Not Here for Good?
International Migration Realities and Prospects in Asia

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Abstract

International labor migration has been underway in Asia in the last 30 years, contrary to the intent of migration policies to keep migration temporary. Despite this experience, migration policies in the region continue to be premised on temporary migration and the refusal to consider the integration of migrants. This article examines whether Asian countries could continue to keep migration temporary and to admit migrant workers but exclude them the social and political life of the receiving countries? It has been possible to prevent settlement in Asia, thus far, but at a cost of denying rights to migrants and their families. The "rights-gap" is an issue that will need further attention in bilateral and regional discussions. Transnational communities are expected to raise this issue in public discussion and policy.

Key Words: Labor migration, migration policies, migrants' rights

Introduction

In 1984, Stephen Castles (with Heather Booth and Tina Wallace) came out with the book, "Here for Good: Western Europe's New Minorities," which detailed how temporary labor migration turned into settlement migration in Western Europe. Between 1945 and 1973, the guest worker program brought in some 30 million people into Western Europe as workers or workers' dependents (Castles et al., 1984:1). The best-laid plans designed to transfer workers and to repatriate them at the end of their work contracts did not work as planned. The oil crisis of 1973 interrupted Western Europe's economic growth, dampening the demand for workers, thereby putting an end to the guest worker program. Among others, it is said that the human rights tradition in Western Europe worked against the idea of forcibly repatriating migrants to their countries of origin. For the workers who decided to stay, the states in Western Europe allowed family reunification. Thus, from the mid-1970s, migration to Western Europe consisted mostly of family members joining migrant workers who had preceded them. The experience has been eloquently summed up by the Swiss writer, Max Frisch, who remarked: "We asked for workers and got human beings."

The transformation of Western Europe's guest worker program into de facto settlement and a more culturally diverse society is an eventuality that Asian countries are trying very hard to avert. Asian countries do not view themselves as having a tradition of immigration - not in the way that the United States, for example, prides itself as a nation of immigrants, or how Australia and Canada promote multiculturalism. As such, Asian countries are cautious about settlement for various reasons: settlement is economically and socially costly; some countries perceive themselves as homogeneous; some others are concerned with the ethnic balance of their societies. Thus, when the need for migrant workers cropped up, invariably, receiving countries in Asia designed and/or carried out temporary labor migration programs. That was about 30 years ago and to this day, *temporary* labor migration continues.

Given Asia's three-decade experience with large-scale labor migration, to what extent can Asia maintain a migration of workers and not end up with human beings? In other words, can countries of destination in Asia truly keep migration temporary and limit it only to workers? This is the major question posed in this article. To answer this question, I will begin by reviewing the broad strokes of labor migration trends in the region in the last 30 years. I pay particular attention to state policies on labor migration as they provide the basic framework of how migrants are received and treated in the destination countries. The second part of the article examines migration realities and prospects and the challenges that these

trends imply in terms of how we will respond to the impacts of migration in the region. Asia is a vast and complex region and for the most part, I shall be referring to international migration in East, Southeast and South Asia. Also, I will focus on the migration of the less skilled, the migrants who comprise the majority of workers on the move. This is not to say that the migration of the highly skilled and professionals is negligible. Since the 1990s, there has been an increasing demand for professionals and highly skilled workers in many receiving countries, leading to a competition among the latter to attract foreign talents to maintain their competitiveness. In Asia, all receiving countries welcome professional and highly skilled migrants and allow them privileges, such as family reunification, which are denied less skilled migrants. If the highly skilled are generally welcomed, the migration of the less skilled is highly regulated and restricted. This distinction spells a world of difference in the working and living conditions of these two types of migrants, and raises human rights questions surrounding less skilled migrants.

An Overview of Labor Migration Trends in Asia

The Middle East Connection: The Beginnings of Organized Migration

The 1970s was a watershed period heralding many changes, including the beginning of migrations that are truly global (Massey et al., 1998). Asia did not escape the "globalization" of international migrations as the following account will show.

If the oil crisis of 1973-74 ended labor migration to Western Europe, it opened up new regions of destination and origin in other parts of the world, including the Gulf region and Asia. The infusion of petrodollars allowed the oil-rich countries to initiate massive infrastructure and development projects. Short of labor, the Gulf countries - Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates - drew workers from Asia. Initially, the Gulf countries imported workers from South Asia (India, Pakistan and Bangladesh) and quickly expanded into East Asia (particularly South Korea), and Southeast Asia (Thailand and the Philippines). Sri Lanka and Indonesia joined the ranks of source countries of workers a little later, and when they did, they carved a niche in the deployment of domestic workers. The participation of the migration industry - i.e., recruitment and placement agencies that connected workers and employers - started during the labor migration to the Middle East and has become an inextricable part of migration in Asia.[1]

