community. In many ways, this research has changed the way we see migrants, not as passive-conformist minorities, but as conscious citizens in the community who are passionate, committed and politically engaged. Hence, this study has responded to Arendt’s analysis of the ‘conscious pariah’ and the pariah’s political responsibility to resist and rebel against the hegemonic order that maintains domination and subjugation of minorities because of unjust neoliberal policies that now form part of what has come to be known as neoliberal citizenship.

### 9.1 Neoliberal citizenship and its effect

This thesis has shown how neoliberalism has become a powerful form of governance that reconfigures the way citizenship has been practised by the state at the expense of the public life of its citizenry. The success of neoliberal rationality in remaking citizenship is evidenced by the lack of genuine political participation of citizens in confronting the state and its institutions’ role in ‘economising’ every sphere of citizens’ lives in the name of the ‘free-market economy’ and ‘freedom’ of competition. In Chapter 2, I pointed out how neoliberal citizenship has driven citizens to become competitive, flexible and self-sufficient. Neoliberal rationality remakes everything and everyone in the image of *homo economicus*—economic man. In my analysis, economic man is also *homo entrepreneur* (entrepreneurial man) of competition, consumption and the producer of his own wants

and needs according to the dictates of the market economy. In this condition, the sphere of the 'political' itself disappears and citizenship has been reduced to a mere market-economic conduct.

Following Arendt, I have also outlined in Chapter 5 that the rise of the social in the modern age—that is, the decline of the public sphere of speech and action in favour of the private pursuit of economic interest—has resulted in people's alienation, loneliness, mass conformity and lack of political belonging in the world. In Arendt's own example, the image of a parvenu (a social climber and assimilationist) is someone who rejects their true self for the sake of gaining social status or wealth. The conscious pariah, on the other hand, whom I hail as the protagonist of this thesis, shows the true quality of a politically responsible being who really cares for the world and is willing to step into the public realm as a matter of conviction and commitment. In the next section, I summarise in detail the contribution of the notion of the conscious pariah to this thesis. But for now, it is imperative to point out that the neoliberal project brought about by today's globalisation has had a significant effect in terms of depoliticising citizens to withdraw from political life.

One large effect of the ascendancy of neoliberal citizenship is the transformation of the relationship between the state and its citizen. This transformation has two major implications. First, neoliberal citizenship reconfigures the subject's relation to itself—its identity and conduct. Rather than being a citizen of power and self-agency, the self in neoliberalism becomes capital to be invested in so as to become competitive, flexible and responsible for itself. Second, this transformation reorients the relationship of the state to its citizen. Under neoliberalism, citizens are no longer participants in public discourse and debate and collective action, and bearers of rights. Rather, as human capital, citizens are autonomous entrepreneurs with full responsibility for their own investment decisions for the economic prosperity of the state. I have shown in this thesis how the state apparatus has become a very powerful force in facilitating the neoliberal project, especially when it comes to migration law and policy and control of its borders.

Chapter 2 has shown how the state has been successful in utilising migration law and policy to enable migrant workers' human capital value and flexibility. The subclass 457 (temporary migrant worker) visa scheme is a definitive example of this type of neoliberal device that demonstrates the state's market-based calculations around skilled migrant workers who bring competitive advantages and economic benefits to Australia. Likewise, Australian multiculturalism and settlement policies since the 1990s have been restructured into a more calculated contractual idea of duties and obligations, which has led to a narrower idea of national belonging (citizenship) and recurrence of xenophobic discourse on refugee issues and Muslim minorities. Migrant sending countries like the Philippines have also pursued aggressive neoliberal policies that organise the export of migrant workers. As I have shown in Chapter 3, the Philippine state has transformed itself into what Rodriguez calls a 'labour brokerage state' where it actively promotes and regulates its citizens for migrant work abroad and, at the same time, constantly engages in a pseudo-nationalist

approach to normalise OFWs and treat them as ‘new national heroes’ to foster its labour export program.<sup>877</sup>

This type of neoliberal strategy, facilitated by state laws and institutions, has created a new breed of ‘ideal’ migrant-citizen who is willing to sacrifice and conform within a competitive global labour market. This ideal citizenship promoted by governments in which migrants are expected to be flexible, responsible and competitive is far from the reality experienced by migrants themselves. I have outlined in Chapter 2 how migrants’ precarity puts them in an insecure and vulnerable position produced by the neoliberal policies regulated by the state. This is the paradoxical nature of neoliberal citizenship—that, although it promotes self-sufficiency and flexibility, it also creates precarious lives for migrant people because of their socio-legal status, labour market position and other institutional restrictions. Migrants’ temporary legal status and unequal and exploitative relations with employers generate what is known as ‘survival migration’ that impedes their sense of belonging, claiming of rights and political agency in the community.

