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BORDER ACTS:

**Migrants, Security and the
State in Southeast Asia**

Sheila Nair

Institut Kajian Malaysia dan Antarabangsa (IKMAS)
Universiti Kebangsaan Malaysia
Bangi

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Abstract

Realist security discourse presents as natural its conventions on state security and its corollary, sovereignty. This discourse has been challenged by the writings of critical and postcolonial feminists, postmodernists and constructivists. Following on some of these critiques, this paper explores these questions: Why is the human security of migrants subordinated to the national security of states? How migrants' rights are made invisible and compromised by the elevation of state's rights in international relations? The paper argues that conventional security discourse silences and makes invisible alternative notions of security such as human security thereby reinforcing a hegemonic state-centeredness and inscribing exclusionary notions of sovereignty, security and power around state borders. Contemporary state responses to migration in Southeast Asia, which involve policing and border security practices, are reflective of this discourse. The paper re-reads the conventional security paradigm as one that is deployed against immigrant bodies and enabled by hegemonic constructions of self and other or (im)migrant and nation. The policing of borders thus also constitutes the policing of bodies; "undocumented" or "illegal aliens" are marked in ways that make them highly vulnerable to state control, surveillance and criminalization. All the while, such practices are rationalized and justified by realist constructions of security and state sovereignty, which read the border as a "zone of exemption". This paper concludes that these practices make especially challenging and urgent an alternative critique and discourse around human security, one that is just and emancipatory.

Biodata

Sheila Nair is Associate Professor of Political Science at Northern Arizona University, USA. Her research and teaching interests include migration, human rights, security, political economy, postcolonial and international relations theory, and Southeast Asian politics. She is the author of several articles and chapters and co-editor (with Geeta Chowdhry) of *Power, Postcolonialism and International Relations: Reading Race, Gender and Class* (Routledge 2004).

E-Mail : Sheila.Nair@NAU.EDU

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BORDER ACTS: Migrants, Security and the State in Southeast Asiaⁱ

Introduction

Migrant workers constitute a growing segment of the labor force in fast growing economies around the world.ⁱⁱ According to estimates of the International Labor Organization (ILO), 22 million migrant workers out of an estimated 81 million worldwide can be found in countries across Asia alone (ILO 2004).ⁱⁱⁱ In Southeast Asia alone, cross-border flows of migrants in search of work may well constitute the single most significant factor inter-linking the economies of neighbors who otherwise are dependent on trade ties with larger and more powerful states in the North. Economic liberalization compounded by the particular constraints imposed on developing countries competing with one another for foreign investment and growth opportunities have resulted in huge flows of labor across state borders in recent years. This phenomenon has in turn generated much anxiety amongst receiving publics and governments about the social, political and cultural impacts of this immigrant workforce. Newspaper articles in Malaysia, for instance, highlight the “problems” presented by migrants and government policies on migrant labor. In one such news report under the heading, “Alien influx”, the specter of migrants taking over jobs from locals and becoming a “prominent presence” in the Malaysian urban landscape is highlighted (Singh 2006). In a related article Malaysian policymakers acknowledge the need for migrant workers so long as Malaysia’s development objectives mandate their presence (Cruetz 2006) although they are also seen as threatening socio-economic, cultural and political stability leading to mass deportations (Malaysia to expel...2002). Elsewhere, the general public expresses discontent with the presence of such workers complaining about noise pollution, indecent exposure, drunkenness, crime and a lack of civic consciousness (Putting up with...2005). Migrants and migrants’ rights advocates, however, note the extreme vulnerability of all low wage migrants

in the global economy. While so-called undocumented migrants may appear most vulnerable, the distinction between documented and undocumented status is a tenuous one since a large number of migrants slip into undocumented status quickly for a number of reasons including a change of employer, expiration of work permits, change in sector of employment, and confiscation or loss of passports (A call for justice...1996).^{iv} The precariousness of labor migrants' general conditions of employment and their vulnerability to abuses within the system from the point of recruitment in the sending country to employment in the receiving state intensify migrants' insecurity.

These competing notions, the migrant threat to national security and the threat to the migrant's security, produce different meanings and perceptions of insecurity, although these are hardly equivalent. In other words, the discourse around state security enjoys a commonsensical, almost folkloric, presence unlike the discourse around migrants' insecurities. States' efforts to secure marked geographical boundaries, which demarcate points of entry and exit for migrants, are implicated in hierarchies of self and other in neo-imperial and postcolonial formations (Nair 1999) and engendered by the intensification of neo-liberal economic relations in Southeast Asia (Piper 2004). State practices such as border security measures are conceived not only in relation to the transgression of state sovereignty but also to transgressions of a national self against which such practices are ultimately fashioned and deployed (Agathangelou 2004; Niva 1999; Persaud 2002). The presence of large numbers of low wage migrants is thus seen as constituting a palpable threat not only to the sanctity of state borders but ultimately to the security of the nation. Contemporary state responses to migration, specifically labor migration, are, however, grounded in a complex interplay of political, social and economic conditions, which inform constructions of self and other, migrant and nation. The policing of borders thus also constitutes the policing of bodies; low wage migrants are especially marked in ways that make them highly vulnerable to state

control and surveillance (Doty 2001). Imprisonment and detention, the denial of basic civil and political liberties, and border policies that include the summary deportation of labor migrants, often in the most dehumanizing conditions, disclose practices that are largely indifferent to their basic human rights, security and dignity.