The labor importing countries in the Middle East intended to keep migration temporary. In fact, one of the reasons why they turned to Asian workers was to reduce their reliance on workers from other Arab countries, who they fear may stay. They thought that it would be easier to keep Asian workers from settling permanently. In line with this objective, migrants are hired on a contract basis, usually for two years, and are required to return to their home countries at the end of their contract. Family members are not allowed to join the workers, except in the case of the highly skilled and professionals who meet an income requirement. Thirty years later, the Middle East countries continue to source various types of workers from Asia. Not only do migrant workers account for a large percentage of the Gulf countries' workforce, but also, the foreign population is larger than the local population in the Gulf countries (except Saudi Arabia). The heavy dependence on migrant workers and demographic imbalance have been a source of unease for the GCC countries, prompting them to promote the nationalization of their labor force. However, this policy runs against demographic and social realities. Except for Saudi Arabia, which has a population of 25 million, the rest of the GCC countries have a small population base. In addition, these countries do not have enough skilled labor; local workers are not keen in engaging in less skilled work; and gender role ideology keeps women out of the labor market. In all likelihood, it will take many, many years before the GCC countries could nationalize their work force.[2]

Intraregional Migration

Although the Middle East continues to be a major destination of Asian workers, some changes had been evident since the 1980s. The 1970s migration to the Middle East was largely male-dominated, dictated by the needs of infrastructure development which drew on a heavily male work force. By the 1980s, a time which was coincident with a drop in oil prices, most of the infrastructure projects had been completed and there was a slowdown in new projects. These developments signaled a change in the demand for workers - workers who will staff hospitals, offices and commercial establishments.

Affluence also led to a demand for foreign domestic workers, a change which contributed to the participation of women in Middle East destinations.[3] These new conditions and demands resulted in the participation of women in labor migration who filled the need for domestic workers, as well as medical workers (particularly nurses), sales workers, maintenance personnel and hotel staff. The participation of women in labor migration became more visible when Asian destinations opened up.

Starting in the 1980s, the high performing economies in East and Southeast Asia appeared as new labor markets. In the beginning of the 1980s, there were just about a million migrant workers in East and Southeast Asia (including long-term Korean residents in Japan and Indonesians in Malaysia); their number grew to more than three million in 1990; and more recently, conservative estimates of legal and unauthorized migrants in East and Southeast Asia would be in the vicinity of six million (Battistella, 2002:406). Most of this movement is within the region or intraregional. most of the migrant workers in Malaysia are from Indonesia; East Malaysia gets most of its workers from the Philippines; most of the migrant workers in Thailand are from Burma and the rest are from Cambodia, Laos and Vietnam; Taiwan recruits workers from the ASEAN; and in Korea, the majority of migrant workers are Korean Chinese. Intraregional migration, thus, became notable since the 1980s and it became another prominent characteristic of Asian migration.

In contrast to the demand for male workers in the initial phase of labor migration to the Middle East, receiving countries in Asia posed a greater demand for women migrants. From a share of just about 15 percent of all Asian workers overseas in the 1970s, female migrants accounted for 27 percent in the 1980s (Abella, 1995:241), which further increased in the 1990s. Most of the women migrants come from the Philippines, Indonesia and Sri Lanka - in these countries, women comprise 60 to 80 percent of legal migrant workers deployed every year. On the one hand, the participation of women in labor migration suggests that labor migration is not a male domain, but on the other hand, the concentration of women migrants in unprotected sectors - domestic work and entertainment - has raised dilemmas and concerns.[4] For countries of origin, the consideration of protection issues somehow becomes secondary when weighed against potential economic benefits (e.g., remittances); for countries of destination, there is ambivalence borne out of the need to recruit migrants, but at the same time

fearing probable social consequences. For example, there are concerns that foreign domestic workers will pass on the wrong values to their young wards, or their presence could introduce tensions in mother-child or husband-wife relationships.

Intraregional migration in Asia has highlighted some gender dimensions. For one, the patterns of labor migration underscore that it is not addressing labor shortages per se but is responding to the demands of a *gendered* labor market: male labor migration is responding to the labor needs in the formal/productive sectors while female migration is meeting the labor shortage in the informal/reproductive sector. The latter points to an oft-forgotten part of development processes - that families and households are also affected and act upon other changes taking place in the larger society. In female labor migration, families and households in the destination and origin are linked, although they are responding to different needs. In the destination countries, families experience a shortage of caregivers, which they meet by hiring a foreign domestic worker; in the origin countries, families face emigration pressures, which they solve by sending a female member (in response to demand). In the process, women occupy the center of the transfer of reproductive or care-giving work: women in the more developed countries pass on these tasks to women migrants, who in turn, pass them on to other women in their home countries (e.g., Parreñas, 2001). The consequences of female migration - protection issues, impacts on the families left behind, impacts on the families in the destination, impacts on gender roles - raise manifold questions, which are less salient or are regarded with much more ambivalence than male migration.

Migration Systems

Even if Asia has become a region in motion, not all of it is equally affected by migration. Some countries have stood out as major sources and destinations. Basically, the migration flows reflect the movement of labor from the low income and more populous countries to the high income and less populous countries. Such patterns give some support to the neoclassical view about the determinants of migration, but advances in theoretical perspectives and empirical evidence suggest that other factors are at work (e.g., Massey, et al., 1998; ESCAP, 2002). The different sub-regions - East, Southeast and South Asia - also bear some particularities which are worth noting.

