BETWEEN WORLDS: FILIPINO DOMESTIC WORKERS IN HONG KONG, 1970-2005

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Declaration for PhD thesis

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Abstract

This study examines the transformation of Filipino domestic service in Hong Kong from its official recognition by the Hong Kong government in the 1970s to 2005. In undertaking a historical analysis on the origins, legislation, discourses and practices of the Filipino migrant community in Hong Kong, this dissertation aims to shed light on the way abstract concepts that are attached to nationality and citizenship become inscribed into everyday existence and become markers of status and belonging.

This dissertation departs from existing scholarship on Hong Kong which has predominantly focused on the 1997 Handover, conceptions of democracy, and economic development. By using a multi-method approach, involving archival work, participant observation and interviews, I argue that the developments of the Filipino community in Hong Kong are not isolated or unique, nor are they simply political or social. The dissertation highlights the ways in ways in which the actions and perceptions of the Hong Kong and Philippine government, local and expat employers and employment agencies instigate and sustain the marginalisation of domestic helpers. Attention to this oft-ignored aspect of Hong Kong's history is important in understanding the cultural and social history of the city by highlighting how Chinese locals, foreign expats and Filipino migrants, who are often written in contrast with one another, are in actuality simultaneously bound and affected by each other.

Keywords: *Hong Kong; Filipino; Domestic Service; Migration; Labour; Industrialisation; NGOs; Public Space; Citizenship*

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Abbreviations

Terms

CRSR…..…….United Nations Convention Relating to the Status of Refugees
DH…….Domestic helper
DRID…….Documentation, Research and Information Dissemination
ETOC…….Education, Training, Organising and Campaign Support
FIES…….....Family Income and Expenditure Surveys
HKSAR……..Hong Kong Special Administrative Region
HSBC…….Hongkong and Shanghai Banking Corporation
ICCPR……International Covenant on Civil and Political Rights
ICESCR…….....International Covenant on Economic, Social and Cultural Rights
IPMA…….Institutional Promotion and Migrant Advocacy
LEAP ……Labour and Employment Assistance Program
LTE……Letters to the editor
MTR……...Mass Transit Railway System
NGO…..…….Non-governmental organisations
OCW …….Overseas Contract Workers
PCSW…….Pastoral Care and Social Welfare
PDOS…..…….Pre-Departure Orientation Seminar
PRC ……People's Republic of China
SOW……Survey of Overseas Workers
WITE……...Women's Initiatives towards Employment

Government Bodies—Hong Kong

CFA…..…….Court of Final Appeal
CFI…..……..Court of First Instance of the High Court
FMWU…….Filipino Migrant Workers' Union
LegCo…..……..Legislative Council of the Hong Kong Special Administrative Region

Government Bodies—Philippines

DOLE……...Department of Labor and Employment
NSB……..National Seamen's Board
NSO…….National Statistics Office
OEDB …….Overseas Development Board
OWWA……Overseas Workers Welfare Association
POEA……...Philippine Overseas Employment Association
POLO…..……..Philippine Overseas Labour Office
WelFund……Welfare Fund

Legislation—Hong Kong

BORO……Bill of Rights Ordinance
MAW……..Minimum Allowable Wage
NCS……New Conditions of Stay
ROA ……...Right of Abode

Non-Governmental Organisations

AMCB……...Asian Migrants Coordinating Body
APL……...Alliance of Progressive Labor
APMM……..Asia Pacific Mission for Migrants
ASL……...Association of Sri Lankans
ATIS……..Abra Tingguian Ilocano Society
ATKI…….....Association of Indonesian Migrant Workers
BAYAN……Bagong Alyansang Makabayan
CCA……..Christian Conference of Asia
FEONA……Far East Overseas Nepalese Association
FOT……..Friends of Thai
HDH…….Helpers of Domestic Helpers
HKCTU……Hong Kong Confederation of Trade Unions
MFMW…….Mission for Migrant Workers (formerly Mission for Filipino Migrant Workers
MI……Migrante International
NCCP……National Council of Churches in the Philippines
PAHK……Philippine Association of Hong Kong
TRA……Thai Regional Alliance
UNIFIL……...United Filipinos in Hong Kong

Monographs- Chinese

JYWS…….*Jia you waiyong shouce*《家有外傭手册》
LW……*Lunjin Waiyong* 《論盡外傭》
QZW…..……*Quanfangwei zhangkong waiyong*《全方位掌控外傭》
PWBT……*Pingqing waiyong bidu tianshu*《聘請外傭必讀天書》

Monographs- English

ASW……*Asiaweek*
BT……*Bulletin Today*
DPA……*Deutsche Presse-Agentur*
HKS……*HK Standard* AKA *The Standard*
SCMP……...*South China Morning Post*
TF……*Tinig Filipina*
WG……...*Weekly Guardian*

Note on Romanisation and Terms

Transliteration for most Chinese book titles, proper nouns and names follows the Hanyu pinyin system, except for some Cantonese terms that are better preserved via the Jyutping romanisation system developed by the Linguistic Society of Hong Kong. In those cases the pinyin spelling is supplied in parentheses. For example: 'women's residences'（*neoi*^{5} *jan*^{2} *uk*^{1}, *nüren wu*，女人屋).

The term 'Hong Kong' (with a space separating the two characters) is retained throughout the dissertation unless the original documents indicate otherwise.

Note on Interviews

Due to the sensitive nature of this topic all the names of the domestic helpers in this dissertation are pseudonyms because of their requests for anonymity. For all those who have given me permission to publish their names will be appropriately indicated otherwise.

The participation of the DHs in this line of research could cost them their jobs, and could even get them in blacklisted by employment agencies and get them in trouble with the Immigration Department. None of the interviews and focus group meetings were tape recorded; notes were taken with the participants' permission during the interview. The research undertaken during the fieldwork period from 2012-13 includes series of interviews and focus group meetings with twenty-five domestic helpers and activists, as well as archival research conducted at the Central Library in Causeway Bay and the Special Collections in the University of Hong Kong Library.

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Introduction

If one looks in Hong Kong's official records, the history of domestic helpers (DHs) begins in 1973 and it may seem as if their legal status and treatment has not changed that much with the 1997 Handover. However, there are some pertinent questions that remain unaddressed that this dissertation will address. Rather than focusing on discussions of exploitation and victimhood, the focus of this research is on the multifarious discourses and practices of Hong Kong citizenship negotiated between local Chinese, foreign expat and Filipino migrant communities.

This dissertation is divided into two main sections, each of which addresses a specific need within the literature. The first section is a historical study on the emergence of a unique Hong Kong identity, which is contextualised with an examination of the push and pull factors of both Hong Kong and the Philippines in order to understand how transnational domestic service was established in the city. During the colonial period both nationality and citizenship became less abstract and became inscribed into political, social and civil life, and later as markers of belonging and status. I will focus on the discourses of Hong Kong citizenship popularised by several groups: the British colonial officials, the government officials of the HKSAR government established after the 1997 Handover, and the Chinese middle-class intellectuals. An essential part of this dissertation is to historicize how and when the notions and definitions, rhetoric and expressions of a 'Hong Kong Belonger' (also known colloquially as 'Hong Konger') identity—a way of thinking which is central for the middle-class Chinese locals—came into being for the British administration, the Hong Kong Chinese leadership and the local Chinese population.

This key ideological and practical transformation is missing from the existing scholarship, but is crucial for understanding how domestic service is viewed and understood in Hong Kong. The 'Hong Kong Belonger' status held by the local Chinese of the territory after 1971 became an identity label that the Chinese themselves moulded and

projected onto others. By that point, the identity card that marked them as a Hong Kong Belonger, the various civil, political and social rights, as well as the international recognition accorded to them as a population became a conceptual marker that essentially separated them from the foreign expats, the Vietnamese refugees, the Mainlander immigrants, the Filipino DHs. The existence of this label and accompanying 'monocultural' attitude that runs deep in the psyche of the local Chinese community is reflected in the history of the existence of, and the engagement with, the Filipino migrant community.[1]

By using official legislations and Chinese and English press I trace the continuities of colonial laws and legislations pertaining to foreign DHs to the postcolonial, HKSAR era, influencing the construction and representation of the Hong Kong citizen. The processes by which the British administration created a unique status for Hong Kong citizens and how that has affected the formation of its local Chinese middle-class community has been largely ignored in the literature. This dissertation will hopefully contribute to an understanding of how the British and Hong Kong Chinese developed ideologies of citizenship and belonging as well as highlighting the process by which these ideologies permeate practices of community formation in the postcolonial period. Notions of what, and who, constituted a 'citizen' developed in the context of the colonial era, Britain's own transition from empire to nation-state, Hong Kong's Chinese and Vietnamese refugee crises and Hong Kong's transition from colony to SAR.

The second section of the dissertation then shifts its attention to the interactions between the employers and the Filipino DHs. Here both foreign expat and local Chinese employers are examined in order to highlight the changes and continuities of attitudes towards domestic service. After the 1997 Handover the demographics of employers shifted from British expats to the local Chinese. The reverberations of this shift is expressed in the change in demand from Filipino DHs to Indonesian DHs who are more adept at speaking Cantonese and whose wages are significantly lower than that of the Filipinos. Central to this study is to contextualise this shift, as well as understanding how these three communities perceive each other, come together, and negotiate boundaries.

Like the formation of the 'Hong Kong Belonger' identity, the existing historiography has neglected the interconnections between the communities. This is

[1]The term "monocultural" is used by Yun-Chung Chen and Mirana Szeto to refer to Hong Kong's approach towards diversity. Chen, Yun-Chung and Mirana May Szeto. "In-Your-Face Multiculturalism: Reclaiming Public Space and Citizenship by Filipina Immigrant Workers in Hong Kong, in *Worlding Multiculturalisms: The Politics of Inter-Asian Dwelling*, ed. Daniel P.S. Goh (New York: Routledge, 2015), 56-57.

beneficial for the contemporary socio-cultural implications of Hong Kong citizenship and community formation. The Filipino community, recognised in the city's official censuses since the 1970s, has attempted to mould and claim Hong Kong citizenship as their own since 2010 and continues to fight for their right to exist in the city as equals to other foreign migrants.

The latent animosity expressed by foreign and local employers, which occasionally shifts to reluctant tolerance, is revealed in this study's analysis of their attitudes via Chinese and English press, interviews, and Chinese employment manuals. In doing so, I aim to trace patterns of local and expat attitudes towards DHs, and how they influence the transformation of the DH. Employers and their understandings of domestic service have been neglected in the historiography, particularly the extent to which government ideologies and state discourses trickle down into everyday practices. The final part of the dissertation focuses on the Filipino community entirely where interviews and documents of local NGOs are used to demonstrate the processes by which the Filipino community engage with, and struggle for, a place in this society which many of them have contributed to for almost a decade. This dissertation will hopefully contribute to an understanding of how employers view domestic service and DHs, as well as highlight how these DHs actively negotiate and work against these ideologies.

Domestic Workers in Hong Kong and Asia

Scholarship on Filipina DHs in Hong Kong has largely focused on the socio-cultural and political aspect, seeing the DHs in somewhat polar extremes, as opposed to women who are just trying to live, and make a living, in a country that is not their own. Much work on the topic, academic or otherwise, is concentrated on survival on the micro level: how it all began, what this all means, and also shifting blame to the employers or governments. The object of this section is not to give a survey of all that has been done on Filipina DHs in Hong Kong as it is still very much a work in progress despite the incredible efforts of Nicole Constable. Instead, this section isolates several relevant areas in the field that are significant to this study and to locate this research within those developments.