Why is the human security of migrants subordinated to the national security of states? How migrants' rights are made invisible and compromised by the elevation of state's rights in international relations? This paper explores why and how conventional security discourse silences and makes invisible alternative notions of security such as human security thereby reinforcing a hegemonic state-centeredness and re-inscribing realist, masculinized notions of sovereignty, security and state power. The relative neglect of migration by IR scholars further underscores the need for a closer reading of the security problematic in IR and its implications for constructions of the immigrant other. Further, the paper explores how the parallel discourses and trajectories of migration and security intersect in ways that shape contemporary state practices around security, the border and migration in Southeast Asia. I conclude that these overlapping and mutually constitutive discourses shape hegemonic discourses around borders and migrant bodies, ultimately confining migrants to what the Italian philosopher Giorgio Agamben refers to as a "zone of exemption" where human rights of the most basic kind may be denied (Agamben 1998).^y

Security and the State in IR

Reading conventional security and its discontents

It is widely acknowledged that mainstream IR scholarship has viewed security through the prism of state sovereignty, and has long been preoccupied with the relationship between security and defense of the national interest. Security has been conventionally understood and

deployed in ways that reflect the sovereign state's preeminent place in international relations. This is true, according to Buzan, whether one speaks of the realist or idealist positions on security, which he argues have dominated thinking on security in the field of IR (Buzan 1983: 1-2). Buzan's work alluded to security and the study of security during the period of the Cold War, but his arguments remain relevant for how security continues to be configured and understood in mainstream policy and academic discourses. However, although military security and national security are conflated in realist discourse, the national security of states has also been defined geopolitically, culturally, and in relation to wealth accumulation and economic power. In the 1970s and 1980s, for example, neo-liberal arguments gave special attention to the implications of "interdependence" for the security paradigm and moved the conversation beyond national security defined largely in political and military terms. Notions of cooperation under anarchy, and the pursuit of security through arrangements that could foster more regularized interactions among states and make more predictable state actions in response to security "threats", were deemed a corrective to the realist obsession with power politics and zero-sum game scenarios (Baldwin 1993). Despite such institutionalist interventions, discourse on security within mainstream IR, which includes liberalism, remains firmly anchored in premises that privilege state power and interests (e.g. Grieco 1993; Krasner 1978).

The power and salience of mainstream approaches to security may be discerned in a recent issue of the *International Studies Review* in which the authors challenge the view in some quarters that globalization has weakened the national security state (Ripsman and Paul 2005). The authors conclude:

...globalization *has* affected the pursuit of national security, but unevenly and, in most cases, only at the margins. It has expanded the scope of threats that national security establishments contend with and the range of instruments they use to combat these threats, but—except to some extent among states in stable regions—globalization has not altered the primary emphasis of states on traditional security matters nor has it dramatically altered the architecture of the national security state (Ripsman and Paul 2005: 222).^{vi}

However, another article in the same issue appears to contradict this view. The title of this article poses the question: “Re-assessing the “power of power politics” thesis: is realism still dominant?” in response to which the authors, Walker and Morton, conclude that it is not. The two survey data-based articles in relevant journals to map the decline of realist thought and its displacement by liberalism, specifically the liberalism of IR scholars whose work addresses notions of democratic peace and institutional processes (Walker and Morton 2005). Despite the authors’ conclusions that their survey shows a shift away from realist preoccupations with power politics and power balances and a growing recognition of the significance of other concerns such as international trade and organization, as far as the study of security goes a militarized masculinity prevails. As Walker and Morton suggest, “The degree to which studies of the twenty-first century could be influenced, in turn, by terrorist threats and military efforts to combat them remains to be seen. Perhaps realism will reemerge as the dominant theoretical framework” (Walker and Morton 2005: 353).

Suturing security and insecurity: Constructing nations and borders

The view that realism is on the wane only to rise again as “the dominant theoretical framework” in IR in light of “terrorist threats” and militarization, reveals a disingenuous distancing between so-called “high politics” and “low politics”, which has even been called into question by the work of some realists (e.g. Gilpin 1975; 1981). It also sutures the security discourse in such a way that interrogations of its underlying ontological commitments like the privileging of state sovereignty are not brought into view as critical security scholars have pointed out (e.g. Booth 2005). There is also scant attention given to the militarized and racialized discourse of national security/insecurity, and the cultural anxieties underpinning national security frameworks (see Agathangelou and Ling 2004a; Enloe 1993; Persaud 2002; Whitworth 2005). Persaud has noted how US immigration policy “has been shaped by deeply embedded notions of racial, cultural, and civilizational superiority” (in Chowdhry and Nair 2002: 19). Similarly, Agathangelou and Ling write that September 11, 2001:

Rein scribed borders in the popular American imagination” and that “insecurity flares whenever that sovereign desire is violated, provoking fears of an external threat and danger usually embodied by the alien, barbaric Other. This projection of the other occurs within a context of colonial power relations, where race and gender take on cultural or civilizational connotations (2004a: 525).

The hegemony of the conventional security discourse is readily discernible in current scholarship in North America, Europe as well as in Asia. In studies of Southeast Asian security, for example, notions such as the strategic environment, state interests, security order and institutional development are frequently deployed in very similar ways reflecting a symbiotic relationship between Asian elite and academic orientations on security, and conventional IR (e.g. Alagappa 2003; Simon 2001). Constructivist interventions have modulated the state-centric analyses but have not significantly reworked the underlying

epistemological commitments of a realist or liberal institutionalist worldview that place the system of states center stage and ultimately emphasize the nature, function and role of state identities in shaping security (Acharya 1998; 2003). Conventional security studies, according to critics, naturalize or take as given and unproblematic states' insecurities whereas a critical approach uncovers how security/insecurity are socially constructed and culturally produced (Wendt 1992; Weldes et al 1999). According to Weldes et al, "(A) constructed object that lies at the center of much contemporary discourse in security studies is the state. ...the state is treated as a natural fact, but any particular 'state' is in fact a cultural production; it is an effect of a set of statist discourses...states are produced and reproduced as actors with particular kinds of interests in representations of their insecurity" (1999: 14). This deconstruction of statist discourse is also compelled by a critique of the neat separation between inside and outside in IR theory and security studies. Drawing on Judith Butler's work on the body, Campbell argues: "Whether we are talking of 'the body' or 'the state' or particular bodies and states, the identity of each is performatively constituted. Moreover, the constitution of identity is achieved through the inscription of boundaries which serve to demarcate an 'inside' from an 'outside,' a 'self' from an 'other,' a 'domestic' from a 'foreign'" (Campbell 1992: 8). Finally, a critical discourse on security also reveals the multiple ways in which meaning is constituted by, and contested in and through, the articulation and interpellation of notions of difference and identity (Muppidi 1999).