Southeast Asia has a very diverse migration profile, including countries of origin (the major ones being the Philippines and Indonesia,), countries of destination (Singapore, Brunei), and countries which are both origin and destination (Malaysia and Thailand). Intraregional migration is very intense in Southeast Asia: for the most part, labor circulates within the sub-region (see below). The Philippines and Indonesia have emerged as major sending countries, catapulted in part by the establishment of a state-driven overseas employment program. The Philippines sends all types of workers not just to other countries in Asia but to all the world's regions while Indonesia sends most of its workers to Malaysia and the Middle East, and more recently to Singapore, Taiwan and Hong Kong. Legal migration from the Philippines and Indonesia is dominated by women, most of whom work abroad as domestic workers, and in the case of the Philippines, entertainers as well. Vietnam embarked on a labor migration program in 1994, initially sending workers to the Middle East and later expanding to East Asia. Burma, Cambodia and Laos are also countries of origin, but most migration from these countries is unauthorized and the destination is mainly Thailand. Prior to the 1980s, Thailand was a country of origin, sending workers to the Middle East. With economic growth, Thailand became a country of destination. When the economic crisis hit Thailand in 1997, it resumed the deployment of Thai workers, with Taiwan as a major destination. While legal migration is male-dominated, female migrants figure more prominently in unauthorized migration, including trafficking to Japan and other countries.

The configurations of origin-destination countries in Southeast Asia can be grouped into three migration systems:

One node consists of Malaysia and Singapore as the core countries, attracting migrants from neighboring Indonesia and the Philippines, as well as from South Asia.[5] These two receiving countries present interesting contrasts. As mentioned earlier, by anticipating their need for migrant workers, Singapore was able to establish a system for regulating migrant workers before their arrival. As a result, Singapore has been able to contain unauthorized migration. Malaysia, on the other hand, has more unauthorized workers than legal ones. In Malaysia's case, the migrants had already arrived before Malaysia came up with policies to regulate labor migration in 1991.[6] The inconsistent implementation of policies and frequent policy changes - some see this as flexibility in managing

migration (e.g., Kanapathy, 2001) - have not helped in addressing the problem of unauthorized migration. Since the 1990s, estimates of Malaysia's migrant population hover around 1.2 million, of whom Indonesians are the largest group. Also, since the 1990s, the running assumption is that some 60 percent of migrants are in the country under unauthorized conditions (*see* Wong and Teuku Afrizal, 2003:172). Several amnesty programs had been carried out as well as innumerable crackdowns vs. unauthorized migrants, but these have had limited results. The most recent measure was the introduction of amendments to the Immigration Act in 2002. Aimed at dealing with unauthorized migration "decisively," the amendments provided for more punitive measures: a fine of M$10,000, six months to five years in jail and caning for those who enter Malaysia illegally.

Another focal point is the BIMP-East ASEAN growth area,[7] with the sultanate of Brunei and Sabah in East Malaysia as the core areas receiving migrants from Indonesia, the Philippines and the rest of Southeast Asia. Brunei receives mostly legal workers from neighboring Southeast Asian countries (including Malaysia); in contrast, Sabah's migrant population is mostly unauthorized, with migrants originating from the Philippines and Indonesia. As in Peninsular Malaysia, the migrants had arrived spontaneously in Sabah prior to the development of labor migration policies. Also, the long history of exchanges between Sabah on the one hand, and the Philippines and Indonesia on the other, have created social networks across the borders which facilitate the flow of information, resources and support that reduce the risks of migration and the unfamiliar.

In Northern ASEAN or mainland Southeast Asia, Thailand is the hub of migrants from Burma, Cambodia and Laos. A notable feature of migration into Thailand is the preponderance of unauthorized migration, largely from Burma, and from Cambodia. The migrants also arrived in Thailand spontaneously to look for jobs when the Thai economy was doing very well. In the case of Burmese migrants, political reasons were also a push factor in migrating to Thailand. Since the migrants are already in the country - and Thailand also needed the workers - Thailand attempted to bring the situation under control through registration programs. Those who register, however, are only part of a larger population of unauthorized migrant workers in the country. Moreover, studies suggest that migrant workers have brought or have been joined by their families in Thailand. The long border

shared by Thailand and Burma greatly facilitates the movement of people. After several failed attempts, it is hoped that the work permit system in 2004 would solve the problem of unauthorized migration. In preparation for the implementation of the new policy, Thailand has started a series of repatriation drives

South Asia is mostly a region of origin. Except for India, the government is very much involved in overseas employment in Bangladesh, Pakistan and Sri Lanka.[8] Most migration flows from South Asia are directed to the Middle East;[9] and with the exception of Sri Lanka, all the rest deploy mostly male workers. There is also significant intraregional migration in South Asia, a large part of which is irregular migration. Some of the problems related to irregular migration have their roots in the 1947 partition, and later in the separation of Bangladesh from Pakistan in 1971. Population displacement, the redrawing of national borders, and people finding themselves on the wrong side of the border reverberate in the present as border conflicts and the blurred distinctions between citizens and "illegals."[10] In recent years, there is growing recognition that trafficking in persons, especially women and children is significant in the region, with Bangladesh and Nepal as major sources of victims who are trafficked to India. South Asia is also a source region of children - specifically boys - trafficked to the Middle East as camel jockeys.