Arguably most of those who have contributed to the study of Filipina DHs in Hong Kong have largely operated within the fields of sociology, anthropological or political sciences and thereby restricting our understandings to the *why* and *how* of the

phenomenon, leaving details about the interconnections between ideologies, dynamics between actors and patterns of discourses unexamined.[2] Carolyn French spearheaded the field with her PhD dissertation on the community in 1986 wherein she conducted an incredible study with twelve hundred participants in order to examine their primary motivations for choosing employment in Hong Kong, as well as other characteristics pertaining to their work in Hong Kong.[3]

Following French's research, using mainly interviews and participant observation, the next wave of scholars, in particular Nicole Constable, has been striving to shed light on the stories of domestic workers whose voices have previously been silenced and unheard. Nicole Constable's seminal work, *Maid to Order in Hong Kong*, takes French's research further by analysing the subject using a Foucauldian lens.[4] It is not only the first extensive study on the theoretical aspects of the subject (as opposed to the quantitative approach preferred by French), but also addresses the reductive characterisation of female Filipino DHs as empowered/oppressed or active/passive agents. Her other works have continued the theme of exploring the social identity of these women using an anthropological, and

[2] Nicole Constable, *Maid to Order in Hong Kong: Second Edition* (Ithaca, NY: Cornell University Press, 2007); Kimberley Chang and L.H.M. Ling, "Globalization and Its Intimate Other: Filipina Domestic Workers in Hong Kong," in *Gender and Global Restructuring: Sightings, Sites and Resistance*, eds. Marianna H. Marchand and Anne Sisson Runyan (London: Routledge, 2000): 27-43; Ma Glenda Lopez Wui, "Worlding Activism: Transnationalizing the Movement for Domestic Workers in Hong Kong and the Philippines," in *Worlding Multiculturalisms: The Politics of Inter-Asian Dwelling*, ed. Daniel P.S. Goh (New York: Routledge, 2015): 55-74; Deidre McKay, *Global Filipinos: Migrant Lives in the Virtual Village* (Bloomington and Indianapolis: Indiana University Press, 2012); Ligaya Lindio-McGovern, *Globalization, Labor Export and Resistance: A Study of Filipino Migrant Domestic Workers in Global Cities* (Abingdon, Oxon; New York: Routledge, 2012); Isabel Taylor Escoda, *Letters from Hong Kong: Collected Radio Essays of an Expatriate Filipino* (Manila, Philippines: Bookmark, 1989); Escoda, *Hong Kong Postscript: Radio, Press and Fictional Reflections on Life in Hong Kong* (Hong Kong: Mediamark, 1994).

[3] Carolyn French, "The Filipinas in Hong Kong: A Preliminary Survey," *Occasional Paper No. 11 for the Centre of Hong Kong Studies*, Chinese University of Hong Kong, 1986a; French, "Filipina Domestic Workers in Hong Kong," (PhD diss., University of Surrey, 1986b).

[4] Constable (2007).

sometimes, ethnographical, lens.[5] Also worth mentioning here is Anju Mary Paul, whose discussions on "stepwise international migration" and "negotiated migration" have revealed both new patterns of international migration and alternative understandings of how migrants reframe their journeys in their respective positions as employees, mothers, wives, sisters and daughters.[6] Interestingly, Maria Jaschok, who is perhaps more well-known for her research on Chinese gender identity and modern Chinese history, examined the politics of public spaces and visibility in a paper presented at the International Conference on Africa and Asia on the occupation of city spaces by Filipina DHs in Hong Kong.[7] Finally, heeding the advice of scholars who have suggested for comparative studies across temporal and spatial boundaries, Rhacel Salazar Parrenas' monograph and articles have successfully engaged in the analysis of international migration and have contributed to the study of migrant Filipina DHs by understanding their emergence as part of a labour diaspora that resulted from "global restructuring" vis-à-vis the Philippines.[8] She persuasively necessitates

[5] Nicole Constable, "Obstacles to Claiming Rights: Migrant Domestic Workers in Asia's World City, Hong Kong," in *Care Migration and Human Rights*, eds. Siobhan Mullally and Sarah van Walsum (London: Routledge, 2015); Constable, *Born Out of Place: Migrant mothers and the Politics of International Labor* (Berkeley and Los Angeles: University of California Press, 2014); Constable, *Migrant Workers, Legal Tactics and Fragile Family Formation in Hong Kong*. Onati Socio-Legal Series 3, no. 6 (2013): 1004-1022; Constable, "Telling Tales of Migrant Workers in Hong Kong: Transformations of Faith, Life Scripts and Activism," *The Asia Pacific Journal of Anthropology* 11, no. 3 (2010): 311-327; Constable, "Migrant Workers and the Many States of Protest in Hong Kong," *Critical Asian Studies* 41, no. 1 (2009): 143-164; Constable, "Introduction: Distant Divides and Intimate Connections," In Special Issue (Part 1) Distant Divides and Intimate Connections: Migrant Domestic Workers in Asia, edited by Nicole Constable. *Critical Asian Studies* 40, no. 4 (2008): 551-566; Constable, "The Politics of Everyday Life among Foreign Domestic Workers in Hong Kong," In Exchange Square: Activism and Everyday Life of Foreign Domestic Workers in Hong Kong, ed. Moira Zoitl [English and German] (Berlin: Jovis Publishers, 2008); Constable, "Brides, Maids, and Prostitutes: Reflections on the Study of 'Trafficked' Women," *Journal of Multidisciplinary International Studies* 3, no. 2 (2006): 1-25; Constable, "Changing Filipina Identities and Ambivalent Returns," *Coming Home: Encounters Between Refugees, Immigrants and Those Who Stayed Behind*, eds. Ellen Oxfeld and Lynellen Long (Philadelphia: University of Pennsylvania Press, 2004): 104-124; Constable, "A Transnational Perspective on Divorce and Marriage: Filipina Wives and Workers," *Identities: Global Studies in Culture and Power* 10, no. 2 (2003): 163-180; Constable, "Dolls, T-Birds, and Ideal Workers," in *Home and Hegemony: Domestic Service and Identity Politics in South and Southeast Asia* eds. Kathleen Adams and Sara Dickey (Ann Arbor: University of Michigan Press, 2000): 221-248; Constable, "At Home but Not at Home: Filipina Narratives of Ambivalent Returns," *Cultural Anthropology* 14, no. 2 (1999): 203-228; Constable (2007); Constable, "Sexuality and Discipline Among Filipina Domestic Workers in Hong Kong," *American Ethnologist* 24, no. 3 (1997a) 539-558;); Constable, "Jealousy, Chastity, and Abuse: Chinese Maids and Foreign Helpers in Hong Kong," *Modern China* 22 (1996): 448-479.

[6] Anju Mary Paul, "Negotiating Migration, Performing Gender," *Social Forces*, Advance Access (2015): 1-23; Paul, "Stepwise International Migration: A Multistage Migration Pattern for the Aspiring Migrant," *American Journal of Sociology* 116, no. 6 (May 2011): 1842-1886.

[7] Maria Jaschok, "'A Public Nuisance': Reflections on the Occupation of City Spaces by Filipina Domestic Helpers in Hong Kong," Paper presented at the International Conference on Africa and Asia (Hong Kong, 1983).

[8] The term "global restructuring", borrowed from Parrenas, refers to the economic reconstitution triggered by transnational corporatism and post-national finance capitalism.

an understanding of the similarities among migrant Filipina DHs in different contexts in order to better grasp their position in the global economy.[9]

And as a result of their work they have helped in dispelling the myth of domestic workers as helpless and passive victims, but as agents of change. At present two main trends are at work within the field. First is the sharp increase of studies in recent years on the methods of active resistance and political activism taken by Filipino DHs, particularly notable in this regard are those by Ma Glenda Lopez Wui, Ligaya Lindio-McGovern, Nicola Piper and Amy Sim.[10] The other is the predominant focus on Filipina DHs, and occasionally their relationship with their foreign expat employers, isolating the local Chinese community, which unfortunately overlooks the interrelated dynamics of the local Chinese and the Filipino communities, and the increasingly important role that Chinese employers are playing in domestic service.

However, if we move away from Hong Kong, this approach has been moderated by scholars like Pei-Chia Lan, Shu-Ju Ada Cheng, Shirlena Huang and Brenda Yeoh whose works despite being focused on Taiwan, and Singapore in the latter case, who have been delving into the dynamics between Taiwanese/Singaporean employers with their Filipina

[9] In particular: Rhacel Salazar Parrenas, "Transgressing the Nation-State: The Partial Citizenship and 'Imagined' (global) Community' of Migrant Filipina Domestic Workers," *Journal of Women in Culture and Society* 26, no. 4 (2001a): 1129-1154. *Servants of Globalization: Women, Migration and Domestic Work* (New York and London: New York University Press, 2001b) gives a brilliant overview of the connections of NGOs across national and local borders. Her other works looks at other aspects of transnational domestic service, in particular mothering and emotional labour, see: Parrenas, "The Reproductive Labor of Migrant Workers," *Global Networks* 12, no. 2 (2012): 269-275; Parrenas, "Transnational Mothering: A Source of Gender Conflicts in the Family," *University of North Carolina Law Review* 88, no. 5 (2012): 1825-1856; Parrenas, *The Force of Domesticity: Filipina Migrants and Globalization* (New York: New York University Press, 2008); Parrenas, *Children of Global Migration: Transnational Families and Gendered Woes* (Stanford, CA: Stanford University Press, 2005); Parrenas, "Migrant Filipina Domestic Workers and the International Division of Reproductive Labour," *Gender & Society* 14, no. 4 (2000): 560-580.

[10] Lindio-McGovern (2012); Amy Sim, "Organizing Discontent: NGOs for Southeast Asian Migrant Workers in Hong Kong," *Asian Journal of Social Science* 31, no. 3 (2003): 478-511; Nicola Piper, "Political Participation and Empowerment of Foreign Workers: Gendered Advocacy and Migrant Labour Organizing in Southeast and East Asia," in *New Perspectives on Gender and Migration: Livelihood, Rights and Entitlement*, ed. Nicola Piper (New York: Routledge, 2008), 247-273; Piper, "Temporary Economic Migration and Rights Activism: An Organizational Perspective," *Ethnic and Racial Studies* 33, no. 1 (2010a): 108-125; Piper, "Temporary Migration and Political Remittances: The Role of Organisational Networks in the Transnationalisation of Human Rights," *European Journal of East Asian Studies* 8, no. 2 (2009): 215-243; Wui (2015).

domestic workers.[11] Particularly interesting is Cheng's *Serving the Household and the Nation* that looks on the interactions of Filipina domestic workers in Taiwan with their employers and government bodies as well.[12] Others, such as Bridget Anderson, Mark Johnson, and Christopher Wilcke have delved into issues of immigration control and employment regulations of Filipino domestic workers in the United Kingdom, Middle East, and Taiwan.[13] Their discussions provide a good comparison to Hong Kong where, on paper at least, it is regarded as one of the best places in the region to work in the world.[14] Unlike other regions, like the Middle East, for example, Hong Kong has a formal temporary labour migration scheme for domestic workers. The city also has one of the most liberal visa regimes in the world and there is no set limit for the number of visas issued to foreign DHs.[15] Furthermore, the government argues that there are a number of statutory regulations in place to protect DHs, including: a minimum 24-hour rest period per week, a monthly Minimum Allowable Wage (MAW). In addition, employers must also provide free healthcare for their DHs and take out a relevant insurance policy to cover their liability under the Employee's Compensation Ordinance and common law.

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[11] Pei-Chia Lan, *Global Cinderellas: Migrant Domestics and Newly Rich Employers in Taiwan* (Durham, NC: Duke University Press, 2006); Lan, "Surrogate Family, Disposable Labour and Stratified Others: Transnational Domestic Workers in Taiwan," in *Asian Women as Transnational Domestic Workers*, eds. Shirlena Huang, Brenda S.A. Yeoh and Noor Abdul Rahman (Singapore: Marshall Cavendish Academic, 2005): 210-232; Shu-Ju Ada Cheng, *Serving the Household and the Nation* (Oxford: Lexington Books, 2006); Cheng, "Contextual Politics of Difference in Transnational Care: The Rhetoric of Filipina Domestics' Employers in Taiwan," *Feminist Review* 77 (2004): 46-64; Cheng, "Rethinking Globalization of Domestic Service: Foreign Domestics, State Control and the Politics of Identity in Taiwan," *Gender & Society* 17, no. 2 (2003): 166-186; Shirlena Huang, et al., *Managing Transnational Flows in East Asia* (Seoul, Jimoondang, 2012); Brenda Yeoh and Shirlena Huang, "'Home' and 'Away': Foreign Domestic Workers and Negotiations of Diasporic Identity in Singapore," *Women's Studies International Forum* 23, no. 4 (1999b): 413-429; Yeoh and Huang, "Singaporean Women and Foreign Domestic Workers: Negotiating Domestic Work and Motherhood," in *Gender, Migration and Domestic Service*, ed. Janet Henshall Momsen (London: Routledge, 1999a), 273-296; Yeoh et al., *Gender Politics in the Asia-Pacific Region* (London: Routledge, 2002).