Arguments that frame the security problematic as one that is contingent and relational and therefore discursively constituted provide a way to approach insecurities from an entirely different the vantage point. Put simply, state insecurity is an outcome of threats to the national interest broadly defined. In this sense, migrants constitute not only a threat to geographic boundaries, but also to the body politic—the national self. The state's monitoring and policing of its borders is ostensibly meant to make it more "secure" from external threats;

migrant workers are constructed as such a threat to the “legitimately” constituted nation. However, notions of human or personal security challenge this state-centered discourse. At the level of policy, articulation of these alternatives has already taken root and become enshrined in international human rights law; “freedom from fear” and “freedom from want” are catch phrases of a new approach to security. Often referred to as “people-centered security” or “security with a human face”, human security places human beings rather than states at the focal point of security considerations. Groups such as the transnational Commission on Human Security (CHS) and the Human Security Network (Ogata 2004) are popularizing such an alternative view of security. In this view, human security does not necessarily contradict national security discourse. Instead, it is seen as complementing it. For example, the CHS cites the need to “develop the concept of human security as an operational tool for policy formulation and implementation” (www.humansecurity-chs.org). Reflecting this concern one UN agency (United Nations Institute for Disarmament Research) claims: “Today all security discussions demand incorporation of the human dimension”. Yet it is clear that this demand is not consistent, and in fact the opposite is true as states strive to close their borders to flows of people even as they simultaneously engage in activities that strengthen neo-liberal integration.

Securitizing insecurities: human rights or state's rights?

The study of security has been so dominated by the realist paradigm and its purportedly softer, gentler twin, liberalism,^{vii} that efforts to securitize other issue areas such as human rights, migration, the environment, food and so forth can reflect a very similar logic (to that of realism and liberalism) and run the risk of reinforcing the common referents employed in conventional security discourse. In security studies to securitize is to make

visible and urgent certain issues in the policy hierarchies of states and inter-state relations (Khong 2001). International relations theory has traditionally viewed state security issues in such terms. Doty in her critique of the “politics of securitization” nicely frames the problem as one of whether in securitizing an issue the “classical security logic” of prioritizing the state remains (1999: 81). The implication is that non-mainstream “security” concerns that fall outside the domain of power politics and liberal institutional logics such as human security are left flapping in the tailwind of security studies. However, moves to securitize the rights of persons can also be a way to empower such concerns and move them farther along on the policy agenda with a view to addressing the invisibilities and injustices that accompany their neglect in IR (Doty 1999: 81). The exclusion of migrants from political discourse in both sending and receiving states invoke the image of the *homo sacer* or non-citizen in international relations (Agamben 1997).^{viii} Using the human security concept may in fact help to secure as a global issue the plight of migrant workers who occupy a liminal space—“betwixt and between” as it were—in the modern state system. In this light, the human security concept may be a useful way to approach pressing questions concerning the human rights and plight of migrant workers in a world where rights are conferred through citizenship and membership in a political community. In redefining the security concept, and in so doing subverting its conventional meanings, we enable an alternative critique and understanding of security in the global economy, one that speaks to the conditions of politically insecure and vulnerable populations such as migrant workers.

The human security concept is helpful in that it also challenges the seemingly contradictory representations of workers in dominant (state) security driven discourses as things or commodities, docile bodies, and foreign contagions threatening the nation. As research on immigration has shown, migrant workers are highly vulnerable to human rights abuses in a global political economy where classed, racialized and gendered representations

of the immigrant “other” inform policy discourses and state practices (Agathangelou 2004; Doty 1996; Persaud 2002; Rajaram and Grundy Warr 2004). Such abuses have been well documented by non-governmental organizations (NGOs) working on migrant workers’ rights in many parts of the world including Southeast Asia. The migrant worker is seldom protected by the national laws of receiving countries, and is often subjected to the harshest treatment if s/he is found to be “undocumented” or without valid papers. As noted earlier in this paper the movement from documented to undocumented status often occurs arbitrarily and is not a rigorous standard used by state agencies in distinguishing among classes of migrants. While international labor laws and basic human rights norms governing how migrant workers may be treated, like the 1975 International Labor Organization Convention 143 and provisions in United Nations human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR), are subscribed to by some states, they are neither evenly applied nor integrated into national laws governing the treatment of migrant labor (Gurowitz 2000: 878-879). This apparent contradiction points to the conflict between state sovereignty, security and interests, and the human rights and security of persons these documents have been formulated to protect. Similarly, the protection of workers under international treaties such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families have important protections in place for migrant workers but there as with other international laws are extremely difficult to enforce even when states ratify them. The dislocation of migrant workers from their national homes, the social and cultural construction of their migrant identities and for all practical purposes denial of their legal and political rights, suggests the need for an alternative understanding of security, which places the security of person’s front and center.

Migration and the Migrant in International Relations

Despite the recognition by some scholars that the field of international relations (IR) should address the phenomenon of migration and its implications more closely, there has been remarkably little progress in that direction albeit with some notable exceptions.^{ix} This lack in the literature is puzzling especially considering the growing significance of migration in policy agendas, in the discourses of political elites, mass publics, mass media, international organizations such as the International Labor Organization (ILO), and a number of regional, national and transnational non-governmental organizations. Migration flows and the increasingly contentious debate around them invite interesting questions about the production of national sovereignty, identity and agency, power, representation and hierarchy for IR scholars.