East Asia, except China,[11] is mostly a region of destination. Compared to receiving countries in Southeast Asia, the share of foreigners in the population or in the labor force tends to be smaller in Japan, Korea, Hong Kong and Taiwan. Despite differences in the initiation of labor migration, Japan and Korea ended up with similar policies: no admission of less skilled migrant workers and establishing a trainee program. Japan has managed to control unauthorized migration; in Korea unauthorized migration is much larger than legal migration and there is a sense that the problem has gone out of control. Various amnesty programs have not made a significant dent in reducing unauthorized migration. As critics have noted, the problem stems from the abuses in the trainee system, which breed unauthorized migration (e.g., Kim, 2003). The introduction of the work permit system in 2004 is intended to curb unauthorized migration. In contrast, Hong Kong (in the 1970s) and Taiwan (in the 1990s) designed policies to accept and regulate the importation of less skilled migrant workers. Both have managed to keep unauthorized migration at relatively low levels.

Regardless of the context, there are some commonalities that run through the different migration systems: migration is not decreasing; unauthorized migration is significant; government involvement (both in the origin and destination countries) is palpable; and the limited dialogue and cooperation between countries of origin and destination.

The Inevitability of Labor Migration

Prior to the 1980s, there were some speculations that perhaps the path to development in Asia was different because it did not have to bring in migrant workers as Western Europe did in an earlier time. The World Bank (1993) study on the East Asian economic miracle and similar analyses were curiously silent on the role of labor migration in promoting and maintaining development processes in the region. Later literature and the works of migration scholars would acknowledge that the high performing economies in Asia had to import workers from the less developing countries in the region.

If an official labor migration policy were used as an indication of the need for migrant workers, indeed Japan would appear to have no need for such workers. The low proportion of foreigners in its population, and in particular, the low proportion of foreigners in its work force departs from the pattern commonly observed in other advanced economies.[12] When its economy took off in the 1970s, it did not recruit migrant workers - not in the same way that Western Europe or the Gulf countries. According to some Japanese scholars, Japan managed to meet the labor requirements of an expanding economy locally by absorbing rural-urban migrants, tapping women workers and other part-time workers (e.g., students, the elderly), working longer hours, and investing in technology and automation (cited in Kondo, 2002:416-417). Large Japanese companies also resorted to off-shore production. Small and medium-sized companies, however, could not afford automation or off-shore production. Employers in this sector, in fact, had fact been lobbying the government to import less skilled workers as early as the late 1960s (Oishi, 1995). But Japan, then and now, remains firm in adhering to a policy of not admitting less skilled workers. This reluctance and wariness about foreigners derives from the concern to preserve the country's homogeneous makeup (Kondo, 2002).[13] Without changing its policy, Japan responded to the clamor for less-skilled workers by allowing the admission of *Nikkeijin* (the "front-door"); introducing

trainee program (the "side-door"); or "allowing" some unauthorized migration (the "back door") (e.g., Yamanaka, 2003).

Elsewhere in Asia, other receiving countries did not avoid importing migrant workers at some point during the development process, resulting in the formulation of policies which have varying levels of openness in acknowledging this need. The most open in this sense is Singapore, which recognized the need for foreign workers way back early on, even before its economy took off, and more importantly, before it brought in migrant workers. Singapore distinguishes between the highly skilled and the less skilled. The regulation of the latter rests on a system of quota (in order to ensure that local workers are not replaced by cheaper migrant workers) and the imposition of levies (in order to discourage employers from relying on cheap migrant workers and do away with technological innovations). Despite these measures, Singapore has not reduced its reliance on migrant workers. As of the 2000 census, foreign workers account for 29 percent of its workforce. Among the migrant workers are some 140,000 foreign domestic workers, whose work has allowed local women to join the labor market.

Other receiving countries - South Korea, Malaysia, Thailand, Hong Kong and Taiwan - fall in between the "ideal types" that Japan and Singapore represent. As their economies took off, these countries reached full employment, their local workers acquired more education and moved into better jobs. In the course of these changes, local workers eschew less-skilled, low-paying jobs (or what is commonly referred to as 3D jobs - dirty, difficult, dangerous), resulting in labor shortages in less competitive industries or sectors.