[12] Cheng, *Household and Nation* (Oxford: Lexington Books, 2006).

[13] Bridget Anderson, *Us and Them?: The Dangerous Politics of Immigration Control* (Oxford: Oxford University Press, 2013); Mark Johnson and Christopher Wilcke, "Caged in and Breaking Loose: Intimate Labor, The State and Migrant Domestic Workers in Saudi Arabia and other Arab Countries," in *Migrant Encounters: Intimate Labor, The State and Mobility Across Asia*, eds. Sara L. Friedman and Pardis Mahdavi (Philadelphia: University of Pennsylvania Press, 2015), 135-159; Pei-Chia Lan, "Legal Servitude and Free Illegality: Migrant 'Guest' Workers in Taiwan," in *New Formations, New Conceptions*, ed. Rhacel S. Parrenas and Lok C.D. Siu (Stanford: Stanford University Press), 253-277.

[14] Justice Centre, *Coming Clean*, 12; Focus group meeting at the Diocesan Pastoral Centre for Filipinos (DPCF), 13 October 2012.

[15] Over 170 nationalities may receive a visitor visa on arrival, ranging from seven to 180 days. Hong Kong Immigration Department, "Visa and Policies Branch," 2011, http://www.immd.gov.hk/publications/a_report_2011/en/ch1/index.html (last accessed 17 March 2016); HKSAR LegCo Secretariat, "Background Brief on Employment of Foreign Domestic Helpers for the Meeting on 16 June 2015," LC Paper No. CB(2)1683/14-15(06), LegCo Panel on Manpower, para. 7, http://www.legco.gov.hk/yr14-15/english/panels/mp/papers/mp20150616cb2-1683-6-e.pdf (last accessed 17 March 2016).

Recent studies focused on Hong Kong have therefore increasingly looked at the DHs and their interactions with the local community outside of the home.[16] Nonetheless, such scholarship has continued to perpetuate the same entrenched separation between employers and domestic workers, which is an area that this study hopes to address. It is also worth noting that despite their wide geographical and numerical distribution, studies on Filipino DHs only came about in the past ten to fifteen years. Canada, Taiwan and Singapore continue to remain the areas that are the most extensively studied.[17] Emergent areas include Europe and the United States.[18] Other than the works that were mentioned in the previous section, comparative studies continue to remain underrepresented. Also equally important to note are the studies of Filipino domestic workers in the Philippines who are often ignored in the scholarship.[19]

Studies of Household and Domestic Work

Studies on unpaid domestic labour developed as a result of the social turn in historical studies beginning in the mid-1960s that was committed to reconstructing the everyday practices of ordinary people and viewing them as actors capable of driving social changes.[20] Perhaps driven by Lefebvre's concern that scholarship had only previously been focused on physical, rather than 'social space', what followed is described by Wendy Webster as "a

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[16] Chen and Szeto (2015); Sim (2003); Wui (2015).

[17] Fe R Arcinas, et al. *The Odyssey of the Filipino Migrant Workers in the Gulf Region* (Quezon City: Department of Sociology, College of Social Science and Philosophy, University of the Philippines, 1987); Cheng (2003, 2004, 2006); Malsiri Dias and Nedra Weerakoon-Gunawardene, *Female Labour Migration to Singapore and Hong Kong: A Profile of the Sri Lankan Housemaids* (Colombo, Sri Lanka: Centre for Women's Research, 1991); Lan (2003; 2005); Geraldine Pratt, "Stereotypes and Ambivalence: The Construction of Domestic Workers in Vancouver, British Columbia," *Gender, Place and Culture* 4, no. 2 (1997): 159-177; Pratt, *Places through the Body* (London; New York: Routledge, 1998); Daiva Stasiulis and Abigail Bakan, "Negotiating Citizenship: The Case of Foreign Domestics in Canada," *Feminist Review*, Autumn 57 (1997): 112-139; Bernadette Stiell and Kim England, "Jamaican Domestics, Filipina Housekeepers and English Nannies: Representations of Toronto's Foreign Domestic Workers," in *Gender and Domestic Service*, edited by Janet Momsen (London: Routledge, 1999), 43-61; Thomas Tan and Theresa Devasahayam, "Opposition and Interdependence: The Dialectics of Maid and Employer Relationships in Singapore," *Philippine Sociological Review* 35, no. 3-4 (1987): 34-40; and, Yeoh and Huang (1999a and b).

[18] Cecilia Tarcoll, "Migrating 'for the sake of the family?' Gender, Life Course and Intra-Household Relations Among Filipino Migrants in Rome," *Philippine Sociological Review* 44, no. 1-4 (1996): 12-32; Charlene Tung, "The Social Reproductive Labour of Filipina Transmigrant Workers in Southern California: Caring for Those Who Provide Elderly Care." PhD diss., University of California Irvine, 1999.

[19] Ernest Brandewie, "Maids in Cebuano Society," *Philippine Quarterly of Culture and Society* 1 (1973): 209-219. Jean-Paul Dumont, "Always Home, Never Home: Visayan "helpers" and identities," in *Home and Hegemony*, eds. Kathleen M. Adams and Sarah Dickey (Ann Arbor: University of Michigan Press, 2000), 119-137.

[20] See Philippe Ariès, *Centuries of Childhood: A Social History of Family Life*, (New York: Vintage Books, 1962); Michael Anderson, *Approaches to the History of the Western Family, 1500-1914*, (Cambridge: Cambridge University Press, c1980).

democratisation of place."[21] As a result, interest in the spaces where the working classes congregated began to pique, such places include: places of leisure, workplace, meeting houses and communities.[22]

These developments extended to primary material as social historians began to move beyond the dusty shelves of the archive. Personal narratives were increasingly used to explore the mentalities of the working class so as to write 'history from below'. Mirroring developments that were taking place with family history—as unpaid domestic labour is ultimately an extension of the family, or an activity therein—the family is no longer seen as a unit suspended in time, but a living and transforming process, construct, ideology, or institution that develops and changes over time.[23] As a result, the home became significant for the sources it held as well. For example, many personal narratives, diaries and memoirs were often held in people's homes. John Burnett's autobiography and Malcom Brown's stories of a private soldier in the First World War, for example, relied extensively on diaries, letters and autobiographies of relatives and friends.[24]

The emergence of women's history, particularly relating to domesticity and the home, was an extension of these larger developments. The history took readers deep into the hearths of homes, allowing them a glimpse into everyday domestic lives and activities, as well as the power relations that lie within them. Histories of sexuality, domestic violence, sexual abuse, hygiene, child-minding, menstruation and consumption were produced.[25]

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[21] Darrin McMahon, et al. *Rethinking Modern European Intellectual History* (Oxford: Oxford University Press, 2014); Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Malden, MA: Blackwell, 1991); Anthony Giddens, *The Constitution of Society: Outline of the Theory of Structuralism* (Berkeley: University of California, 1984); Wendy Webster, "Transnational Journeys and Domestic Histories," *Journal of Social History* 39, no. 3 [Special History on the Future of Social History] (2006): 651-666.

[22] Webster, "Transnational Journeys," 652.

[23] Tamara Hareven, 'The History of the Family and the Complexity of Social Change'*, American Historical Review* vol. 96, no. 1 (1991), 95. See also: Eva Havas, "The Family as Ideology," *Social Policy & Administration* 29, no. 1 (March 1995): 1-9.

[24] John Burnett, *Useful Toil: Autobiographies of Working People from the 1820s to the 1920s* (Bloomington; London: Indiana University Press, 1974); Malcom Brown, *Tommy Goes to War* (London: Dent, 1978).

[25] Paula Baker, "The Domestication of Politics: Women and American Political Society, 1780-1920," *American Historical Review* 89 (1984): 620-647. Baker does a wonderful job of emphasising the significance of the separation between the public and private sphere, especially in relation to the struggle for suffrage. See also: Linda K. Kerber, "Separate Spheres, Female Worlds, Woman's Place: The Rhetoric of Women's History," *Journal of American History* 75 (1988): 9-39; Barbara Welter, "The Cult of True Womanhood, 1820-1860," *American Quarterly* 18 (1966): 151-174; Barbara Cutter, *Domestic Devils, Battlefield Angels: The Radicalism of American Womanhood, 1830-1860* (DeKalb: Northern Illinois University Press, 2003); Nancy Cott, "Passionlessness: An Interpretation of Victorian Sexual Ideology, 1790-1980," *Signs* 4 (1978): 219-236; Ruth Perry, "Colonising the Breast: Sexuality and Maternity in Eighteenth-Century England," *Journal of the History of Sexuality* 2, no. 2, Special Issue: Part 1: The State, Society and the Regulation of Sexuality in Modern Europe (1991): 204-234; Kimberly Crouch, "The Public Life of Actresses: Prostitutes or Ladies?" in *Gender and Eighteenth-Century England: Roles, Representations and Responsibilities* (London, 1997), 58-78. For a good overview of the historiography, see: Karen Harvey, "The Century of Sex? Gender, Bodies, and Sexuality in the Long Eighteenth Century," *The Historical Journal* 45, no. 4 (2002): 899-916.

However, embedded in much of the literature was the dichotomy between the public and private sphere, leading to the assumption that housework is the sole property of the housewife and that women's work in the home is the focal point of gender inequality.

This trend was slowly reversed by the developments of feminist historical work in Britain, with capitalism and patriarchy at its core, which came to produce studies on domestic and family work as well as paid employment.[26] In Webster's essay on the historiography of domestic work she points to the accounts of women contributing to their families' income by taking in washing, sewing, as well as chain-making and nail-making in the Black Country. Accounts of class relationships between women within the home through domestic service were also produced, detailing the ways in which boundaries between private and public, home and work were blurred.[27] Others provided insight into the contemporary organisation of production and suggest some implications for household relations arising from the evolution of family dynamics in early modern economic thought.[28]

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[26] Webster, "Transnational Journeys," 653. See also: Sheila Allen and Carol Wolkowitz, *Homeworking: Myths and Realities* (London: McMillan, 1987); Sue Porter Benson, "Women, Work and the Family Economy: Industrial Homework in Rhode Island in 1934," in *Homework: Historical and Contemporary Perspectives on Paid Labour at Home*, eds. Eileen Boris and Cynthia Daniels (Urbana: Illinois University Press, 1989), 53-74; Leonore Davidoff, *The Employment of Married Women in England, 1850-1950* (London: London School of Economics & Political Science, 1956); Kathleen Adams, "Negotiated Identities," in *Home and Hegemony*, eds. Kathleen M. Adams and Sara Dickey (Ann Arbor: University of Michigan Press, 2000), 157-178; Rachel Tolen, "Transfers of Knowledge and Privileged Spaces of Practice," in *Home and Hegemony*, eds. Kathleen M. Adams and Sara Dickey (Ann Arbor: University of Michigan Press, 2000), 63-86; Dickey and Adams, "Negotiating Homes, Hegemonies, Identities and Politics," in *Home and Hegemony*, eds. Kathleen M. Adams and Sara Dickey (Ann Arbor: University of Michigan Press, 2000), 1-30; Alice Clark, *Working Life of Women in the Seventeenth Century* (London, Routledge: 1982); Bridget Hill, *Women, Work and Sexual Politics in Eighteenth-Century England* (Oxford, Basil Blackwell: 1989); Ivy Pinchbeck, *Women Workers and the Industrial Revolution, 1750-1850* (London, Virago: 1981).

[27] Theresa McBride, *The Domestic Revolution: The Modernisation of Household Service in England and France, 1820-1920* (London: Croom Helm, 1976); Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle-Class, 1750-1850* (London: Routledge, 2002); Leonore Davidoff, "Mastered for Life: Servant and Wife in Victorian and Edwardian England," in Leonore Davidoff, *Worlds Between: Historical Perspectives on Gender and Class* (New York: Routledge 1995); Judy Giles, *Women, Identity and Private Life in Britain, 1900-1950* (New York: St. Martin's Press, 1995); Leonore Davidoff, Megan Doolittle, Janet Fink and Katherine Holden, *The Family Story: Blood, Contract and Intimacy, 1830-1960* (London: Longman, 1999), Chapter 6; Leonore Davidoff and Belinda Westover, *Our Work, Our Lives, Our Words* (Totowa, NJ: Barnes and Noble Books, 1986).