## 9.2 Conscious citizenship: a dialectical process

In Chapter 4, I began to develop a different conception of citizenship that is radically different from the way citizenship has been understood and practised in a Western liberal-democratic way. In that chapter, I outlined the different paradoxes and ambiguities of citizenship in the way in which it affects a person’s status, rights and identity. At the centre of these complexities is that citizenship both includes and excludes particular types of people. In my example, those excluded are non-citizen migrants who are temporary residents (workers, students) and permanent residents (immigrants), as well as those people who have already acquired the host country’s citizenship but still have a strong tie with their country of origin (diasporans). As observed in the preceding chapters, these groups of people, however, have become the subject of extensive abuse, exploitation and marginalisation brought forth by the neoliberal hegemonic agenda. Thus, I have proposed an alternative means of thinking about citizenship that is based on oppositional discourses known as a counter-hegemonic approach.

A counter-hegemonic approach is the flipside of Gramsci’s theory of hegemony in the sense that there are certain discourses and practices that are selected and given priority, whilst there are other alternative discourses that need to be unpacked.<sup>878</sup> Counter-hegemony as an oppositional strategy opens up other possibilities that rupture alternative ways of doing things politically and socially. Indeed, this strategy is used collectively by marginalised groups as a form of resistance to

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<sup>877</sup> Rodriguez, *Migrants for Export*, above n 299, 79.

<sup>878</sup> The notion of counter-hegemony is implicit in Gramsci’s examination of hegemony and the dialectical opposition between the ruling class and the subordinate class: Gramsci, above n 106, 145.

the neoliberal hegemonic order. I consider the diaspora framework relevant to Filipino migrants' counter-hegemonic activism in Australia because of the group's collective resistance and transnational opposition to the state's oppressive neoliberal policies. The diaspora framework is likewise significant in the thesis' later themes (Chapter 8) regarding the so-called 'diaspora-in-the-making' – an emerging Filipino collective identity in Australia that encompasses a shared history of colonial and racial subordination and struggles for cultural survival through various forms of covert resistance and open rebellion.<sup>879</sup> This idea of resistance and rebellion has led me to develop Arendt's notion of the 'conscious pariah' to expand my theory of conscious citizenship.

In Chapter 5, I further developed this counter-hegemonic approach to citizenship (Chapter 4) in more detail to suggest an alternative and radical idea of citizenship I call conscious citizenship, a concept and practice of citizenship that is grounded in Arendt's notion of the 'conscious pariah'. This concept of the conscious pariah is perhaps a less explored theme in Arendt's work. Using her idea in the thesis has certainly made a significant contribution to Arendt's body of literature. I presented Arendt's theory of the conscious pariah as a pariah rebel who is conscious of their status and position in society. The conscious pariah's positive quality is that their identity is their strength and they take this as a good thing in their quest for a humane society free of oppression and domination. The parvenu, on the other hand, is the opposite of the conscious pariah, and believes that conformity and obedience to the status quo (neoliberal citizenship) are the only means of survival and way of life in a competitive global world.

In the same chapter, I analysed and extracted the essential themes from Arendt's body of work, mainly *The Jewish Writings*, *The Human Condition* and *The Life of the Mind*. From *The Jewish Writings*, I have appropriated Arendt's concept of the conscious pariah and connected it to her ideas of 'worldliness' and the 'common world', which she mainly develops in *The Human Condition*. The common world is the realm of complex human relationships that relates and separates us at the same time (the in-between), which allows human beings to feel they belong to a shared community where speech, action and experience become meaningful and real.<sup>880</sup> From *The Human Condition*, I have outlined Arendt's theory of action that binds people together in the public realm and linked that to my formulation of activist citizenship explored in Chapter 4, which is about opening up (rupture) of possibilities for new forms of contestation and political engagement. Finally, using Arendt's concept of thinking and willing from *The Life of the Mind*, I have expanded her concept of responsibility that relates to the conscious pariah's sense of responsibility from a moral/individual level to a political/collective responsibility, which forms the central aspect of conscious citizenship – the development of political responsibility from an individual to a collective level. Therefore, to be a conscious pariah vis-à-vis a conscious citizen means to care for the common world

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<sup>879</sup> See San Juan Jr, 'Contemporary global capitalism', above n 37, 21.