Jobs in manufacturing, plantations, fishing and rice mill industries, construction and domestic work became the jobs filled by migrants. Labor markets in the region, thus, are segmented into a labor market for nationals and a labor market for migrants. The experience during the crisis of 1997 confirmed that nationals and migrants occupy distinct labor niches. This was highlighted by the persistence of labor shortages in the 3D sectors at a time of high domestic unemployment. When migrants were repatriated, local workers did not move into the jobs that migrants had vacated - contrary to the expectations of policymakers. Malaysia, Thailand and Korea had a difficult time in filling migrants' jobs; as a result, they had to modify their repatriation plans to meet the labor shortage in some industries (Battistella and Asis, 1999).

One by one, therefore, the high performing economies in Asia devised a policy to admit and regulate labor migration. In 2003, the government of Korea and Thailand passed a law to shift to a work permit system. Notably, these two countries had been dealing with very large numbers of unauthorized migrant workers. After several amnesty programs in Korea and registration programs in Thailand, their government decided to establish a formal policy of hiring migrant workers, which will come into effect next year. By 2004, all receiving countries in Asia, with the lone exception of Japan, will have adopted a policy that acknowledges the need to bring in less skilled migrant workers.

Labor Migration Policies and Their Outcomes

Despite or contrary to policy intentions, labor migration has been a constant in the Asian landscape in the last 30 years, dispelling the illusion of temporary migration. This reality indicates that labor migration fills a structural need in the economy. As noted earlier, migration helps in easing labor shortages in the formal and informal sectors in the countries of destination. Similarly, in the countries of origin, the objective to keep migration temporary has been indefinitely postponed in light of unrelenting unemployment and balance of payment problems. Thus, in different ways, states have an economic interest in allowing or, in some cases, favoring migration. Recent discussions on migration and development suggest the need to mainstream migration in development processes. The role of remittances,[14] returnees and transnational communities in contributing to the development processes in the home countries are some of the issues that are currently receiving considerable attention.[15]

Various factors that facilitate and sustain migration have developed over the years. One is the migration industry; another is migrants' networks and transnational connections. The migration industry has not only retained its intermediary role in labor migration, but it has also expanded considerably.[16] The migration industry has an important motivation to sustain labor migration: earnings. The exploitative practices of recruitment and employment agencies have increased the transaction costs borne by migrants. Some actors in the migration industry have also resorted to irregular practices, including involvement in smuggling and trafficking activities.

The growth and expansion of migrants' networks

and transnational connections is an important development. This is an example of "globalization from below," of people harnessing resources to promote their interests. Migrants' networks are an important source of support for migrants, enabling them to tap resources (e.g., money, information) and to draw some social support in the countries of destination. In the absence of efforts to integrate migrants, social networks provide the possibility to have a community life in an otherwise hostile environment.

Despite many countermeasures against settlement, it is taking place in the countries of destination. Some migrant communities have been formed in countries such as Japan (e.g., Komai, 1995; Tajima, 2000), Malaysia (*see* Wong and Teuku Afrizal, 2003) and Thailand (*see* Amarapibal, et al., 2003). In part, labor migration has paved the way for international marriages. For example, a contributing factor in the rise in Filipino-Japanese marriages is the migration of Filipino entertainers to Japan.[17] Some of these relationships do not work out and as a result, there is a growing number of Japanese-Filipino children who have been abandoned or not recognized by their fathers (e.g., Asis, 2001). The number of international marriages is also increasing in Taiwan (*Asian Migration News*, 15 October 2003) and South Korea (Lee, 2003). The move towards settlement and the growing number of international marriages challenge assumptions of a mono-ethnic society and pave the way for the development of a multicultural society.

Although migration has persisted, the conditions under which migrants work and live are far from satisfactory. To keep migration temporary, countries of destination have set in place the following conditions:

1. Migrants can work and stay in the countries of destination for a limited duration. Workers are rotated by way of limited contracts, usually for a period of two years; contracts may be extended as agreed upon by the employer and the worker. Taiwan's single entry, 6-year maximum of work and stay, is unique in the region.[18]

2. In order to monitor workers, they are not allowed to transfer to another sector or another employer. This forces migrants to stay with an employer even under abusive conditions - or if they run away, they become "illegal" or unauthorized workers.

3. Family reunification is not allowed, which forces a separation between migrants and their families. Relationships or marriage with locals is not encouraged; some countries of destination prohibit marriage to locals, depriving migrants the possibility to form a family. In Singapore, the state's medical surveillance requires women to undergo pregnancy tests twice a year. In Singapore and Malaysia, women migrants who become pregnant are repatriated.

Oriented to controlling migration, specifically controlling migrants, these policies have had real consequences for migrants and their families:

1. Migrants are admitted in the receiving countries as *workers* - as such, they can participate in the economic sector of the receiving society, but they cannot participate in its social or political life, and as had been mentioned, prospects for integration are limited.

2. These restrictions have unwittingly contributed to the pervasiveness of unauthorized migration. There are various forms of unauthorized migration. The most common seems to be cross-border flows between neighboring areas. These are largely undocumented, i.e., migrants do not carry travel and/or work documents (e.g., Southeast Asia, between Korea and China (involving ethnic Koreans). Other forms are the use of non-working visa, overstaying or running away from the original sponsor or employer.