[28] For recent examples, see Patricia Ebrey *The Inner Quarters: Marriage and the Lives of Chinese Women in the Sung Period* (London: University of California Press, 1993); Nancy Folbre, "The Unproductive Housewife: Her Evolution in 19th-century Economic Thought," *Signs* 16, no. 3 (1991): 463-484; Catherine Gallagher, "The Body Versus the Social Body in the Works of Thomas Malthus and Henry Mayhew," in *The Making of the Modern Body: Sexuality and Society in the Nineteenth Century*, ed. C. Gallagher and T. Lacquer (Berkeley: University of California Press, 1987), 83-106; Sander L. Gilman, *Difference and Pathology: Stereotypes of Sexuality, Race and Madness* (London: Cornell University Press, 1985); and Aihwa Ong, *Bewitching Women, Pious Men: Gender and Body Politics in Southeast Asia* (Berkeley, CA: University of California Press, 1995).

In the advent of new imperial histories in the 1990s that drew inspiration from post-colonial theory and taking a cultural turn, connections between the empire and metropolis began to capture the attention of scholars. However, far less was said regarding gender and (labour) migration. The early emphasis on "the masculinist dominance of migration studies" reflected the then widely held and gender-biased perspective that the feminine sphere of reproduction is secondary to the masculine sphere of production.[29] In acknowledgment of these concerns, scholars, especially those who worked from a feminist perspective, increasingly began to remedy this oversight.[30] This engendered a wave of studies that developed, revised and contextualised work on class, gender, race and ethnicity.[31] A notable outcome of this integration of different fields is an expansion of studies on the impact of globalisation on women, specifically on the impact of transnational journeys on the meanings assigned to domestic work, as well as the emotional costs of these journeys.[32]

As A. James Hammerton has observed, the histories of single female migration and domestic service are inseparable.[33] Investigations of the globalisation of domestic work have demonstrated that the role of labour and immigration policies over the identity of foreign domestic workers.[34] On the international scale, there is also an enormous body of

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[29] James Tyner, *Made in the Philippines* (London: RoutledgeCurzon, 2004), 7-8.
[30] See for example: Shellee Colen, "'With Respect and Feeling: Voices of West Indian Child Care and Domestic Workers in New York City," in *All American Women*, ed. J.B. Cole (New York: Free Press, 1986), 46-70; Rhacel Salazar Parrenas (2001a and b); Mary Romero, *Maid in the USA* (London: Routledge, 2002), and Judith Rollins, *Between Women: Domestics and Their Employers* (Philadelphia: Temple University Press, 1985).
[31] Antoinette Burton, "Some Trajectories of 'Feminism' and 'Imperialism'," *Gender and History* 10, no. 3 (1998): 558-568; Valerie Amos and Pratibha Parmar, "Challenging Imperial Feminism," *Feminist Review* 17 (1984): 3-19; Anne McClintock, *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest* (London: Routledge, c1995); Catherine Hall, *White Male and Middle Class: Explorations in Feminism and History* (New York: Routledge 1992); Mrinalini Sinha, *Colonial Masculinity: The 'Manly Englishman' and the Effeminate Bengali' in the Late Nineteenth Century* (Manchester: Manchester University Press, 1995); Dorothy Ko, *Teachers of the Inner Chambers: Women and Culture in Seventeenth-Century China* (Stanford, CA: Stanford University Press, 1994); Jocelyn Armstrong, "Female Household Workers in Industrialising Malaysia," in *At Work in* Hones, eds. Roger Sanjek and Shellee Colen (Washington, D.C.: American Anthropological Association, 1990), 146-63; Elizabeth Uy Eviota, *The Political Economy and Gender, Women and the Sexual Division of Labour in the Philippines* (London: Zed Books, 1992); Jean Frances Illo, "Redefining the *Maybahay* or Housewife: Reflections on the Nature of Women's Work in the Philippines," in *"Male" and "Female" in Developing Southeast Asia*, ed. Wazir Jahan Kavim (Oxford: Berg, 1995), 109-25.
[32] See Robert Reich. *The Work of Nations: Preparing Ourselves for 21st-Century Capitalism* (New York: Knopf, 1991); Saskia Sassen, *Losing Control?: Sovereignty in an Age of Globalisation* (New York: Columbia University Press, 1994); Sassen, *Cities in a World Economy* (London: Pine Forge Press, 1994) for more information.
[33] A. James Hammerton, "Gender and Migration," in Philippa Levine, ed. *Gender and Empire* (Oxford, 2005), 159.
[34] Cheng (2003); Colen (1990); Ong (1991); Parrenas (2001a); Ruby Palma-Beltran, "Filipino Women Domestic Helpers Overseas: Profile and Implications for Policy," *Asian Migrant* 4, no. 2 (1991): 46-52; Pratt (1998); Stasiulis and Bakan (1997); Chang and Ling (2000).

literature emerging that point to the value of comparative studies, particularly of industrialising societies.[35]

While the body of literature is expanding and is, indeed, impressive, studies of domesticity and domestic work in East Asia is still in its infancy, what material exists has largely focused on four main issues: the role of transnational domestic service in the global economy, identifiable patterns of migration practices in domestic work, the emotional costs of transnational domestic work (especially with regards to mothering) and the ethnic division therein.[36] These issues have been investigated principally on women from less developed Southeast Asian countries working in developed East Asian economies, primarily that of Singapore, Hong Kong and Taiwan.

Implicit in many researchers' arguments is that the rising numbers of (South)east Asian domestic workers are important not only to the economies of the countries that receive them, but also to the countries of their origin where a significant percentage of global migrant remittances are sent. Despite, or even arguably because of, their crucial role in the global economy, the growing numbers of transnational domestic workers, who are predominantly female, continue to migrate and work in what is still considered as unskilled labour under harsh conditions in their destination countries and remain highly vulnerable to abuse, and even exploitation. However, there are also others who look at this phenomenon as a form of "stepwise migration," or "multistage migration".[37] As Anju Mary Paul suggests in her article, stepwise migration allows aspiring migrants an alternative strategy to overcome structural barriers that would otherwise prevent them from gaining

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[35] Colen (1986); Dias and Weerakoon-Gunawardene (1991); and, Nobue Suzuki, "Between Two Shores: Transnational Projects and Filipina Wives in/from Japan." *Women's Studies International Forum* 23, no. 4 (2000): 431-444; Shirlena Huang, et al. *Asian Women as Transnational Domestic Workers* (Singapore: Marshall Cavendish Academic, 2005); McKay (2012). See also: Mark Johnson, "At Home and Abroad: Inalienable Wealth, Personal Consumption and Formulations of Femininity in the Southern Philippines," in *Material Cultures: Why Some Things Matter*, ed. Daniel Miller (Chicago: University of Chicago Press, 1998), 215-238.

[36] Colen (1995); Constable (2014); Evelyn Nakano Glenn, "Social Constructions of Mothering: A Thematic Overview," in *Mothering: Ideology, Experience and Agency*, ed. Evelyn Nakano Glenn, et al. (London: Routledge, 1994), 1-32; Nakano Glenn, "Cleaning Up/Kept Down: A Historical Perspective on Racial Inequality in 'Women's Work'," *Stanford Law Review* 42, no. 6 (1991): 1333-1356; Pierrette Hondagneu-Sotelo and Ernestine Avila, "'I'm Here, but I'm There': The Meanings of Latina Transnational Motherhood," *Gender and Society* 11, no. 5 (1997): 548-571; Margaret K. Nelson, *Negotiated Care: The Experience of Family Day Care Providers* (Philadelphia: Temple University Press, 1990); Parrenas (2012); Parrenas (2000); Cameron Lynne Macdonald, *Shadow Mothers: Nannies, Au Pairs and the Micropolitics of Mothering* (London: University of California Press, 2010); Carolyn Sobritchea, "Constructions of Mothering," in *Working and Mothering in Asia: Images, Ideologies and Identities*, eds. Theresa Devasahayam and Brenda S.A. Yeoh (Copenhagen: Nordic Institute of Asian Studies, 2007), 195-220; Wong Sau-ling. "Diverted Mothering: Representations of Caregivers of Colour in the Age of 'Multiculturalism'," in *Mothering: Ideology, Experience and Agency*, ed. by Evelyn Nakano Glenn, et al. (London: Routledge, 1994), 67-91; Yeoh and Huang (1999a).

[37] Paul, "Stepwise International Migration," 1842.

legal entry into their preferred destinations. By working overseas, stepwise international migrants can increase their savings, gain work experience and additional work qualifications which would allow them to qualify for jobs in other countries, as well as to expand their network of contacts, all with the end goal of accumulating enough savings necessary to gain entry into a more desirable country.[38] Paul's study offers a new and refreshing look into existing migration patterns by delineating newer patterns, different temporal ranges and a wholly more dynamic nature. It offers an alternative to the traditional "sojourner" versus "settler" mentality for those who are "in transit" between countries.[39] Indeed, Paul highlights the various creative outlets taken by migrants in response to new global immigration policies that have emerged in recent decades, such as the simultaneous imposition of increased immigration restrictions by developed and high-income developing countries, like Hong Kong, and the establishment of programs to import temporary workers into many of the same destinations to meet the demand for cheap foreign labour in occupational sectors like domestic service.[40]

At present, studies of overseas DHs are predominately divided along class and ethnic lines, wherein a majority have followed in the ideological footsteps of narratives of colonial discourse that are mired in an expression of "a shared European mentality, the sentiments of a unified, conquering elite."[41] Employers, like colonisers in the histories of colonialism are viewed as 'multiple, but unified, and as self-evident, but unproblematic'.[42] This blind spot is, quite literally, a creation of scholars who have attributed power, agency and reality to this entity—the omnipotent and dominating 'Employer'—that has no life in itself. By ascribing an independent reality to this construct, scholars have failed to address the articulation and embeddedness between employers of different strata and domestic workers of different ethnicities, and women's multiple roles and fluid trajectories, as Pei-Chia Lan pointed out in her study of Filipina migrant workers in Taiwan.[43] In overemphasising and essentialising the notion of power whereby the 'domination' of the employer is articulated unilaterally against the so-called 'passivity' of the domestic worker,

[38] Ibid., 1843.
[39] Ibid., 1877.
[40] Ibid., 1844.
[41] Ann Laura Stoler, "Rethinking Colonial Categories: European Communities and the Boundaries of Rule," *Comparative Studies in Society and History* 31, no. 1 (1989): 135.
[42] Ibid.
[43] See Lan (2003). Her other work, *Global Cinderellas: Migrant Domestics and Newly Rich Employers in Taiwan* (Durham, NC: Duke University Press, 2006), is also illuminating in this regard.

which is expressed in the domestic worker's exploitation and struggle, the lacunae and multiplicity of roles that exist between the different subjects are inexorably ignored.

The dichotomy constructed between employers and DHs is arguably flawed since power does not operate uni-/bi-laterally between the two, or are the boundaries between the two identities clear-cut or reducible. Rather, multiple parties, including employment agencies, border officials, and foreign embassies, are implicated in webs of power that overlap and entangle with one another, wherein the domestic realm becomes the stage where the struggle of power is articulated, enacted and negotiated.

At present, no studies have considered the phenomenon of transnational domestic service as an act of human triumph, heroism, or an entry to entrepreneurship, with the exception of Deirdre McKay's work that explores the possibility of this in an essay.[44] Certainly there are a number of deterrents against this path, the main one being that it flies in the face of all the recent North American-centred feminist literature that is written in the still-visible shadows of the 'black mammy' and the Latina maid. But in doing so, they create an exclusionary female-centred trope that is based on the North American experience of domestic service that neglects the temporal and spatial conditions that change under different historical and legal contexts.[45] For instance, consider the three waves of development in the history of labour migration in the non-North American context. The first wave, characterised by the nineteenth-century Chinese coolie trade wherein most menial jobs in kitchens, laundries, and custodial services were dominated by men exemplifies the male-centric origins of labour migration outside of North America.[46] The post-war 1950s to the 1960s saw the arrival of the second wave of labour migration of rural males to the factory environment in the non-Soviet world, but also women moving away

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[44] Deirdre McKay, "Success Stories?: Filipina Migrant Domestic Workers in Canada," in *Asian Women as Transnational Domestic Workers*, eds. Shirlena Huang, Brenda S.A. Yeoh and Noor Abdul Rahman (Singapore: Marshall Cavendish Academic, 2005), 305-340.