<sup>880</sup> See Arendt, *The Human Condition*, above n 29, 52–53.

(political community), which exceeds one's individual private concern and economic benefit for the betterment of the public life and common good.

In Chapter 6, I introduced *Migrante Australia*, a Filipino migrant transnational movement organisation, to illustrate how the group embodies my idea of conscious citizenship at a transnational level. Here, I utilised the concept of transnationalism in a different way, not only as the mere interconnectivity of social, political and economic spheres between people beyond the borders of a nation-state, but also as a counter-hegemonic political engagement by migrant groups on a transnational level effecting change both in their homeland and in the diaspora (Chapter 4). By drawing on social movement theory as an analytical framework, I argue that *Migrante's* activism is deeply rooted in the country's societal and historical transformation in relation to colonialism, neocolonialism and today's neoliberalism. This is the main reason why *Migrante* organisations are different from other non-state actors (NGOs and civil society groups), as one of my informants (Nenita) argues, because of its counter-hegemonic resistance against the status quo, which is one of the key elements of the idea and practice of conscious citizenship.

The notion of conscious citizenship proves to be an ideal framework to explore the Filipino diaspora's transnational activism in Australia through *Migrante's* political engagement. In the preceding chapters, it has been demonstrated how conscious citizenship involves a dialectical relationship of different symbioses and interactions between theory and practice, thinking and acting, solidarity and resistance, hegemony and counter-hegemony, the individual and the community, and the homeland and the diaspora at the transnational level. It is shown that citizenship is not a given and fixed modern phenomenon but, rather, it is an ongoing process which can only be tested through the actors' political awareness and experiences that emerge out of these different dialectical practices. The result of this dialectical process is the emergence of political responsibility that prompts the person to become part of an organised political community.

Therefore, it is shown that conscious citizenship is designed as a radical response to neoliberal citizenship (Chapters 2 and 3). Conscious citizenship is an essential counter-hegemonic response to neoliberalism because progressive movements like *Migrante* need to establish an alternative approach, practices and strategies that could bring together subaltern groups to struggle and fight against subordination, oppression and discrimination. However, as outlined above, this dialectical process of various interactions of different ideas, practices, group affiliations and locations reveals that conscious citizenship is not only a counterpoint to neoliberal citizenship, but also demonstrates the nuances of different experiences, phenomena and awareness of the Filipino diaspora that influence the conditions under which conscious citizenship is performed and understood.

A good example of these nuances within the Filipino migrants' experience is how they expressed their resilience and resistance in their everyday life as part of their consciousness and



identity as Filipinos in Australia. As one of my informants boldly explained (as set out in Chapter 8), her practice of resistance in everyday life may not necessarily mean resistance in a political way (or in Arendtian sense), but could mean everyday resistance at home, in the workplace, and in public, in which conscious citizenship is part and parcel of today's neoliberal citizenship. This is relevant when it comes to my findings on micro-collectivity of the Filipino identity in Australia because Migrante, as a subgroup of Filipino diasporans, consciously understands their place in Australian society as a result of their lived collective experiences, struggles, memories, cultural practices and ways of life that continuously evolved throughout their migration journey. Thus, it is important to point out in this concluding chapter that because of the dialectical nature of conscious citizenship, one could argue that the idea and practice of conscious citizenship does not only involved contestation and challenge to the neoliberal hegemony, but also it could be seen that neoliberalism itself can influence the way migrant groups enact their conscious citizenship in their daily (neoliberal) life.