The popular perception of unauthorized migration is that it is the handiwork of migrants who violate laws. Insights from a study of unauthorized migration in Southeast Asia suggest that it is reflective of the following:

• Unrealistic migration policies

·Migration policies do not reflect the needs of the economy; instead, migration policies seem to be influenced more by political considerations.

·Migration policies overly limits avenues for legal migration, thereby severely restricting migrants' options to look for better working conditions or to be with their families.

• Unauthorized migration is symptomatic of the contradictions of globalization which allows for the borderless flow of goods and capital, but not the borderless flow of people. Given economic disparities and the lack of legal channels to migrate, unauthorized migration indicates migrants' assertion or claim to global citizenship.

The typical responses to unauthorized migration are more border controls, more punitive measures, or repatriation - measures which punish migrants, without addressing the other actors and institutions (in-

cluding the state and its policies) which contribute to unauthorized migration. None of these had had lasting impacts on curbing the problem.

In our study of unauthorized migration in Southeast Asia, we have advanced that legal and unauthorized migration are part of one migration system. Their determinants are similar; both are also facilitated by various intermediaries. Furthermore, legal and unauthorized migrants are not two distinct groups. They only differ in their access to legal or unauthorized channels of migration (Battistella and Asis, 2003:13-14).

3. Labor migration has given rise to transnational families, or families with members located in different locations. Family separation is not new - in the past, migration has also kept families apart. What is new about transnational families is the facility with which migrants can maintain contacts with the families left behind. The contacts allowed by better and cheaper communication and transportation facilities are contributing to the development of "new" ways of being family. On the other hand, transnational families also indicate that families are forcibly separated because family members are not allowed to be together. The forced separation of family members have emotional costs that do not easily figure in the calculation of costs and benefits. Research findings point to emotional costs, especially on the part of women migrants who are separated from their own children, while they care for other children (e.g., Parreñas, 2001; Asis, 2002; Huang, Yeoh and Asis, 2003). A study in the Philippines suggests that the mother's departure is associated with lower school performance and more difficult social adjustment among young children (Battistella and Conaco, 1998). There is also concern that extended separation may cause irreparable costs to marriages, but this is an area which has not been studied well. In the countries of origin, some changes in gender relations have been noted with the migration of women.

Overall, the prevailing migration regime in Asia exacts direct costs on migrants and their families through denial of rights. The dominant paradigm of migration has been largely economic in which migrants are viewed as workers. In considerations to maximize the benefits and minimize the costs, the protection of migrants' rights has been ignored. In Asia, the "rights-gap" has not been helped by the lack of discussion of migration in general,

and migrants' rights in particular, in bilateral and regional fora.[19] An indication of the global community's reluctance to respect the rights of migrants and their families is indicated by the low ratification of the UN Convention on the Rights of All Migrant Workers and Members of Their Families. Only two countries in Asia - the Philippines and Sri Lanka - have ratified it, and they are among the 23 *sending countries* that have ratified the Convention thus far.[20]

Future Prospects

Writing in 2002, Castles called for a rethinking of the dynamics of migration under conditions of globalization. He observed that policymakers and analysts failed to anticipate actual developments in international migration in the last fifty years. He attributed this oversight to two factors: (1) assumptions in migration research, particularly the influence of national models or frameworks, and (2) lack of attention to human agency, particularly the lack of appreciation of migration as a "collective process based on the needs and strategies of families and communities" (p. 1145). Under conditions of globalization, advances in communications and transportation have facilitated flows of people, ideas and information, resulting in multiple belongings, identities, linkages and community formations which are no longer based on the national model.

Our experience in the region tells us that migration is a reality whose ramifications we need to understand rather than ignore. The trends thus far combined with persisting economic disparities suggest that migration is likely to increase rather than decrease in the future. Recent discussions about replacement migration highlight demographic factors which imply more rather than less migration. Although "objective" economic and demographic factors would argue for more migration, the passage will not be easy.

However, the gathering strength and extent of transnational communities resulting from migration portend social and political transformations. This development will, at the least, counter the controlling tendencies of states, especially the curtailment of rights to "manage migration." In Asia, there are some signs that some changes are under way. In Japan, for example, local governments are opening up their communities to multiculturalism, a marked departure from the stance of the national government. Kawasaki City has established

a consultative assembly for foreign residents to hear their voice in the city administration; Maihara Town allowed permanent residents to vote in a local referendum in 2002 (Kondo, 2002:420). In Hamamatsu City, Japanese Brazilian mothers and community members have banded together to address the educational needs of migrant children (Yamanaka, 2003). Likewise in Korea, civil society has been at the forefront of efforts to draw attention to the plight of migrant workers and to introduce much-needed changes (Lee, 2003; Kim, 2003). In the countries of origin, migrant NGOs have also taken governments to task for inadequate services and assistance to migrants and their families. A recent development is the move of some countries to extend voting rights to their nationals abroad and/or to consider dual citizenship.[21]

In a future of more migration in Asia, much remains to be done to promote and protect migrants' rights. It is a responsibility that cannot be left to "market forces." There is reason for hope, however, and Castles (2002:1664) put it well:

> *Transnational communities resulting from migration will, through thousands of micro-strategies, seek security and humane conditions for their members. By doing this, they will probably become a major factor undermining the plans of the mighty. The future will probably be as messy as the past, and all predictions are likely to be wrong, but one thing is clear: there is no return to the neat idea of closed-off nation states with homogenous national communities.*

Notes

[1] The huge demand for workers was too much for governments to handle, a gap which the migrant industry captured. India is rather unique as the recruitment and deployment of migrant workers are basically left in the hands of the private sector.