[45] Adam McKeown's study on global migration patterns is excellent in tracing the causes, effects and consequences of mass long-distance migrations. See: Adam McKeown, "Global Migration, 1846-1940," *Journal of World History* 15, no. 2 (2004): 155-189.

[46] Anthony Reid, *The Chinese Diaspora in the Pacific* (Aldershot: Ashgate, 2008); Jung Moon-ho, *Coolies and Cane: Race, Labor and Sugar in the Age of Emancipation* (Baltimore: Johns Hopkins University Press, 2006); Jan Breman, *Taming the Coolie Beast: Plantation Society and the Colonial Order in Southeast Asia* (Oxford: Oxford University Press, 1989); Yen Ch'ing-huang, *Coolies and Mandarins: China's Protection of Overseas Chinese During the Late Ch'ing Period (1851-1911)* (Singapore: Singapore University Press, c1985); Tan Kok Seng, *Son of Singapore: The Autobiography of a Coolie* (Singapore: Heinemann Educational Books, 1974); W. Stewart *Chinese Bondage in Peru: A History of the Chinese Coolie in Peru, 1849-1874* (Westport, CT: Greenwood Press, 1970); Francis Loh, *Beyond the Tin Mines: Coolies, Squatters, and New Villagers in the Kinta Valley, Malaysia, c.1880-1980* (Singapore: Oxford University Press, 1988).

from frontier settlement to waged labour in cities and factories.[47] While it has been oft-cited that this was a male-dominated phenomenon, studies by scholars such as Kevin Boyle, Donna Gabaccia, J.D. Gould, Portes and Böröcz, and Ewa Morawska suggest otherwise.[48]

Once again, this was generally an exclusively male phenomenon that largely relegated women to the domestic sphere of their own homes.[49] It was not until the third wave, which is witnessed today, that women found themselves out of their homes in jobs generated in the super-affluent environment of industrialised societies. Thus, to suggest that a) domestic service is exclusively female; b) female migrants were not wage labourers until the contemporary period; and, c) these women are victims that need 'to be saved' from abuse and exploitation, is not only ahistorical but arguably morally self-righteous.

This latter point has been thoroughly researched and supported not only in the context of Filipina DHs in Hong Kong and Taiwan by Constable and Lan, respectively, but also of Sri Lankan and Ethiopian domestic workers in the Middle East by Nayla Moukarbel and Bina Fernandez.[50] The contributions of these scholars to the field are innumerable, but the most valuable by far is their acknowledgement of the risks and violence that domestic workers face in their line of work, but also the ways in which they are able to, "exercise their agency and push back against the constraints imposed on their freedoms" due to their marginalised positions within, and without, the home.

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[47] Greg Rohlf, "Dreams of Oil and Fertile Fields: The Rush to Qinghai in the 1950s," *Modern China* 29, no. 4 (2003): 455-489; Linda McDowell, "The Particularities of Place: Geographies of Gendered Moral Responsibilities Among Latvian Migrant Workers in 1950s Britain," *Transactions of the Institute of British Geographers* 28, no. 1 (2003): 19-34.

[48] Kevin Boyle, "The Kiss: Racial and Gender Conflict in a 1950s Automobile Factory," *The Journal of American History* 84, no. 2 (1997): 496-523; Donna Gabaccia, "Women of the Mass Migrations: From Minority to Majority, 1820-1930," in *European Migrants: Global and Local Perspectives*, eds. Dirk Hoerder and Leslie Page Moch (Boston: Northeastern University Press, 1996), 90-111; J.D. Gould, "European Intern-Continental Emigration: The Road Home: Return Migration from the U.S.A," *European Journal of Economic History* 9 (1980): 41-112; Ewa Morawska, "Return Migrations: Theoretical and Research Agenda," in *A Century of European Migrations, 1830-1930*, ed. Rudolph Vecoli and Suzanne Sinke (Urbana: University of Illinois Press, 1992), 277-292; Alejandro Portes and Jósef Böröcz, "Contemporary Immigration: Theoretical Perspectives on Its Determinants and Modes of Incorporation," *International Migration Review* 23 (1989): 606-630.

[49] Rosalind Edwards and Simon Duncan, *Lone Mothers, Paid Work and Gendered Moral Rationalities* (Macmillan, London, 1997); Kathleen Paul, *Whitewashing Britain: Race and Citizenship in the Post-War Era* (Ithaca: Cornell University Press, 1997); Julius Isaac, *British Post-War Migration* (Cambridge: Cambridge University Press, 1954).

[50] Constable (2007); Bina Fernandez, "Traffickers, Brokers, Employment Agents, and Social Networks: The Regulation of Intermediaries in the Migration of Ethiopian Domestic Workers to the Middle East," *International Migration Review* 47, no. 4: 814-843; Fernandez, "Degrees of (Un)Freedom: The Exercise of Agency by Ethiopian Migrant Domestic Workers in Kuwait and Lebanon," in *Migrant Domestic Workers in the Middle East*, ed. Bina Fernandez and Marina de Regt (New York: Palgrave Macmillan, 2014), 50- 74; Lan (2006); Nayla Moukarbel, *Sri Lankan Housemaids in Lebanon: A Case of "Symbolic Violence" and "Everyday Forms of Resistance"* (Amsterdam: Amsterdam University Press, 2009).

What is achieved in this study is an extension of the discussion above, in conjunction with an exploration of the mechanisms and dynamics of this form of "unfree" labour in the context of Hong Kong.[51] Unfree labour continues to persist in the contemporary world as a global economic activity. As this study will explore in Chapter 4, unfree labour continues to serve the same functions of bonding workers and constraining the ability of workers to exit an employment relationship, such as the confiscation of passports and documents, restraints on their physical ability to move and leave, intimidation and violence, social isolation and the use of immigration status to persuade a worker that they have no option but to remain in a particular arrangement.[52] This research will examine this concept on both the macro level, namely through government policies on employment and immigration, and the micro level, which focuses on the household and personal relations (vis-à-vis the employers and their families).

With more studies reversing previous trends of the field that see DHs as passive and helpless victims, it suggests a more serious (re-)assessment of domestic work in general, and of the infrastructures that support it in particular, is necessitated.[53] This is also supported by recent works on gendered migration, especially, though not exclusively, focusing on the late nineteenth century.[54] In a similar vein, the recent works of Robert Tyner and Deirdre McKay, both of whom have been critical of transnational domestic service but willing to consider forms of paid labour for foreign migrants as positive or even subversive agents of individual and collective identity construction, point to alternative arguments.[55] Although Shu-Ju Ada Cheng's statement that "the analogy between domestic service and a modern form of slavery is correct in delineating the servile and oppressive nature of domestic service," is slightly deterministic, it, too, urges for new and challenging approaches to the study of modern domestic service.[56] Finally, in Constable's seminal study of gendered labour in Hong Kong, she convincingly argues that DHs search for experiences, objects and places that enable them to recover structures from which they are

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[51] See Jairus Banaji, "The Fictions of Free Labour: Contract, Coercion and So-Called Unfree Labour," *Historical Materialism* 11, no. 3: 69-95; Stephanie Barrientos, et al., "Dynamics of Unfree Labour in the Contemporary Global Economy," *The Journal of Development Studies* 49, no. 8 (2013): 1040; John O'Neill, *The Varieties of Unfreedom*, Manchester Papers in Political Economy, no. 4/11 (Manchester: University of Manchester, 2013); Kevin Bales, et al., *Modern Slavery: The Secret World of 27 Million People* (Oxford: Oneworld, 2009);

[52] Barrientos, "Dynamics of Unfree Labour," 1040.

[53] Constable (2013, 2008, 2007), Sim (2008, 2003), Wui (2015), Parrenas (2001a, 2008), Lindio-McGovern (2012). Piper (2010a, 2008, 2005).

[54] Gabaccia (1996); Gould (1980); Morawska (1992); Piper (2009).

[55] Tyner (2004) and McKay (2012).

[56] Cheng, "Taiwanese Employers," *Serving the Household and the Nation* (Oxford: Lexington Books, 2006), 138.

alienated to in their daily experiences at work.[57] It is clear that the implications of these suggestions for future scholarship in this subject area are significant. As such, it is here that a comprehensive analysis of employer guidebooks and manuals fits in.

Indeed, both Constable and Tyner's recent works suggest that—to borrow a phrase—the 'webs of influence' of domestic service, is an attempt to circumvent, or even challenge, the very recent trend in the scholarship to reduce most social, historical and cultural phenomena to an analysis of 'power versus resistance', or 'domination versus subordination'.[58] Their approach balance that of Cheng, Nakano Glenn, Rhacel Salazar Parrenas and Mary Romero, who are all of the opinion that the globalisation of domestic labour exoticises, privatizes and even racialises housework, some even going by maintaining that "the advancement of one group of women comes at the cost of the gheottisation of another group of women into low-wage service work."[59] This approach is problematic primarily because their analysis of 'power structures' risks oversimplifying the situation, wherein 'power' becomes an uncritical and unexamined umbrella term to explain all the processes, dynamics and relationships involved in the modern phenomenon of transnational domestic service. The difference in the approaches is highlighted in the usage of different terms, namely: 'influence' and 'power'. Whereas the former stresses entanglements and vicissitudes in understandings of conflict between the different classes and groupings, the latter connotes a binary, and even unilateral, interpretation of the entire system in question.

Scholarship on transnational domestic service has been limited in its development due to the ongoing focus on individual dimensions of transnational domestic work, especially in the following three areas: 1) outcomes of political machinations of state apparatuses, 2) employer-domestic worker relations, and 3) the workplace. Specifically, previous studies have failed to examine the insular, self-perpetuating, and discriminatory elements of employer behaviour. Similarity, until recently little has been done to analyse the impact of foreign migrant workers and foreign domestic service on the culture and history of Hong Kong.[60] In her research, Cheng, for example, hints at the ways in which

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[57] See Constable (1986, 1997, 1999, 2000, 2008).
[58] Lindio-McGovern (2012). See also Constable (2007).
[59] Cheng, "Rethinking Globalization" (2003), "Contextual Politics of Difference" (2004), *Household and the Nation* (2006); Nakano Glenn, "From Servitude to Service Work" (1992), "Social Construction," (1994); Parrenas (2001a), *Servants of Globalization* (New York and London: New York University Press, 2008), 43; Romero (2002).
[60] This observation is independent to that of developments in Hong Kong studies, which have paid attention to the impact of migrant workers on Hong Kong society, especially those from the People's Republic of China and Indonesia.

transnational domestic service has promoted, and even intensified, the national identification of foreign DHs—for example, in preserving the stereotypical link between 'Filipino' [nationality] and 'DH' [work].[61]

As this study has emphasised several times so far, it is clear that the individuals who choose to work as DHs are not simply victims that fell to the machinations of their employers and respective governments. These individuals are arguably cognizant of the limits and boundaries of their work, and who through careful calculations have made conscious decisions to engage in this line of work. Therefore, they are not only key actors in the network of domestic service, but they sustain it in their involvement and are equally capable of changing it, as well. In other words, this research maintains the agency and life of domestic helpers, and identifies the ways in which they have changed, or sustained, circumstances—both local and global—that affect their community.

However, rather than contributing to the already existing discussion of 'is it, or is it not' exploitation, the aim of this study is to pursue the political, cultural and social aspects of domestic service in tandem. The traditional focus on the micro, internal workings of the home are put to the side, with larger processes, discourses and ideologies examined on a more macro level. Three points that this study will address are: 1) the ways in which ideologies are inscribed on everyday practices; 2) the roles of both governments on either side of this transnational exchange and, 3) the social, historical, political and economic mechanisms at work behind the commodification, and feminisation, of domestic work. These three points provide a framework for considering the dialogue between employers, Filipino DHs, recruitment agencies, the government of Hong Kong and media outlets in the representation of domestic work(-ers) and the historical continuities and transformations in the employment of these women in the city. This research urges a re-examination of these binary relations constructed between employers and workers, state and non-state actors, Filipinos and Hong Kong people, recruitment agencies and DHs, as webs of power that are constantly negotiated, intimately intertwined, as well as being multi-varied in origin. In other words, overlapping dependencies and vulnerabilities, contestations of representation are entangled in a transnational web of power relations that is constantly rejuvenated, fortified and modified.