### 9.3 The importance of political consciousness and community belonging

Chapter 7 then moves on to highlight the importance of political consciousness and its role in influencing active political participation in the public arena. Here, I argue that the practice of conscious citizenship essentially begins with the development of individual consciousness and education (consciousness-raising) plays a crucial part in a person's political activism. To supplement my Arendtian framework of conscious citizenship, I have employed Rancière's theory of politics, and in particular his notion of the 'emancipated spectator', to analyse the importance of political consciousness in political engagement and mobilisation. For Rancière, politics has an aesthetic element of part-taking he calls *dissensus* – 'those who have no part', who remain invisible and inaudible (migrants and minority groups) and can only challenge the hegemonic order (which he describes as 'police') by the mode of subjectification (the collective 'we') that transforms the aesthetic coordinates of the community into a genuine site of political contestation.<sup>881</sup> His theory of the 'emancipated spectator' is relevant in this regard because political action begins with people's awareness of their political and social conditions. Rancière believes that empowerment begins in the actualisation/realisation of the agents' potential within themselves. What is now needed is a 'collective will' (Chapter 5) that drives participating agents to experience and actualise their own emancipation.

Thus, it follows that a group's lived experience is crucial in the formation of the group's consciousness as a 'cultural expression' or a 'way of life'. I invoked Thompson's concept of

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<sup>881</sup> Rancière, 'Ten theses on politics', above n 727, 38--39.

‘experience’ to demonstrate the Filipino migrant’s experience as connected to their own consciousness (cultural) and economic conditions (class). The question of identity is significant here,<sup>882</sup> in the way that an identity is a result of group experiences that cut through different social and cultural conditions. The formation of group consciousness plays a large part within the Filipino people’s experience because of their long history of colonialism and now the continuous oppression of the ruling elite at the expense of millions of ordinary Filipinos in the country. From Constantino’s point of view, the only way that Filipinos can ‘liberate’ themselves from this colonial/neo-colonial mentality and ‘miseducation’ is through what he refers to as ‘counter-consciousness’<sup>883</sup> – the awakening of oneself against the predominant neo-colonial (and now neoliberal) consciousness.

I investigated in more detail how Migrante exemplifies the importance of political consciousness in organising and mobilising Filipino migrants in Australia. I found that its so-called ‘step-by-step’ organising technique is a very important model because of its hands-on, grassroots approach in organising overseas Filipinos around the world and equally so in Australia. This method begins with education and consciousness-raising that includes social investigation and integration within the Filipino community. It is followed by contact-building and networking procedures with the view of establishing Migrante organisations in different workplaces, suburban areas and sectoral groups like women’s and youth organisations. The final step is the mobilisation of Filipino migrants that includes different types of assembly from street protests and demonstrations to various public fora and social fundraising events.

From this perspective, it is seen how Migrante organises and mobilises Filipino migrants in a successive way according to their level of political awareness, experience and orientation. For instance, a social gathering like a *Tipanan* fundraising event provides a place for entertainment, yet at the same time, it also forms a crucial site for the political education of Filipino migrants in a very creative way. Some of my informants suggest that Migrante’s creativity and effectiveness in organising and mobilising overseas Filipinos come not only from this step-by-step organising approach, but also from Filipino cultural practices and belonging in the diaspora as a way of reaching out to the Filipino community. Community belonging and practices through food, music, dance, customs and traditions are some of the things that solidify the bonds between individual members and Migrante organisations, and between Migrante and the Filipino community in general and the Australian community at large. Hence, it is within this cultural practice and community belonging that Migrante is able to utilise its political work positively within the Filipino community in Australia.

#### 9.4 The implications of collective identity

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<sup>882</sup> See my further discussion below (section 9.4).

<sup>883</sup> Constantino, ‘Counter-consciousness and social change’, above n 749, 120–21.

This cultural-community aspect has led my research to conclude that Migrante's political activism has given rise to a new collective identity in Australia. In Chapter 8, I have examined the concept of collective identity and outlined the important features within the social movement context. I found that many studies have illustrated how groups have become political as a result of different interactions, values and affinities between participants and the wider community. As such, and following Melucci's definition, I define collective identity as a dynamic process that is generated through interactions that cut across various groups at different levels.<sup>884</sup> I use the idea of what I call 'movement identity' to specifically refer to the formation of a particular social group's political agency and counter-hegemonic strategy in the context of that group's experience of stigma and marginalisation in a migrant host country. In this context, Filipino migrants' lived experience (Chapter 7) can prompt other overseas Filipinos in the host country to associate with one another, even though many of them do not necessarily hold the same interests or political beliefs as the rest of the members of the group.