[2] In the 1990s, Israel emerged as a new destination, accepting workers not only from Asia but also from Eastern Europe. The Philippines, Thailand and China are the major source countries of workers from Asia.

[3] The demand for foreign domestic workers in the Middle East is more associated with the lifestyle goals of upwardly mobile households; in Asia, the demand is driven by the "caregiving crisis" resulting from the participation of women in the labor market. Japan and South Korea are exceptions in this regard. Since their official policy does not allow the importation of less skilled workers, there are no official inflows of such workers. In the case of South Korea, most of the migration flows are unauthorized and it is difficult to determine the gender composition of migrants. The Japanese and Korean labor markets, however, have a specific niche for women migrants in the entertainment sector, who go through both legal an unauthorized channels. Japan legally admits entertainers, mostly from the Philippines; they are considered "skilled" and are therefore admissible. A larger number of entertainers come to Japan under unauthorized conditions (including being trafficked) from Thailand and other countries.

[4] Other countries of origin which actively promote labor male migration are less inclined to promote female migration because of concerns about protection issues. This rationale could have negative consequences for women. Some scholars caution that protection issues and the presumption of vulnerability of all women (especially vis-à-vis men) at all times may lead to control of women's movement and also perpetuate the assumption of women's lack of agency (e.g., Piper, 2003; UN, 1995).

[5] Malaysia is the traditional source of workers for Singapore. Since 1978, a daily work permit system signed by the two countries allows thousands of Malaysians to cross the border daily to work in Singapore.

[6] Earlier, workers from Indonesia arrived in Malaysia spontaneously to work in the plantations and construction, sectors which experienced labor shortages when Malaysia went through structural changes from the 1970s. The movement of Indonesians to Malaysia also has a very long history.

[7] The BIMP (Brunei-Indonesia-Malaysia-Philippines)-East ASEAN growth area was formed in 1994 to promote development and cooperation among the members - Brunei; Kalimantan, Maluku, Sulawesi and Irian Jaya in Indonesia; Sabah, Sarawak and Labuan in Malaysia; and Mindanao and Palawan in the Philippines. The formation of this growth area is an attempt to reestablish and formalize the traditional linkages of contiguous areas in this sub-region. The promising start of BIMP-EAGA in 1994 was dimmed by the 1997 crisis and later by security issues in the area.

[8] There is also significant outmigration from Nepal, mostly to India, with which it has bilateral agreement (signed in 1950) providing for the free movement of people and goods. Nepali workers are also present in the Middle East and some Asian countries such as Japan,

Korea and Hong Kong.

[9] The singular importance of the Middle East destinations renders South Asian countries vulnerable to policy changes and events in the Middle East.

[10] For example, the question of "illegals" is raised in India (which claims that there are Bangladeshi "illegals" in India; Bangladesh counters that these are Indian Bengalis); also, Pakistan claims that Bangladeshis

[11] Most discussion on outmigration from China focuses on unauthorized migration, including trafficking in persons.

[12] As of 2002, registered foreigners in Japan reached 1.8 million, percent of the total population; legal foreign workers numbered 760,000 or 1.3 percent of the labor force. Japan also has its share of unauthorized migrants, and again, the proportion is small compared to other countries.

[13] According to Komai (1995, cited in Castles, 2001:187), the Japanese people have shown little hostility towards immigrants, but this may be due to the small numbers of foreigners.

[14] New evidence on the role of remittances in the countries of origin seems to fuel this interest. According to Dilip Ratha of the World Bank, in 2001, workers' remittances to developing countries totaled US$72.3 billion, higher than total official flows and private non-FDI flows.

[15] The discussion, so far, has focused on the development potentials of migration on the home countries. The discussion can also be extended to examining the role of migration in supporting the development of the destination countries - this can contribute to a better understanding and appreciation of the contributions of migrants to their host societies.

[16] For example, there are over a thousand licensed recruitment agencies (and an unknown number of unlicensed agencies) in the Philippines. Singapore has some 400 employment agencies.

[17] In the past, the ceiling was for two years, which was later extended to three years.

[18] The concern with unauthorized migration and trafficking in persons, especially women and children, initiated regional discussions on migration. The first such regional meeting was held in Bangkok in 1999, and this was followed up by similar initiatives. Such efforts can be expanded to address the problems and dilemmas arising from legal migration.

[19] See Piper and Iredale (2003) for further discussion on the obstacles to the ratification of the Convention in Asia-Pacific.