Hong Konger, Hong Kong Belongers: A History

[61] Cheng (2006). This connection was also made by one of my interview participants, see Chapter Five.

Traditionally scholarship the history of Hong Kong has largely ignored questions on the emergence of a local Hong Kong identity—or lightly touched upon in studies of Hong Kong's industrialisation process, or brusquely relegated to the margins of scholarly debate and investigation. The history of Hong Kong is indeed a wide one, considering the manifold aspects that can be, and have been, discussed.[62] However, in the past decade, scholars in the field of Hong Kong studies have begun to reverse this trend, looking deeper into the patterns of community-formation in Hong Kong. Three major examples are Ackbar Abbas's observations of Hong Kong culture, Agnes Ku's exhaustive studies on the development of citizenship in Hong Kong, and Mirana Szeto's discussions of the pervasiveness, and perhaps oppressiveness, of Cantonese culture in Hong Kong.[63] These works all touch on the legacy of colonialism in the city and the way it is expressed in local culture and identity politics.

There is a small body of work that takes these analyses one step further and examines the discursive and ideological structures of racism found in Hong Kong journalism, public discourse, and education environments.[64] Y.C. Chen and Mirana Szeto's essay provides some much needed discussion in this area, especially with respect to the locals' attitudes towards Filipino DHs, or DHs in general. O'Connor's discussion of

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[62] John Carroll's *A Concise History of Hong Kong* (Lanham, MD: Rowman & Littlefield, 2007); Mike Ingham, *Hong Kong: A Cultural History* (Oxford: Oxford University Press, 2007); Caroline Knowles, *Hong Kong: Migrant Lives, Landscapes and Journeys* (Chicago: University of Chicago Press, 2009); Tak-Wing Ngo, *Hong Kong's History: State and Society Under Colonial Rule* (London: Routledge, 1999); Yushuo Zheng, *Hong Kong: In Search of a Future* (Hong Kong: Oxford University Press, 1984); Stephen Vines, *Hong Kong: China's New Colony* (London: Aurum Press, 1998); Frank Welsh, *A History of Hong Kong* (London: HarperCollins, 1997); Jungfang Tsai, *Hong Kong in Chinese History: Community and Social Unrest in the British Colony 1842-1913* (New York: Columbia University Press, 1993); J. Luff, *The Hong Kong Story* (Hong Kong: South China Morning Post, c1962); Gordon Matthews, Lui Tai-lok and Eric Kit-Wai Ma, *Hong Kong, China: Learning to Belong to a Nation* (New York: Routledge, 2007); Chi Kuen, Lau, *Hong Kong's Colonial Legacy* (Hong Kong: Chinese University Press, 1997); Tim Luard, *Escape from Hong Kong* (Hong Kong: Hong Kong University Press, c2012); Albert H. Yee, *Whither Hong Kong: China's Shadow or Visionary Gleam?* (Lanham, MD: University Press of America, 1999).

[63] Ackbar Abbas, *Hong Kong: Culture and the Politics of Disappearance* (Minneapolis: University of Minnesota Press, 1997); Agnes Ku, "The Development of Citizenship in Hong Kong: Governance without Democracy," in *Repositioning the Hong Kong Government*, ed. Stephen Wing-kai Chiu and Siu-lun Wong (Hong Kong: Hong Kong University Press, 2012), 123-146; Ku, "Immigration Policies, Discourses and the Politics of Local Belonging in Hong Kong (1950-1980)," *Modern China* 30, no. 2 (2004): 216-360; Mirana Szeto, "Identity Politics and Its Discontents: Contesting Cultural Imaginaries in Contemporary Hong Kong," *Interventions* 8, no. 2 (2006): 235-275.

[64] John Flowerdew, David C.S. Li and Sarah Tran, "Discriminatory News Discourse: Some Hong Kong Data," *Discourse and Society* 13, no.3 (2002): 319-345; Ku, "Hegemonic Construction, Negotiation and Displacement: The Struggle Over Right of Abode in Hong Kong," *International Journal of Cultural Studies* 4, no. 3 (2001): 259-278; Rozanna Lilley, "Teaching Elsewhere: Anthropological Pedagogy, Racism and Indifference in a Hong Kong Classroom," *The Australian Journal of Anthropology* 12, no. 2 (2001): 127-154; Paul O'Connor, "Accepting Prejudice and Valuing Freedom: Young Muslims and Everyday Multiculturalism in Hong Kong," *Journal of Intercultural Studies* 31, no. 5 (2010): 525-539; O'Connor, *Islam in Hong Kong: Muslims and Everyday Life in China's World City* (Hong Kong: Hong Kong University Press, 2012).

"tolerable racism" where multiculturalism might be something that is consumed and celebrated by the middle classes, but lived and visceral for the working classes is also illuminating and relevant for our discussion. However, despite their efforts, it is still not fully understood how the xenophobic and discriminatory attitudes found in Hong Kong society came to be. Y.C. Chen and Mirana Szeto's study points to Hong Kong's history as a British colony for 160 years and its historical standing vis-à-vis China as the two main factors driving this phenomenon. It, on the one hand, has not only been influenced by the racial imaginations of colonial culture, but also participated in Chinese anti-imperial cultural and political movements, on the other.[65] In Szeto's analysis, Hong Kong's post-1980s sense of economic confidence is often invoked to overcompensate for the bruised pride of the colonized, as "a classic statement of petit-grandiose Hong Kongism."[66] Whereas Abbas describes it as "feelings of *ressentiment*—of envy, jealousy and covetousness" that pervade Hong Kong culture.[67] It savours moments of triumph in outdoing the colonisers, both British and Chinese. Its defensive arrogance is tinged with tones of reverse racism and envy towards white, and internalised colonial exasperation towards peoples of colour.

One of the areas that this dissertation seeks to address is finding how where and how those ideological and discursive roots took shape, and thereby tracing patterns in their expressions in the everyday realities between employers and DHs. This will require an examination of trends and patterns in expressions. These trends can be found by a combined study of the discourses through legislations and policies, as well as of the expressions by the middle classes as they were the main employers of DHs, especially after the rapid industrialisation of the 1970s-1990s. The question here is not only how these internalised ideologies are expressed, but also why. What are some of the historical factors that continue to drive these expressions? For example, terms like 'Hong Kongism', 'Hong

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[65] Chen and Szeto. "In-Your-Face Multiculturalism," 57-58. Chen and Szeto use the term "monocultural" to describe Hong Kong's approach towards multiculturalism or diversity. While this is true, especially from my own personal observations, and that their terminology is apt (hence borrowing the term quite frequently in this study), their observations are rather general and not in-depth to provide an actual discussion of how this approach developed. While it is evident that both scholars are extremely passionate and knowledgeable on the subject, what is especially worrying is their knee-jerk tendency to use the term "Hong Kong" as a sort of blanket statement in describing the entire society of Hong Kong, or the attitudes held by locals. More nuanced discussions are warranted here as this is a fascinating and worthy topic.

[66] Szeto, "Identity Politics and Its Discontents," 235-275.

[67] Abbas, *Culture of Disappearance*, 61. *N.B. Ressentiment*, a French term adopted by the philosopher Friedrich Nietzsche, denotes "an attitude which arises form a cumulative expression of hatred, revenge, envy and the like…When a person is unable to release these feelings against the persons or group evoking them, thus developing a sense of impotence, and when these feelings are continuously re-experienced over time, then *ressentiment* arises. *See:* Lewis Coser, "Servants: The Obsolescence of an Occupational Role," *Social Forces* 52, no. 1 (1973): 31-40 and Jean Genet, *The Maids*, trans. Bernard Frechtman (New York: Grove, 1954). Rollins also provides a good and detailed contextualisation of this in her *Between Women*.

Kong Dream', 'Hong Konger' point to a unique identity that seems to be taken for granted, or at least accepted without explanation, but actually is a recent invention dating back probably only forty years. In other words, the origins of this term, and its centrality to the imagination and culture of the city is worthy of inclusion in a study that is ultimately about the dynamics of communities, or the coming together of communities.

History of Chinese and Filipino Inter-ethnic Relations

Numerous studies have been conducted by scholars on the history of Chinese and Filipino inter-ethnic relations whose work, like Edgar Wickberg's, either goes as far back as the early modern period (ca. 1500-1800 CE), or focuses on a specific period, like Khin Khin Myint Jensen's PhD dissertation on the Chinese in the Philippines during the American regime (1896-1946).[68] Wickberg's monograph, *The Chinese in Philippine Life, 1850-1898*, which examines the cultural and socio-economic aspects of the Filipino Chinese community that have characterised the division between Chinese and Filipino communities is widely considered as one of the most influential books on the history of the Chinese in the Philippines to date.[69]

Although historian Richard T. Chu acknowledges the foundation set up by Wickberg, he criticises the latter's approach which is premised on the idea that in order to fit in 'overseas Chinese' often rejected their Chinese heritage and began to assimilate into the Hispanic and Christian host community. Chu's *Chinese and Chinese Mestizos of Manila*, which primarily looks at Chinese merchant families, rightly asserts that Filipino Chinese individuals and communities have made "ethnic choices" in their negotiation, manoeuvre and collusion for the creation of a fluid, but distinct, ethnic identity.[70]

Wong Kwok-Chu's study of ethnic Chinese and their role in the Philippine economy covers the economic roles of ethnic Chinese in the region, but follows Wickberg's line of inquiry in its focus on the earlier anthropological and sociological

[68] See Edgar Wickberg, *The Chinese in Philippine Life, 1850-1898* (London: Yale University Press, 1965); and Khin Khin Myint Jensen, "The Chinese in the Philippines During the American Regime: 1898-1946," (PhD diss., University of Wisconsin, 1956).
[69] Edgar Wickberg, *The Chinese in Philippine Life, 1850-1898* (London: Yale University Press, 1965).
[70] Richard T. Chu, *Chinese and Chinese Mestizos of Manila: Family, Identity and Culture, 1860-1930s* (Leiden: Brill, 2010), p. 11. "Ethnic choices" is a term that Chu borrowed from Karen Leonard and her study of "bi-ethnic" Punjabi Mexican families in California. See: Karen Isaksen Leonard, *Making Ethnic Choices: California's Punjabi Mexican Americans* (Philadelphia: Temple University Press, 1992).

concepts of the "sojourning mentality" of overseas Chinese.[71] While *The Chinese in the Philippine Economy, 1898-1941* allows for an exploration of the various business roles undertaken by contemporary Filipino Chinese, it overemphasises the identification of Filipino ethnic Chinese communities with China. In doing so, ethnic identities are reified and essentialised into reductionist dichotomies in the book, which, ultimately, fails to address the articulation and multiplicity of identities embraced by different members and/or segments of the community.

Another study worth mentioning is Jensen's examination of the Chinese community in the Philippines during the American occupation. Jensen addresses the three major problems that the American government faced relating to immigration, the importation of Chinese labour, and the role of the Chinese in the contemporary Philippine economy.[72] Although Jensen provides a very well-rounded account of the historical circumstances and contexts that characterised the situation the Chinese communities in the Philippines found themselves during the American occupation, her account is of the opinion that the Chinese did little to identify with the Filipino community, and goes as far as to argue, albeit unpersuasively, that if the Chinese were to "assimilate with the native peoples, some of the race hatred that is prevalent might [have] disappeared gradually."[73]

Even in this brief overview of the historiography of Filipino and Chinese cross-cultural interactions, it is abundantly clear that early scholarship on the subject was predicated on concepts of 'assimilation' and 'integration' that are, in turn, characteristics of nation-based discourses. There are several points to note here. First, that most of these studies have generally focused on the economic roles of the Chinese in the Philippines. Considering that business and trade were not the only occupations available in the Philippines, and that many who arrived in the Philippines would have worked in other industries, a significant segment of the community is left out of the scholarship. The same applies to the paucity of literature on the multiplicity of flows to, and from, the Philippines and China, as well as the identity of returnees. Finally, no single comprehensive study has

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[71] Wong Kwok-Chu, *The Chinese in the Philippe Economy, 1898-1941* (Quezon City, Philippines: Ateneo De Manila University Press, 1999). Also see Leo Suryadinata's edited volume, *Ethnic Chinese as Southeast Asians*, ed. Leo Suryadinata (Singapore: ISEAS Publishing, 1997), 1-24 on ethnic Chinese and Southeast Asians for a reevaluation of labels, such as, "overseas Chinese," "Chinese overseas," and "Southeast Asians." For background on the "sojourning" mentality, see Wang Gungwu's "Sojourning: The Chinese Experience in Southeast Asia," in *Sojourners and Settlers: Histories of Southeast Asia and the Chinese*, ed. Anthony Reid (Honolulu: University of Hawai'i Press, 1996), 1-14. See also: Reid, *Southeast Asia in the Age of Commerce, 1450-1680* (New Haven; London: Yale University Press, 1993).