Displacement and belonging: international migration and IR

A handful of critical IR scholars have in recent years explored the relationship between immigration and exclusionary practices demarcating notions of citizenship, nationality and belonging. An example of this is Doty's 2001 exploration of "statecraft in remote places", which offers a cautionary note for scholars. She writes:

The people (read: "illegals")...are invisible to the dazzling array of IR theories we usually pay homage to. I simply cannot fix the complex and ambiguous constellation of ideas and practices surrounding illegal immigration and its relationship to statecraft into a crystallizing moment of theorizing, an authoritarian moment in which connections and meanings are dictated to the reader, a sovereign moment that reduces what can be understood to that which can be seen, named, captured by language. (Doty 2001: 526).

Despite Doty's reluctance to engage in sterile paradigmatic debates around the relationship between migration and statecraft she nevertheless offers us a thick description of border relations and border practices constituting "statecraft from below" and "anti-statecraft"

involving both state and non-state agents. Hers is, despite her equivocations to the contrary, a theoretically nuanced and empirically grounded discussion from the perspective of critical IR of the negotiations enacted by border patrollers and their prey, the ‘undocumented alien’. These negotiations along the Arizona-Mexico border reflect the binaries made explicit in racialized discourse. For example Roger Barnett, a spokesperson for Arizona ranchers—self-appointed defenders of state sovereignty—sees migrants coming across the border as an “invading virus” (Doty 2001: 529). His readiness to take a life if necessary to defend nation and country is framed in relation to common referents of national security discourse and sovereignty.

In his discussion of “The poetics of a world of migrancy”, Soguk, relating contemporary migratory movements to notions of time-space compression, poses this question: “What does the world-migrancy represent for these borders and boundaries that remain anchored ontologically in the modernist imaginary of the citizen/nation/state constellation?” (Soguk 2000). He explains “world-migrancy” in reference to the deterritorialization enacted by “border-crossers”, a practice that is near universal in scope and entails not merely the movement of bodies but also concurrent processes of displacement and belonging inherent in all migration imaginaries. Soguk’s postmodern response to the conundrum he poses above and to what could be more simply stated as the intensified contradictions in the production of sovereignty and nationalism on the one hand, and Transnationalisms implied by migration on the other, does not generate easy conclusions. Instead, Soguk provides an account that seemingly goes in the opposite direction of Doty’s self-conscious disavowal of theoretical language by laying out the problematic discourses around migrants and migrancy in reference to a lengthy list of literary and deconstructionist texts. Still, Soguk’s article suggests ways in which IR may meaningfully engage migration: the complexity of migrant experiences, their intersections with security, sovereignty, and

identity, and the multiple contradictions and convergences engendered by migration in a world where we are all in a sense border crossers.

The study of international migration has been far more systematic and sustained in other fields of inquiry as evinced by the large number of sociological analyses of migration, its economic, cultural and social impacts, and its transnational logics. Studies of Transnationalism, now increasingly prolific in the migration literature, present alternative arguments about the characteristics of new migrations and their implications for our understandings of transnational relationships, networks, and migrants' identity politics (Portes et al 1999). The transnational approach challenges prevailing views in the migration literature on questions of integration and assimilation in receiving states and parallels work on transnational circuits of capital, transnational institutions, and hybridity popular in some accounts of globalization (Portes 2003; Kivisto 2001). The figure of the transnational migrant further provokes references to negotiations of place and space and the construction of transnational identities (Olwig 2003).^x Instead, border-transgressions, metaphoric and literal, are seen to embody migrant networks, transnational ties and allegiances. Some insights from this literature are relevant for this paper, particularly arguments, which invoke the potential agency of migrants in resisting the dominant representations of who they are and what they signify.

The dominant global discourse around migration reflects, according to feminist critics, the feminization, sexualization, classification and racialization of the migrant. Feminist scholars have traced migration trajectories of women, particularly migrant domestic workers, and the complex histories and experiences implicated in these trajectories. These studies are prolific and complex including analyses of political, economic, social and cultural factors and logics contributing to the migration of women, the conditions and exploitation of migrant domestic and sex workers, sites of cultural contestation and social struggle, and

policies and practices of receiving and sending states' as responses to migration (e.g. Agathangelou 2002; Chang 2000; Chin 1998; Devashayam et al 2004; Lowe 2004; Mack 2004; Parrenas 2001; Piper 2004; Silvey 2004; Wong 2005; Yeoh et al 2004). Women comprise between 60 to 70 per cent of the migrant workforce in Southeast Asia (ILO 2004). Attesting to these numbers and the distinctive feminized characteristics of migrant labor feminists draw our attention to the intersections of gender, race/ethnicity and class in the policing practices of receiving and sending states and shows how migration and security interface in the extraordinary journeys of migrant women.

Coolie or National Security Threat?

Migrations old and new

The large-scale movement of labor in Southeast Asia is hardly a new phenomenon and has been on-going since colonial times. Immigrant communities were formed throughout Southeast Asia by waves of labor migration facilitated by colonial powers in search of a vast and easily accessible labor pool for cash crop agriculture and resource extractive industries such as mining. Consequently, a huge influx of "coolie" and indentured migrant workers from China and India facilitated the expansion and growth of the colonial economy. Racialization of this workforce by colonial authorities and its relegation to distinct sectors of the economy—e.g. Indians in the plantation sector, Chinese in the tin mines—and the diminution of the "lazy native" propagated colonial ethnic and racial hierarchies (Alatas 1972; Abraham 2004). The characteristics of mid to late 20th century migration patterns reflect many of the factors that drew migrants to colonial economies in Southeast Asia, particularly to Malaysia, Burma and Singapore. Postcolonial policy like its predecessor has been explicit in encouraging this movement. At the same time, poverty, unemployment, local displacement and anticipation of better conditions in receiving countries fed the flow during

colonial times (Jesudason 1989) as it does today. However, a key difference between the factors triggering migration flows in the colonial era and in the present may be the intensification of neo-liberal economic policies—widely interpreted as economic globalization—and the concomitant “internationalization of the Asian labor markets”. In effect, a structural complementarity between countries at diverse stages of industrial and social change is being conditioned by economic liberalization. “Increased migration, trade and investment between countries have created a linkage effect – the surge of capital and labor flows in Asia are opposite sides of the same coin” (Piper and Ball 2001: 535), while commodification of labor is deepened under economic liberalization.^{xi}