[20] In 2003, the Philippines passed a law allowing absentee voting and another one allowing dual citizenship. Migrant NGOs in Sri Lanka are lobbying for absentee voting for its migrant population. Pakistan and India are considering dual citizenship.

References

Abella, Manolo. 1995. "Sex Selectivity of Migration Regulations Governing International Migration in Southern and South-Eastern Asia." In *International Migration Policies and the Status of Female Migrants*. Proceedings of the Expert Group Meeting on International Migration Policies and the Status of Female Migrants, San Miniato, Italy, 28-31 March 1990. New York: United Nations.

Amarapibal, Amorntip et al. 2003. "Irregular Migration into Thailand." In *Unauthorized Migration in Southeast Asia*. Edited by Graziano Battistella and Maruja M.B. Asis. Quezon City: Scalabrini Migration Center.

Asis, Maruja M.B. 2001. "Growing up Japanese and Filipino in the Philippines," *Asian Migrant*, 14(4):110-116.

Battistella, Graziano. 2002. "International Migration in Asia vis-à-vis Europe: An Introduction," *Asian and Pacific Migration Journal*, 11(4): 405-414.

Battistella, Graziano and Maruja M.B. Asis, eds. 2003. *Unauthorized Migration in Southeast Asia*. Quezon City: Scalabrini Migration Center.

Battistella, Graziano and Maruja M.B. Asis. 1998. *The Crisis and Migration in Asia*. Quezon City: Scalabrini Migration Center.

Battistella, Graziano and Ma. Cecilia Conaco
1998 "The Impact of Labour Migration on the Children Left Behind: A Study of Elementary School Children in the Philippines," *Sojourn*, 13(2):220-241.

Castles, Stephen. 2002. "Migration and Community Formation Under Conditions of Globalization," *International Migration Review*, 36(4):1143-1168.

Castles, Stephen. 2001. "International Migration and the Nation-State in Asia." In *The Philippines as Home: Settlers and Sojourners in the Country*. Edited by Maruja M.B. Asis. Quezon City: Philippine Migration Research Network.

Castles, Stephen, Heather Booth and Tina Wallace. 1984. *Here for Good: Western Europe's New Ethnic Communities*. London: Pluto Press.

Economic and Social Commission for Asia and the Pacific (ESCAP). 2002. *International Migration: An Emerging Opportunity for the Socio-economic Development of the ESCAP Region.* Social Policy Paper No. 6. New York: United Nations.

Huang, Shirlena, Brenda Yeoh and Maruja M.B. Asis. 2003. "Filipino Domestic Workers in Singapore: Impacts on Family well-bring and Gender Relations." Paper prepared for the ESCAP Expert Group Meeting on Migration and Development, Bangkok, 27-29 August.

Kanapathy, Vijakumari. 2001. "International Migration and Labor Market Adjustment in Malaysia," *Asian and Pacific Migration Journal*, 10(3):429-461.

Kim, Joon. 2003. "Insurgency and Advocacy: Unauthorized Foreign Workers and Civil Society in South Korea," *Asian and Pacific Migration Journal*, 12(3): 237-260.

Komai, H. 1995. *Migrant Workers in Japan*. London: Kegan Paul International.

Massey, Douglas et al. 1998. *Worlds in Motion: Understanding International Migration at the End of the Millennium*. New York: Clarendon Press.

Lee, Hye-kyung. 2003. "Gender, Migration and Civil Activism in South Korea," *Asian and Pacific Migration Journal*, 12(1-2):127-154.

Parreñas, Rhacel. 2001. *Servants of Globalization: Women, Migration and Domestic Work*. Stanford: Stanford University Press.

Piper. 2003. "Bridging Migration, Gender and Governance: Theoretical Possibilities in the Asian Context," *Asian and Pacific Migration Journal*, 12(1-2):21-48.

Piper, Nicola and Robyn Iredale. 2003. Identification of the Obstacles to the Signing and Ratification of the UN Convention on the Protection of the Rights of All Migrant Workers 1990: The Asia Pacific Perspective. A report commissioned by UNESCO.

Tajima, Junko. 2000."A Study of Asian Immigrants in Global City Tokyo," *Asian and Pacific Migration Journal*, 9(3): 349-364.

United Nations. 1995. *International Migration Policies and the Status of Female Migrants*. Proceedings of the Expert Group Meeting on International Migration Policies and the Status of Female Migrants, San Miniato, Italy, 28-31 March 1990. New York: United Nations.

Wong, Diana and Teuku Afrizal Teuku Anwar. 2003. "Migran Gelap: Irregular Migrants in Malaysia's Shadow Economy." In *Unauthorized Migration in Southeast Asia*. Edited by Graziano Battistella and Maruja M.B. Asis. Quezon City: Scalabrini Migration Center.

Yamanaka, Keiko. 2003. "Feminized Migration, Community Activism and Grassroots Transnationalization in Japan," *Asian and Pacific Migration Journal*, 12(1-2): 155-188.

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