[72] Jensen, "Chinese in the Philippines," 375.

[73] Jensen, "Chinese in the Philippines," 375.

been conducted on the impact of the historic inter-ethnic relations between Chinese and Filipino communities on current understandings of Filipino DHs to date.

Research Approach and Methodology

While I believe, as Judith Rollins did, that "those who lived an experience know more about it than those who have not," this study is also about those who have not been domestic workers and yet legislate policies often have drastic consequences on the lives of the people that are governed by them.[74] For example, they can determine how much these women can make, how long they can stay in their line of work, whether they can continue to stay in the country if they quit their jobs, whether they will be cared for, and so on. Ultimately, this study is about the meeting ground in between the two where both sides come together. Although my family has, and continues to, employ DHs, I have tried whenever and wherever possible to approach the topic without hypotheses and without *a priori* theories. I entered the field as openly as possible and allowed the patterns and connections to emerge from there.

My attempt at finding a meeting ground of state ideologies and everyday practices shaped the way I obtained my information and data for the discussion to follow in the rest of the study. The major sources pertaining to the first part of the research are mainly archival, and document-based: official documents, legislations and policies, as well as English newspapers.

Official documents, specifically those pertaining to the Labour Department and Immigration Department, are significant sources of information as they have not only been the tools with which foreign labour is officially managed, but they are also the vehicles by which the mechanisms and meanings of ethnicity and citizenship are defined. While a lot of this information is accessible on the Internet and in the public libraries spread across Hong Kong, more specific information pertaining to numbers and dates are a lot more vague and any attempt to contact officials presently working in the Labour and Immigration Departments have been neglected, or treated tersely. However, official discussions and legislative record, such as the *Hansard*, are available in the Main Library of the University of Hong Kong, the British Library and the SOAS Library as well. These documents, all written in English, include the official gazette of the administration, minutes of the

[74] Rollins, *Between Women,* 8.

Legislative Council meetings, laws, policy papers, reports and correspondence in the form of letters, memoranda and notes between the Colonial Office, Foreign Office, Secretary of State for the Colonies, and Hong Kong administration as well. They provide an in-depth examination of the representation of Filipino DHs and the linkages between state practices and popular discourse is conducted. In this sense, these documents reveal more about the logic of state practices than that of the Filipino DHs.

In one sense, law is understood as the framework through which the state, court and city could regulate, police and control power relations and foreign labour(-ers), but as Shannon McSheffrey maintained in her essay, which addresses both the usage of medieval court documents by historians and the manipulation of the legal and archival powers of governing authorities by medieval Londoners to negotiate their lives, "[law] is also a tool that can be wielded by skilled practitioners, professional and lay, to achieve their own ends."[75] As such, while the law of both the Hong Kong's colonial government and that of the HKSAR represents the framework that Filipino DHs have to work with, or against, to establish their political claims and articulate their interests, newspapers and other forms of popular media do much to reinforce and also naturalise those top-down frameworks in the wider society.

For the second part of the research, which looks at the interactions of local Chinese and foreign expat employers with Filipino DHs, letters-to-the-editor submitted to *The South China Morning Post* and *HK Standard*, Chinese employment manuals and interview transcripts are used. I was able to find extensive archives of *The South China Morning Post* and *HK Standard* in the Central Library of Hong Kong as well as the Special Collections of the University of Hong Kong, both of which have been particularly helpful with my research. These two libraries' holdings of Chinese-language newspapers and magazines, such as *Next Magazine*, *Ming Pao*, and *Sing Tao*, are impressive as well. I have attempted to integrate as many of the letters-to-the-editors and articles I found in these newspapers wherever possible in the study. They have provided a fascinating look into the foreign expat and local Chinese society in colonial Hong Kong and the way these two communities viewed the emergence of domestic service in Hong Kong.

The employment manuals that are discussed extensively in Chapter Four were found in both the Central Library and the Special Collections of the University of Hong

[75] Shannon McSheffrey, "Detective Fiction in the Archives: Court Records and the Uses of Law in Late Medieval England," *History Workshop Journal* 65 (2008): 73.

Kong. These monographs included appendices full of sensationalist articles documenting the various ways which vengeful DHs have attacked their employers, either by making menstrual blood soup, stealing and/or damaging property, getting pregnant, bringing strangers into the house or hurting their children, sample letters of termination, lists of employment agencies and tips for employers to manage their DHs. They are extremely invaluable to constructing local Chinese employers' perception on domestic service and the people who work for them.

I conducted in-depth focus group interviews and participant observations of twenty five past and current domestic workers and two employers, one of whom is also the spokesperson for the NGO, Open Door, during my fieldwork that began in September 2012. The interviews were conducted at places where the DHs have chosen to spend their days off on Sundays, including the Catholic Centre and Chater Road. Most of the interviews took two to three hours, with breaks in between to eat. Observations took place in the same locations once a week in the span of the three months. The areas where this study was conducted are located in the heart of the 'little Manila' in the Central District that will be discussed in depth in Chapter Five.

All the interviews were conducted with guides and were not recorded on tape so as to preserve the anonymity of the interviewees. My objective was to encourage them to elaborate on their work, their impressions of the city and other aspects of their work that was important to them. Thus, my interview guide was just that: a guide that was used to facilitate discussion and to smooth those awkward silences in the beginning when they were still gauging if this was a worthwhile endeavour. I tried wherever possible to catch some occasional glimpses of the interviewees relaxing and telling me more about things that they were frightened of, that made them happy or made them sad.

The interviews were facilitated by different church-based groups and NGOs, to whom I am indebted to. The first group of women were affiliated with the Diocesan Pastoral Centre for Filipinos. The interviews with them were organized by Sr. M. Felicitas Nisperos who also retained copies of the transcripts for security purposes. The second group of interviews were conducted with the cooperation of United Filipinos in Hong Kong, Mission for Migrant Workers, Asia Pacific Mission for Migrants, Cordillera Alliance, Asian Migrants Coordinating Body, and the Abra Tingguian Ilocano Society. The women, by and large, have all been working in Hong Kong as DHs for more than two years.

These narratives afford an exploration of how DHs understand and negotiate the systems of differences articulated by state apparatuses, recruitment agents and employers,

and how DHs have manipulated power relations to situate themselves within Hong Kong society. By using a multi-disciplinary approach, this research addresses the historical development of this inter-related dialogue between state and non-state actors, employers and DHs, locals and foreigners at discursive, material and institutional levels.

In recent years the number of new publications based on rich, multi-approach, primary source material has grown. They offer interesting, complex and nuanced mixtures of discussions on domestic service in Hong Kong, its place in the community's ethnoscape, international and transnational contexts and the agency of actors whose voices have remained silent until now. Indeed, discussions of agency and exploitation continue to be a matter of interest among students of feminist studies, anthropology, sociology and politics, but it should not be one that is limiting and restrictive. I hope that what is offered here presents an entirely new contribution to the fields of Hong Kong studies and to the history of domestic service which has influenced the historical narrative of Hong Kong citizenship, and belonging. Finally, this dissertation provides a framework through which foreign expat and local Chinese employers, as well as Filipino DHs, can be represented as active agents of change through intertwined ideologies, practices and discourses.

Chapterisation

The next five chapters of this dissertation are structured both chronologically and thematically, shifting between the British creation of political citizenship and subsequent local Hong Kong iteration of this as a form of belonging, which is in turn articulated against that of the DHs who became more and more numerous.[76] Following the introductory overview undertaken in this chapter, the second explains the historical context leading up to the emergence of domestic service in Hong Kong. This chapter introduces a number of actors involved in the creation of this 'industry' and their negotiations over the viability of this service performed by Filipino women who are otherwise over-qualified and over-educated for the duties that they are to undertake.

Chapter Three takes the historical context established in Chapter Two one step further by explaining how debates of 'belonging' emerged between the 1960s and '70s and providing the historical background to nationality and national rights. The policies and

[76] See Chapter Seven for a full resumé of the contents of this study.

legislations in the Philippines and Hong Kong that simultaneously protect and exclude DHs will also be examined.

Chapter Four offers a completely new perspective on both foreign expat and local Chinese employers from the 1980s to 2005, analysing their understandings of domestic service. The press was the main medium through which the foreign expats expressed those ideas, while the attitudes of Chinese employers are hidden in the manuals that were designed, and written, for them. Their attitudes, concerns, and perceptions frame the entire chapter. Additionally, the chapter notes the connections between the two disparate communities highlighting the ways in which misunderstandings and grievances towards the Filipino community in Hong Kong are from the colonial period are perpetuated after the 1997 Handover and hindered their acceptance into the local community.

Chapter Five shifts focus to the Filipino community in Hong Kong, beginning with an examination of the development of Filipino enclave in Central, Hong Kong, analysing its emergence in relation to other enclaves around the world. The formation, existence and transformation of this enclave form the crux of the chapter. Interviews conducted in this area provide an analysis of how DHs understand, negotiate and resist the dominant attitudes of employers, locals and officials. Their narratives are complex and nuanced and highlight the intricacies of their relationship to the city, their employers and the Philippines.

Finally, prior to the conclusion, Chapter Six examines the emergence of DH-centred non-governmental organisations in Hong Kong. The formation of these groups are situated in the context of the grievances of the Filipino community that reached a boiling point in the 1980s leading to articulations of agency and resistance expressed in the formation of groups such as UNIFIL, Migrante-International and Mission for Migrant Workers. The development of these three organisations, analysed as a tripartite body, is examined for their practical impact on their immediate community, the larger DH community consisting of women from diverse backgrounds such as Nepal, Indonesia, Vietnam, and Thailand, and the legislation and policies of both the Philippines and Hong Kong. Although ideological boundaries, such as those concerning citizenship and rights, continue to play a very real and visceral role in Hong Kong society, the chapter stresses its unique nature in bringing people of diverse backgrounds together, opening up debates and discussions of belonging and citizenship.

Wherever possible each chapter presents abstract concepts, such as belonging, nationality, identity, and rights, as ideologies and discourses that are used by a range of state and non-state actors to make sense of domestic service, its real-life, everyday impact, and

the rapidly changing ethnic landscape of Hong Kong. Given the subject and its complexity, it is useful to briefly discuss the various terms that are used in this study.

Terminology

Unlike most existing anthropological and sociological studies on domestic service and labour, the term 'domestic helper' is used in this study to refer to all domestic workers who used to work in Hong Kong under the British administration and those who continue to work in the HKSAR. While this research acknowledges that outside of the Hong Kong context, terms such as 'household worker', 'domestic worker' are often preferred as they better describe the status and work undertaken by those who are in domestic service in a more objective manner, due to the fact that the HKSAR government recognises all migrant workers under the official term of 'domestic helper', it will be the term used in this research to cover all types of paid household work and services in Hong Kong. In all other cases, the term 'domestic worker' will be used instead.

The legal definition of DH, as outlined by the Immigration Department of Hong Kong, are persons who provide full-time, live-in domestic service at his/her employer's residence and serve the number of members of the employer's household, which is stated specifically in the Standard Employment Contract.[77] Put simply, DHs are individuals who are recruited and employed to work for wages in their employer's residence to perform cleaning and household maintenance tasks. Indeed, the responsibilities of these individuals are not restricted specifically to either the indoors or outdoors, nor are they exclusively manual and mechanical. For example, daily tasks that are expected of DHs include housecleaning, laundering, cooking, caring for children and the elderly, as well as grocery shopping. This study will demonstrate how a simple task, like child-minding, an emotionally-demanding one at that, can be complicated by age, race, ethnicity, and gender.