This similarity/difference dichotomy is a crucial feature of my formulation of collective identity, vis-à-vis conscious citizenship, because group identification emerges from the way people encounter and interact with others who have experienced some similarities and differences in their way of life even if they belong to the same ethnic group (overseas Filipinos). In a way, following Young's relational approach to group formation<sup>885</sup> (which I briefly mentioned in Chapter 5), group differentiation can produce a positive sense of belonging because participants believe that they are making a positive impact through the work that they do in a stigmatised and marginalised social context. In Migrante's case, some of the informants I interviewed express that being a Filipino migrant in Australia brings a type of positive group attachment because of their transnational lived experience as a migrant. In their view, this positive attachment is what makes them politically active in the Migrante group and the wider public arena both in Australia and in the Philippines.

I then considered the foundations of this new collective identity and identified two possible sources of this emerging collective identity of Filipino migrants in Australia. The first source is the notions of solidarity and commitment, which bind people together in collective action. For Migrante, solidarity is a very important aspect of its work because it provides participants with a sense of belonging and a positive emotional attachment to the group. One of my informants (Grace) even implies that Migrante's solidarity (she calls it the 'spirit of Migrante') goes beyond the traditional Filipino value of *bayanihan* (community spirit) because it extends not only to overseas Filipinos, but also to other non-Filipino groups both in Australia and around the world. Its similarities and differences with other social groups is therefore what makes its identity a movement identity. The

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<sup>884</sup> Melucci, 'The process of collective identity', above n 630, 46.

<sup>885</sup> Young, 'Together in difference', above n 613, 161.

importance of commitment also goes hand-in-hand with solidarity because of the actor's strong emotional attachment to the group. Their passion and commitment to social justice are what also drives most of my informants to collective political action even after they have migrated to Australia.

The other source is a cultural-historical framework of Filipino experiences, thoughts and orientations which is known as the 'Filipino psychology' (*Sikolohiyang Pilipino*) approach. This approach emphasises local/indigenous thoughts, experiences, values and traditions, and corrects the long-time experience of 'colonial mentality' and 'miseducation' (Chapter 7) embedded within the Filipino consciousness. It would seem that most of these values and traditions have become 'normalised' in popular mainstream discourse as a 'true' representation of Filipino national culture and identity. However, I have revealed that a closer examination of these Filipino values from an indigenisation approach, such as *utang na loob* (debt of gratitude) and *pakikisama* (smooth interpersonal relationship), implies a positive sense of 'being Filipino' and 'becoming political' in Australia. Thus, the ongoing interaction between these two sources—universal values and principles of solidarity and commitment, and Filipino indigenous norms and practices—exemplifies a very robust and dynamic collective identity 'in-the-making' of Migrante, which comprises the concept and practice of conscious citizenship.

## 9.5 Future directions of research

Similarly, in Chapter 8, I have outlined in the final section (8.4) two major implications as to the future direction of this research. The first implication points to the question of Filipino identity in the diaspora. Within this context, I formulated what I call a 'micro-collective' identity of Filipinos in Australia because the Filipino community itself is composed of different small groups that can be differentiated from one another according to individuals' interests (basketball or dinner dances), their regional affiliation back in the Philippines (e.g. Ilocanos or Visayan) or, in this study, political commitment and engagement with a particular sub-group (Migrante).

As I indicated in Chapter 1, the findings of this thesis are primarily concerned with the political activism of Migrante Australia. The lack of research data from other Filipino migrant subgroups means that it cannot be ascertained whether my contention of a Filipino diaspora 'in-the-making' is also applicable to other Filipino subgroups and, in many respects, to the whole Filipino diaspora in Australia. Therefore, further research should be undertaken as to whether or not these small groupings within the Filipino community, or the Filipino community in general, can be classified as having a unique collective identity of their own.

The question of collective identity also has further implications when it comes to the debate on race, multiculturalism and social cohesion in Australia. The growing numbers of recent violent and racial attacks towards some ethnic minority groups, notably the Muslim and African

communities, are worrying scenes that compel policymakers to rethink Australia's approach to multiculturalism and security issues. Tougher legislation was introduced, casting suspicion on particular ethnic groups in Australia. This thesis offers evidence suggesting a change in the community's and the government's approach to how they view migrants and ethnic groups. As this study shows, social groups are different from one another and within a group also comprise 'micro-collectivities' of different subgroups. The case study on Migrante has provided rich insights on the dynamics of micro-collectivity. The idea of micro-collectivity would certainly have a significant impact when it comes to the concepts and debates within the social movements and collective identity literature discussed in the previous chapter (Chapter 8). It is seen that group identity is fluid and dynamic. This is an important point that should be taken into account when looking at the dynamics and cohesion of various ethnic groups in Australia.