Further, as in the US and Western Europe the discourses around immigration and national security have also been framed in response to Southeast Asian states fears of unregulated inflows of migrants. The problem is that such unregulated flows may involve the active collusion of state agencies or their ineffectiveness in enforcing basic border control mechanisms. For example, concerns have also been voiced by political oppositions in Malaysia about the role of migrant Muslim Filipino and Indonesian migrant communities in shaping political alliances and outcomes in swing constituencies. It is worth noting that despite the official stance on labor migration as temporary, states’ efforts to contain, police and regulate such migration also display contradictory stances, which have a bearing on how migrants are perceived and treated in receiving states (Perlez 2002; Yusman 2003; Chuah 2004). While the impacts of migrant populations on economic, social and political conditions are an important area of research it is beyond the scope of this paper to explore these impacts closely. For further discussion and analysis see, for example, Azizah (1997), Pillai (1999), and APMM (2003). Suffice it to note here that the plight of migrants has to be situated in this neo-imperial, neo-liberal context where the postcolonial state’s border acts reify colonial boundaries and practices of inclusion and exclusion.

Migrant labor and regional hierarchies

The flight of migrant workers from Indonesia, Philippines and Myanmar, among others, to relatively wealthier developing countries such as Malaysia and Thailand, is constructed around new regional hierarchies around the export and consumption of cheap labor (Castles 1998; Gonzalez 1999). Malaysia, an important labor-receiving state in the region, seeks migrant labor in pursuit of economic growth and foreign investment. Other states such as Indonesia export workers to help offset high unemployment and balance of payments problems. There is a significant “illegal” or undocumented component to intra-Asian labor migration, with the role of brokers or “agents” being central to the way in which human beings are traded across national borders with governments, employers and the average consumer benefiting enormously from the use of low-wage migrant workers (Fernandez 2004; Kassim 1997; Piper and Ball 2001). However, as Wong cautions “trafficking” and “smuggling” used interchangeably to refer to the movement of migrants, involve different levels of agency and control over the migration process (Wong 2005). In other words, trafficking constitutes a loose definition, which makes no distinction between the means and methods of movement utilized by migrants and thus is conflated with smuggling in ways that undermine and criminalize the migrant under international law (Wong 2005: 70-72). This has implications for the way migrants are received and treated especially in receiving countries where the distinction between “legal” and “illegal” has much to do with the manner in which migrants cross borders. For example, in the US there has been heightened attention to “traffickers” but this term once applied to the *coyotes* (smugglers) is now being used against migrants. In the state of Arizona, laws have been interpreted to mean that any undocumented migrant by virtue of his or her immigration status is assisting the trafficker and thus liable also to felony charges typically brought against the *coyotes*.

The majority of low-skilled migrant labor, documented and undocumented, can be found in these key sectors of industrializing Southeast Asian economies: construction, domestic work, agriculture, manufacturing, and services. The shortage of low-wage, unorganized local workers in these economies that can fill hundreds of thousands of jobs in these sectors has led to the accelerated recruitment of workers from the peripheral states of Southeast Asia. The relatively higher costs attached to hiring domestic labor and worker shortages in certain key sectors such as plantation agriculture, manufacturing and construction in Malaysia, for example, have facilitated the entry of workers from Indonesia, Myanmar (Burma), Thailand, Cambodia, the Philippines, and Bangladesh over the last two decades (Asis 2004; Pillai 1998). Another example of how patterns of out and in-migration of workers are structured regionally is seen in Vietnam's emergence as a net labor exporter to its neighbors in Southeast and East Asia since its economic liberalization program began in late 1980s (Phuong 2000).

Policing migrant bodies and state borders: Sites of difference/sites of struggle

Malaysia has one of the largest migrant worker populations in Southeast Asia estimated to be in the several million with Indonesian migrants constituting the vast majority. Like much of the rest of the world, Malaysia's economic expansion and growth has been made possible by its use of a migrant workforce. According to some accounts, "Indonesians in Malaysia make up the largest irregular migration flow in Asia and globally second only to Mexicans entering the United States."^{xii} The Asian currency crisis, which began in 1997 and affected the vast majority of Southeast Asian states, saw renewed efforts to regulate, monitor and expel the migrant labor population as economic contraction set in. Since the early 1980s, the migration of labor in Southeast Asia and policies toward managing and regulating migrant labor have been shaped significantly by economic growth and expansion as well as

economic crisis in the region (Gonzalez 1999). In the wake of the currency crisis, labor-receiving states such as Malaysia began rounding up and deporting so-called “illegals”. Yet as Rajaram and Grundy-Warr point out, the deportations were not merely a result of economic pressures as the Malaysian economy was beginning to rebound from the currency crisis in 2002 (Rajaram and Grundy-Warr 2004: 48), but appeared to signal also concerns over the state’s policing and management of its borders. In this sense, border control should also be situated in the context of nation-building strategies preoccupying state elites. Intent on shoring up electoral support, which had begun to erode by the late 1990s, the Malaysian government began invoking references to the problems presumably caused by migrants (Jones 1996; 1998). In a landmark general election held in 1999, Malaysia’s ruling National Front coalition—in power for three decades—suffered its first substantial erosion of the popular vote in years. When Malaysia began deporting thousands of documented and foreign workers in 2002, government officials claimed that undocumented migrants from neighboring countries were the source of social and political instability (Malaysia to expel...). In the ensuing nation-wide crackdown on migrant workers the Malaysian government began enforcing laws allowing for whipping, imprisonment and large fines for undocumented workers from countries like the Philippines and Indonesia. In addition, restrictive conditions were placed on migrants from Indonesia limiting them to employment in the agricultural and domestic sectors ostensibly due to social problems attributed to them in other sectors of the economy (Syarat baru... 2002). The human security of these migrants thus collides with state interests, which inscribe the border as a space for the construction and production of state sovereignty and security.