The second implication points to the question of 'becoming political' in the host country. Indeed, Migrante has demonstrated that 'being Filipino' and 'becoming political' in Australia can be enacted simultaneously because of the group self-awareness, which leads the group to constitute itself as 'being political'. I suggest that the findings in this thesis can be applied to other community groups in Australia, especially in the context of the Indian and/or Chinese communities (the top two source countries of migrants in 2016–17).<sup>886</sup> The findings may also provide a comparative model for other migrant destination countries like the United States, Canada, New Zealand and the UK. In particular, my focus on Migrante Australia as a case study provides a good comparative perspective on the literature regarding the issues facing the Filipino diaspora in the United States.<sup>887</sup> Surely, there may be a number of similarities and differences regarding the dynamics of the Filipino diaspora in Australia and in the US. But, as mentioned above, the notion of micro-collectivity as well as the nuances of the dialectical process that inform conscious citizenship performed by Migrante could be viewed as a notable feature of this thesis that provides a different perspective on the idea and practice of citizenship performed by a migrant group. As briefly outlined in Chapter 7, several academic studies have now been undertaken looking at the political mobilisation of various ethnic groups in Australia.<sup>888</sup> Yet a deeper analysis is required in order for us to understand these groups' dynamics when it comes to their action, motivation and subjectivity (identity).

Finally, I anticipate that this thesis will go beyond the confines of the academic world and serve as a guide for ordinary citizens, community leaders and activists who share a passion for fighting for a just and humane society. Migrants and other marginalised groups in Australia (and around the world) are the makers and shapers of conscious citizenship. Thus, by way of conclusion,

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<sup>886</sup> See Department of Immigration and Border Protection, *2016–17 Migration Programme Report*, 4: available at: <[www.homeaffairs.gov.au/ReportsandPublications/Documents/statistics/report-on-migration-program-2016-17.pdf](http://www.homeaffairs.gov.au/ReportsandPublications/Documents/statistics/report-on-migration-program-2016-17.pdf)>.

<sup>887</sup> See San Juan Jr, *From Exile to Diaspora*, above n 475 and Espiritu, *Homebound*, above n 324.

<sup>888</sup> See Chapter 7, section 7.2 Migrant mobilisation and political consciousness: a theoretical context.

I follow Arendt in suggesting that 'only when people live and function in consort with other people can [they] contribute to the establishment upon Earth of a commonly conditioned and commonly controlled humanity'.<sup>889</sup>

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<sup>889</sup> Arendt, 'The Jew as pariah', above n 499, 297.

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*Universal Declaration of Human Rights (10 December 1948)*

# Appendix: Interview Questions

## Theme 1: Participation and practices

- Could you please explain your work and level of involvement in the organisation?
- What are the different activities do you normally hold or organise?
- What do you think is/are the main reason(s) why you have joined the organisation?
- How would you describe the level/degree of your work and your organisation's activities in the past and at present?

## Theme 2: Views and awareness

- What are the critical issues that your organisation addresses about overseas Filipinos in Australia? Why do you think these issues are important?
- To you, how important is it to be a 'Filipino' in relation to your understanding and your ideas about politics? Why?
- If you consider your organisation's work as socially or politically 'transforming', in what way do you see your organisation's work is making/has made an impact in Australia and in the Philippines?

## Theme 3: Filipino collective identity

- As an immigrant, what does it mean to be a 'Filipino' in Australia?
- Do you think your Filipino identity is relevant to your political/social/cultural work as a community leader of an organisation? If so in what way it is relevant? Can you cite an example(s)?
- Do you think there is such thing as an overseas Filipino 'collective identity'? If so, where do you see this 'collective identity' coming from (e.g. history, experiences, culture/traditions/beliefs)?
- The Philippines has been colonised by Western powers for more than 300 years and Filipinos have resisted foreign domination in the country up to now: Do you think that overseas Filipinos carry-on this so-called 'hidden tradition' of resistance and



rebellion against the dominant status quo? If so, do you have any experiences personally or organisationally? If not, why not?

- Finally, what is the main role of overseas Filipinos in Australia? And why?