The Italian philosopher Giorgio Agamben argues that the *homo sacer* is distinct from citizen over whom the sovereign authority of the state presides and to whom ultimately sovereign law extends a juridico-political status. The migrant is thus rendered as a non-

citizen, the depoliticized object of national discourse. The migrant resides in a zone of exemption, one where she is “bare life” a form of depoliticization that renders her beyond the scope of political protection.^{xiii} In a comparative study of migration policies in Australia, Malaysia and Thailand, Rajaram and Grundy-Warr argue that Agamben’s notion of the *homo sacer* is especially useful in understanding refugee policies in these countries. In Australia, for example, “irregular migrants” (refugees) are seen as “an affront to Australian sovereignty. This sovereignty has to be ensured and, therefore various legal maneuverings are undertaken to protect this sovereignty...backed up by a pillorying of the refugee, creating a figure of fear and criminality” (Rajaram and Grundy-Warr 2004). Similarly, in Southeast Asia the figure of the migrant has come to constitute a figure that resides in a “zone of exemption” where basic rights are denied due to her ambiguous legal status. The denial of universal human rights norms and the entitlements of citizenship to migrants are largely consistent with the security-state sovereignty nexus in international relations. Further, the construction of migrants as “other” in national policy discourses creates not only figures of fear and criminality but invokes a political absence: a figure that simply does not exist and consequently has none of the privileges of political membership. Political membership defines who enjoys rights within a political community (e.g. Benhabib 2004); the deferral of rights for low wage migrants is rationalized by the sovereignty claims of national states in a post-Westphalian system.

Rationalizations for such a denial of basic rights are evident in the discourses around the “problems” migrants present. Migrants are blamed for a whole host of social ills such as rising rates of violent crime and the spread of disease, which rationalize state actions. They are seen as the source for the spread of HIV/Aids in receiving states, and an array of infectious diseases such as tuberculosis, malaria, and dengue fever (Caram Asia 2002). Fear and desire mirror one another in ways that are constitutive of social relations and political discourse. The desire for migrant labor is offset by fear of the quintessential “dangerous

other”: this racialized and ethnicized image of the migrant is a recurring theme often unabashedly promoted by political elites and the media. The policing of migrant bodies, evident also in the issuance of special identity cards and serial numbers to workers further exemplify the commodification, dehumanization, and heightened vulnerability of migrants. Receiving states have very few protections in place for migrant workers and have been more inclined to treat migrants as disposable goods (Chang 2000). State border strategies in the name of national security are enabled by such practices and reproduce the migrant as a statistic that must be regulated and disciplined. Not surprisingly, the rights of migrant workers, and their plight is hardly a top priority for receiving states if one recalls the non-status of the migrant and her exclusion from political life. On the contrary, these states are most concerned about their porous borders and have increased surveillance and punishment of migrant bodies even as they embark on policies favoring the in-flow of low wage labor in Southeast Asia.

Why do sending states encourage out-migration despite the violence and insecurity migrants are likely to encounter? Sending countries such as Indonesia gain enormously from the remittances of workers. The World Bank estimates that in 2001 “migrant workers from developing countries sent home US72 billion, the second largest source of external revenue after FDI”.^{xiv} The US-based NGO, Human Rights Watch, reports that for Indonesia, like several other countries in the region, labor export “has become an increasingly important strategy for addressing unemployment, generating foreign exchange, and fostering economic growth”.^{xv}

Reflecting on the treatment of Indonesians by a neighboring state, which shares similar cultural, religious and ethnic attributes, a prominent Indonesian intellectual observed: “Who are we if all we can export abroad is unskilled workers? It means we are really a nation of coolies and a coolie among nations” (Perlez 2002). This query reflects the anger and outrage

over the disposability of migrant bodies, at once useful and servile, and at other times, dispensable and and dangerous. The deportation of thousands of Indonesian migrants from Malaysia captured headlines around the world and provoked outrage especially in the Indonesia media. News reports also highlighted public protests in the Philippines, another country whose nationals were affected, and in Indonesia over the treatment of migrant workers as new laws affecting their status came into effect in Malaysia in 2002.^{xvi} The Philippines and Indonesia responding to negative reports in their media and growing public protest over Malaysia's deportation and ill treatment of their nationals, demanded greater accountability from that government, but these calls were never strident enough to seriously undermine bilateral relations or stop the flow of workers. Still, labor exporting states have inconsistently, albeit reactively, responded to the plight of their overseas workers (Weekley 2004). While the simultaneous desire for and fear of migrant workers is best seen in efforts to regulate workers, police and secure national borders by labor receiving governments, these contradictions are also displayed in the responses of labor-sending states who have to defend their policies domestically and abroad.

"Dirty, Dangerous, and Difficult"

The majority of migrants are recruited to do low wage, menial, unskilled or semi-skilled work in the construction, manufacturing and household sectors. They fill jobs referred to as the three Ds: Dirty, Dangerous, and Difficult. The deaths and injuries of Indonesian migrant workers from falls off rickety scaffolding on construction sites in Malaysia, and maids falling to their deaths while hanging laundry out of windows in high-rise apartment buildings in Singapore are now well known (More maids are dying...2003). The lack of safety regulations or precautions on the job is part and parcel of the conditions of work encountered by low wage migrants. There are also the deliberate acts of violence against their

person enacted not only by the state, but also by non-state agents such as those engaged in illegally trafficking or employment agencies serving as transit points in receiving states, and employers. In extreme cases, where a maid has been severely abused and the case makes it to the front pages of local newspapers, the employer is dutifully charged and put on trial. Such cases are now being more openly reported and with sufficient frequency in the media that some pressure is now being put on governments to better regulate and monitor domestic workers' conditions of employment (Maids suffer serious...2005; Megan and Shadiqe 2005; Selvarani 2005).

The feminization of the migrant, which intersects with the hypermasculinization of national security and national identity, disclose processes of inclusion and exclusion, and hierarchies of self and other, which underpin migration policies and border practices in Southeast Asia in the context of economic liberalization. For example, migrant domestic workers fill an expanding demand for domestic work in middle and upper middle class homes. Remuneration for work in the household is significantly lower than in other sectors of the economy, reflecting the sexual division of labor and the feminization of domestic work. The employment of migrant domestic labor is also closely related to the modernizing ambitions of both receiving and sending states. As Chin (1998) argues in her case study of the Malaysian situation, female domestic work enables middle class women in these countries to move into the workforce in large numbers further underlining the links between economic globalization and structural (class) shifts in developing countries. In the completely unregulated environment of the home worker abuse is common and difficult to address. Long working hours with no rest days, the restriction of mobility, sub-standard accommodations compounded by the absence of binding contracts between maids and their employers make life for the average domestic worker a rather grim one (Asis 2003). Malaysia and Indonesia signed a bilateral accord in 2003—a Memorandum of Understanding—to regulate recruitment

of domestic workers, but there were no protections accorded to domestic workers who make up, by some estimates, nearly half of the Indonesian workers going to Malaysia each year (Malaysia: labor accord...2003). There has been widespread criticism of the treatment of domestic workers, who are considered by some NGO advocates as the most vulnerable of the migrant worker population.^{xvii} The limitations of the accord reveal the low priority attached to domestic work and its feminization in national policy agendas and legislative practices.

The conflict and tensions over securing national borders and in dealing with migrant labor is evident not only at the inter-state level but also in the realm of civil society. In his application of the Foucauldian concept of “govern mentality”^{xviii} to a discussion of Indonesian transnational labor migration, Daromir Rudnyckyj explores how both state and non-state entities in Indonesia employ strategies or “technologies”, critical to govern mentality, that discipline and facilitate the out-migration of Indonesian workers (Rudnyckyj 2004). Technologies of servitude involve teaching would be domestic workers from remote villages in Indonesia how to behave with their overseas employers, including inculcating in these women expectations of how they must comport themselves in their new jobs such as not looking their employers in the eye, speaking from “a kneeling or stooping position”, speaking in a low voice and other such servile postures (Rudnyckyj 2004). While technologies of servitude are identified with non-state entities in Indonesia such as human resource companies in the business of brokering the trade in Indonesian domestic workers, non-governmental organizations seeks government intervention to rationalize and regulate the flow of workers, according to Rudnyckyj. The latter point constitutes a more critical assessment of the role of migrants’ rights NGOs and is an important one, which does not trivialize or romanticize NGO participation or interventions.

Regional hierarchies constructed around the consumption of cheap migrant labor in the pursuit of capitalist development and modernity also produce indifference toward the

welfare of migrant workers among the general population in both sending and receiving countries (Chin 1998; Devashayam et al 2004; Yeoh et al 2004). Such indifference has mobilized domestic, regional and transnational NGOs to publicize and organize on human rights violations associated with migrant labor. These groups have been convening conferences and workshops on migrant labor issues and regional networks have sprung up bring together NGOs in both sending and receiving countries. Serious human rights and labor rights violations against migrant workers have been documented by local and transnational human rights groups but these have not been received well by governments leading groups to publicize the abuses, raise the awareness of workers, and network amongst themselves and with international organizations such as the ILO.^{xix} Putting the spotlight on the plight of migrant workers has been a double-edged sword for some activists like Irene Fernandez, head of the Malaysian migrants' advocacy group, Tenaganita. She was charged in 1996 with "maliciously publishing false news" when she prepared and circulated a report on conditions in government-operated detention centers holding migrant workers (A call for justice...1996). She was subsequently tried and convicted of the offense in 2003. Fernandez's case demonstrates the high risks associated with publicizing the poor treatment of migrant workers in Malaysia by state agencies. Once again, "national interest" trumps human security.

Conclusion

The movement of migrants across borders is suggestive not only of an increasingly skewed distribution of global wealth and resources but also the wearing down of borders as economic liberalism intensifies its global reach. Transnational migration, while consistent with specific economic and social policies of labor exporting and receiving states, is embedded in social relations of power on a global scale.^{xx} As Grace Chang (2000) notes “immigration from the Third World into the United States doesn’t just happen in response to a set of factors”, but results also from the conditions imposed on developing countries that depend on the export of labor. This is replicated on a regional scale in Southeast Asia in the hierarchical relations that enable one group of countries to be labor receivers and yet another to be senders, with both sides enacting relations of reciprocity that commodify and dehumanize the migrant while engaging in border security and regulatory practices. Despite the prospect for economic opportunity, there is a growing sense of displacement and disenfranchisement for many migrant workers whose contributions to the state’s economic growth are not recognized or valued. Worse, migrant workers whose labor sustains neo-liberal economic policies worldwide are seen as disposable—hired during good economic times favoring employment of low wage labor and sent home when times are bad and their presence grows the unemployment pool. They may then be cast out as a drain on state resources and a threat to national security.

State practices around securing borders evoke not only transgressions of physical or geographic markers, a space delineated by sovereign authority, but evoke also national fears around being invaded or contaminated by the foreign, migrant other. Consequently, when states call for better border policing measures, they are also simultaneously performing border acts that involve the policing of bodies. This may be seen in diverse contexts where migrant workers have come to constitute a high level issue on political agendas even as they

are relegated to camps and detention facilities, or in Agamben's words, "zones of exemption". Migrants are further presented as quantifiable and numbered threats to the national security and sovereignty of the receiving state.^{xxi} Territoriality and sovereign authority are thus extended to control of the unmarked spaces constituted by migrant bodies. In the process, national fears are mapped onto migrant bodies by invoking metaphors of disease, contagion and danger that keep distinct self/nation and immigrant/other. Additionally, the specter of millions on the move stirs anti-immigrant sentiment and provides fodder for anti-immigrant acts by non-state entities. Neither the plight of migrant workers who make up these flows nor state efforts to contain and police migration in Southeast Asia markedly differ from state discourses around migration in other contexts such as in the United States of America or in the European Union. A core difference may lie in the overtly racist, white supremacist logic evident in the recent public debate around immigration in the United States. This emerges as well in US media coverage, some conservative think tanks, and immigration watchdog groups such as Federation for American Immigration Reform (FAIR) and the Minutemen. Nevertheless, the "othering" of the migrant, even if it does not assume such overtly racist tones in Southeast Asia, reflects the state-centric, realist, and as critical feminists have convincingly argued, the gendered discourse around security. This in turn poses significant challenges in securing an alternative critique and discourse around human security, which is just and emancipatory.

Notes

ⁱ This paper is a work in progress.

ⁱⁱ This paper is attentive mainly to low wage, or unskilled or semi-skilled migrants, and not workers such as well paid “expatriates”, whose wages and conditions of employment are not comparable to those hired for menial, factory or low-end service jobs such as in the restaurant business.

ⁱⁱⁱ In a report released in July 2006, the UN Secretary General noted that there are 191 million people living outside their country of origin. This figure presumably includes a wide range of migrations.

^{iv} In this paper no distinction is made between the security of “documented” and “undocumented” labor migrants for these reasons. While the use of such terms may also be problematic, and others prefer the use of “regular” and “irregular” to describe different types of migration (e.g. Koser 2005), I generally stick to the nomenclature utilized more widely in the literature while recognizing its potential pitfalls. The use of terms such as “legal” and “illegal” to describe migrants is generally avoided since the distinction criminalizes many and denies migrants the basic rights accorded to all under international law (Koser 2005: 5).

^v Benhabib (2004) addresses this exclusion as one of denial: of political membership and the universal rights of migrants.

^{vi} Emphasis is in the original.

^{vii} Agathangelou and Ling in their critique of conventional IR further argue that the isomorphism of realism and liberalism—their complementary emphases on the “mirage of ‘politics’ and ‘economics’”—reveals the abstract individualist, instrumentalist, and patriarchal underpinnings common to both (Agathangelou and Ling 2004a: 24-25).

^{viii} I elaborate on the relevance of this concept in the next section.

^{ix} In an article on the linkages between migration and security, which appeared in the *Journal of International Affairs* in 2002, Nazli Choucri prefaces her discussion with this quote: “As migration is defined as the movement of people across national boundaries—an inter-state phenomenon—we would expect it to be addressed by students of international relations...it is glaring to note the absence of migration as a topic in graduate courses in the field and its practical non-existence in the textbooks” (Choucri 2002: 97). While this author has not done a survey of textbooks or graduate courses, it is notable that only until recently, and evident in the latest International Studies Association Annual Meeting program, has immigration as a topic captured more attention in the field. Even so, few journals in the field devote space to a discussion of migration and even fewer scholarly volumes have appeared on the topic by IR scholars. Notable exceptions include Doty (1996, 1999, 2001, 2003), Persaud (2002); Agathangelou (2004); Soguk (2000).

^x Karen Fog Olwig suggests that: “Transnational theory has contributed to our understanding of migration by pointing to the inadequacy of investigating population movements in terms of one-way movements that result in the gradual integration of migrants into the receiving country.” (Olwig 2003: 787). Olwig is critical of the claims of transnational theory and argues that it “simplifies the complexity of migration processes and the socio-economic relations and cultural values that underline these processes”

^{xi} Put another way, “deepening commodification takes place through three inter-related processes: the transnationalization of production, the globalization of financial markets, and the emergence of a global labor market” (Overbeek 2002).

^{xii} See Human Rights Watch, vol. 16, no. 9: 11

^{xiii} The writings of Agamben, particularly his 1998 work, *Homo sacer: sovereign power and bare life*, provide a way to think about the exclusion of the migrant in political life. A more in-depth exploration and discussion of this concept will be addressed in revisions to this paper. On the significance of Agamben’s work for IR see Shapiro (2002). For an informative discussion of Agamben’s ideas and their application to refugees’ status see Rajaram and Grundy-Warr (2004).

^{xiv} See Human Rights Watch, vol. 16, no. 9.

^{xv} Ibid.

^{xvi} For example, Perlez, “For some Indonesians, echoes of ‘coolie’ nation”; “Protestors burn Mahathir’s portraits, Malaysian flag over alleged abuse of deportees”; Simanjuntak, “Rights body calls for tough action against KL employers”.

^{xvii} Ivy Josiah, Women’s Aid Organization (WAO). Author interviews: December 2003; July 2006.

^{xviii} Governmentality, in Rudnyckij’s explanation, involves: “the application of knowledge to a population in order to achieve effects that are deemed simultaneously beneficial for an individual, a collectivity, and a state. Governmentality may be visible in the techniques, theories, and strategies intended to elicit certain skills and attitudes.”

^{xix} Author interviews: Aegile Fernandez, Tenaganita (April 2004; July 2006) and Ramon Beltran, Asia Pacific Mission for Migrants (October 2003).

^{xx} Saskia Sassen (1999) explores the relationship between transnational economics and the transformation of the state leading to what she calls a de facto transnationalization of immigration policy.

^{xxi} Figures about the numbers pouring across borders are routinely issued by state officials and quickly contested by all sides to the immigration debate.

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For Details, Please Contact:

Puan Norinah Mohd. Ali
Pegawai Penyelidik Sosial
Institut Kajian Malaysia & Antarabangsa (IKMAS)
Universiti Kebangsaan Malaysia
43600 Bangi, Selangor
Tel : 603-89215487 / 4169
Fax : 603-89261022
E-Mail : nira@pkrisc.cc.ukm.my