The use of 'discourse' throughout the dissertation is defined in terms of language, rhetoric and vocabulary. It will be used throughout the chapters to refer to the ways in which political language and rhetoric represents citizenship, as well as highlighting how governments, employers, and employment agencies understand and negotiate their understandings of belonging and citizenship. Part of this discourse stems from the way the

[77] Hong Kong Immigration Department. *Employment Contract for a Domestic Helper Recruited from Outside Hong Kong (ID 407)*. Hong Kong: Immigration Department, 2013.

colonial government evaluated and defined British citizenship in 1971, which came to be applied to the Commonwealth, which Hong Kong was a part of at the time. A separate category—'Hong Kong Belonger'—was created at the same time. The language of rights and responsibilities associated with citizenship with be analysed in light of the local Chinese community's understanding of their status after this period as a unique identity that is neither British nor Chinese. The following chapters will demonstrate how this discourse came to shape an exclusionary 'monocultural' identity that will become an integral part of the socio-cultural and political behaviour of the local Chinese population particularly immediately before and after the 1997 Handover.

The term 'Hong Kong Belonger', or 'Hong Konger' which has already been used several times is one that is used commonly in the city and by those who reside there often without a clear qualification or explanation. In fact, this label that originated as a citizenship category came to mean so much more during the chaos leading up to the 1997 Handover. It became an essential element marking the unique status of those who reside there—they are not part of the Commonwealth, nor are they a Mainlander of the People's Republic of China either.[78] It is notable that this label has transcended political and legal notions of nationality and citizenship to a socio-cultural one that imparts a sense of belonging to a community. Tai-lok Lui, Lee Ming-kwan, Lau Siu-kai and Kuan Hsin-chi have touched upon this phenomenon in relation to the formation of the middle class, which emerged in the context of a newly industrialised Hong Kong in the 1970s.[79] The establishment of Hong Kong as a free market capitalist trading port gave people the impression that anyone, and everyone, in the society had the right to become a member of the business elite so long as they worked hard enough. On the one hand, these conditions facilitate an impression of a deceptively attainable climb up the social ladder for anyone who aspires to do so. As the following chapters will show, this is encapsulated in what locals have termed the 'Hong Kong Dream' or 'Hong Kong Experience'—an idea that is based on meritocracy and competitive individualism. On the other hand, this means that this group of people who are by no means homogenous, but who have vested interests in protecting their new statuses in society, share at least one trait: support for government policies so long as they sustain the capitalist economy of Hong Kong. It also means that they can be callous to

[78] *See*: Lee Ming-kwan, "Whither Hong Kong's Middle Class?" in *Hong Kong in China: The Challenges of Transition*, eds. Wang Gungwu and John Wong, 231-244 (Singapore: Times Academic Press, 1999.
[79] See Lau and Kuan (1988); Lee (1999); Lui Tai-Lok, "Rearguard Politics: Hong Kong's Middle Class," *Developing Economics* 41, no. 2 (2003): 161-183.

those who are not part of this 'dream', which will be demonstrated in the following chapters.

The historical study of the 'Hong Kong Belonger' category, 'Hong Kong Dream' and the local Chinese middle-class needs to be as nuanced as possible. The understandings of these names and terms have shifted multiple times throughout the period under study, and they vary according to the education, social status, and class of those who were discussing them. The *Immigration Ordinance 1971*, which codified the status of 'Hong Kong Belonger' did not suddenly instigate a city-wide discussion of who 'belongs' in Hong Kong and who does not, and what it meant to do so. This study examines the significance of these terms in two ways. The first is looking at *poïesis*—the development and definition of the 'Hong Kong Belonger' status by British colonial administrators. The discussion and process predated the *Immigration Ordinance 1971*, beginning with the refugee crises of the 1960's, which will be used to contextualise the creation of a category of Hong Kong citizens. The second then looks at *praxis*—how it is interpreted and applied by the local Chinese community. Whereas the British administration saw the label as a citizenship category, the local Chinese saw it as a way to create a sense of belonging to a city that they were not rooted in.

Concluding Remarks

Domestic work, globalisation, transnationalism, state practices are not only inter-related, but are projected upon the bodies of domestic workers. Indeed, it is the last aspect—how the movement and employment of female labour are projected upon individuals by the state and the media- that is of central interest here. It is by looking at the interaction between the (re-)production of DHs as 'foreign undesirables' or 'necessary evils' and the reactions of DHs towards those structures that the mechanisms behind these ideologies can be uncovered and further understood.

Insightful as the studies in the above literature review are, it is clear that these studies have, to a certain extent, lost their distance in their analysis of the representation and identities of these women. What happens is that the perceived exploitation of these women are seen through the narrow lens of employer-employee relations, as opposed to the transnational commodification of domestic work(-ers) by nation-states. While employer-employee relations are an important part of that process, simply focusing on that

part of the interaction runs the risk of completely side-lining some of the more salient and under-researched, aspects of domestic service. Thus, this research redresses this dialogue by highlighting the ambivalences that the majority of these studies have neglected: the ambivalence of living in a city for over a decade but never seen as a citizen; both wife/mother and surrogate mother; both as a Filipino national and a Hong Kong local; both employee and maid. In each case, failing to see both sides of the ambivalence reinforces the legitimacy of a certain power. What may be more difficult to embrace is the fact that by resorting to one's instinctual responses to these cases, any possibility to further the dialogue is ultimately lost. By examining the interactions of the numerous players who are implicated in those ambivalences, some of the consequences and continuities of those interactions may be discerned.

-2-

The Birth of an Industry:

The Social and Political Factors in the Emergence of Domestic Service in Hong Kong

Introduction

As early as the 1970s Filipino DHs have travelled to Hong Kong in search of work in unprecedented numbers as local Chinese women began to join the workforce and were unable to find suitable local candidates to manage the household.[80] According to the latest figures, there are around 160,000 Filipino DHs in Hong Kong that make up for 50 per cent of all foreign DHs in the territory.[81] In total, their numbers are equivalent to roughly 4% of Hong Kong's population of 7.3 million people, of which the ratio is among the highest in the world.[82] Worth mentioning here as well is their economic contributions to Hong Kong economy, which was $13.3 billion HKD a year, or 5% of Hong Kong's 2012 GDP.[83]

As previous studies have argued, the ways in which modern domestic service straddles conventional notions of paid and unpaid labour represents a shift in social

[80] *See:* Constable, *Maid to Order*; French (1986b and a); Chen and Szeto*, In-Your-Face Multiculturalism*, 60-61.
[81] Chen and Szeto*, In-Your-Face Multiculturalism*, 60-61; HK Helpers' Campaign, "Legal Issues," *HK Helpers Campaign*, 2016, http://hkhelperscampaign.com/en/legal-issues/ (last accessed 15 March 2016).
[82] HK Helpers, "Legal Issues," *HK Helpers Campaign*, 2016, http://hkhelperscampaign.com/en/legal-issues/ (last accessed 15 March 2016); Sarah Karacs, "Hong Kong's Helpers Overworked, Burdened with Debt and Suffering Forced Labour—New Report Demands New Regulations and An End to the Live-In Rule," *South China Morning Post*, 15 March 2016, http://www.scmp.com/news/hong-kong/education-community/article/1925125/hong-kongs-helpers-overworked-burdened-debt-and (last accessed 15 March 2016).
[83] Lily Kuo, "Who Helps the Helpers?: How Hong Kong's 'Maid Trade' is Making Life Worse for Domestic Workers Throughout Asia," *Quartz*, 19 February 2014, http://qz.com/176354/how-hong-kong-maid-trade-is-making-life-worse-for-domestic-workers-throughout-asia/ (last accessed 15 March 2016); "Legal Issues," HK Helpers' Campaign, 2016, http://hkhelperscampaign.com/en/legal-issues/ (last accessed: 15 March 2016).

reproduction. In Hong Kong, the physical burden of childcare and care for the elderly has completely shifted from middle class women to the labour of migrant women who have been firmly inserted into the transnational commodification of domestic service. To provide some rough data to provide a clearer picture, in 2001 10.1% of the households in Hong Kong hired domestic help.[84] And in 2014, on average about one in every ten families in Hong Kong employs a DH, and indeed one in every three households with either a child or an elderly member has at least one DH as well.[85]

Together with what appears to be the exponential increase in, first, Filipina, and later, Indonesian, domestic workers is another phenomena that can be discerned readily from a cursory examination of major Hong Kong newspapers, such as *The South China Morning Post*, which will be discussed more extensively in Chapter Four. Since the mid- to late 1980s, when the HK government began regulating the immigration of foreign female DHs, newsprint reports have portrayed DHs as house thieves and prostitutes on the one hand, and, on the other, as victims of horrific forms of sexual and physical assault by their employers.[86] Reports graphically detail how some have had to sleep on kitchen floors, along corridors, or in storage rooms with no ventilation; working eighteen-hour days with few rest periods or even rest days; and not having adequate meals.[87] Less sensationalistic reports on the general working conditions of DHs are published annually by NGOs like the Mission for Migrant Workers (MFMW), Asia Pacific Mission for Migrants (APMM), United Filipinos in Hong Kong (UNIFIL) and MIGRANTE (MI), whose work will be discussed more extensively in Chapter Six. This part of the dissertation will also discuss the extent to which the efforts of these NGOS in increasing public awareness of the experiences and struggles of DHs have been successful.

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[84] Adam Ka-lok Cheung and Lake Lui, "Hiring Domestic Help in Hong Kong: the Role of Gender Attitude and Wives' Income," *Journal of Family Issues* 0192513X14565700 (Jan 2015): 9.
[85] Annie Hau-Nung Chan, "'Life in Happy Land': Using Virtual Space and Doing Motherhood in Hong Kong," *Gender, Place and Culture* 15, no. 2 (2008): 170; Annie Hau-Nung Chan, "Live-in Foreign Domestic Workers and Their Impact on Hong Kong's Middle Class Families," *Journal of Family and Economic Issues* 26, no. 4 (2005): 509-528; Lily Kuo, "Who Helps the Helpers?: How Hong Kong's 'Maid Trade' is Making Life Worse for Domestic Workers Throughout Asia," *Quartz*, 19 February 2014, http://qz.com/176354/how-hong-kong-maid-trade-is-making-life-worse-for-domestic-workers-throughout-asia/ (last accessed 15 March 2016); HKSAR Census and Statistics Department, *Hong Kong Annual Digest of Statistics 2014 Edition*, http://www.statistics.gov.hk/pub/B10100032014AN14B0100.pdf (last accessed: 15 March 2016).
[86] See Chapter Four for more examples and a more nuanced discussion on this.
[87] In a horrifying case that I was personally involved in, we had to deliver food to through the window of our kitchen with a bamboo pole daily to the DH who lived next door until she was fired by her boss for having been too talkative and got too friendly with the other DHs in the building. In secondary school I have also heard of cases where DHs were forced to sleep under the dining table as there were not enough rooms in the flat for her.

In a 2012 report by the Mission for Migrant Workers, it found that out of the 3,000 workers surveyed, 58% suffered verbal abuse, 18% physical abuse and 6% sexual abuse. This is also supported by research conducted by the Hong Kong Equal Opportunities Commission (EOC), and another by Amnesty International.[88] However, it is interesting to note that in reaction to international criticism, the Hong Kong government continues to assert that cases of serious wounding and assault are typically very rare. And to support its argument, the government points to the various regulations around the temporary labour migration programme and argues that existing legislation is more than sufficient to address forced labour and human trafficking.[89]

Governments like Hong Kong see the immigration of female servants is a 'partial' solution of state efforts to maintain legitimacy in the eyes of the middle class families, particularly in the absence of sufficient government provision of care services for children and the elderly.[90] As Doris Lee, the founder and spokesperson of Open Door, succinctly puts it: "DHs are integral to Hong Kong society. For their work and school lives to run smoothly, they presuppose the system of childcare. It is literally impossible for full-time working parents to live without DHs."[91] In other words, low-wage foreign DHs offsets the rising costs of childcare services beyond the home. However, the fact remains that domestic service in many of the destination countries for DHs remain inadequately legislated because housework is not only seen as something that remains a private matter that should remain behind closed doors, but it is also deemed as unproductive work that should not be treated the same way as white collar work. Racism and sexism further complicates this picture. In a 'monocultural' and patriarchal society like Hong Kong, low-paid work, like domestic service, performed by women from the 'wrong kind' of racial

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[88] Mission for Migrant Workers, *Live-in Policy Increases Female MDW's Vulnerability to Various Types of Abuse*, April 2013, p. 10 http://issuu.com/mfmw/docs/primer_live-in_english (last accessed: 15 March 2016); EOC, "The EOC announces findings of 'Sexual harassment and discrimination in employment – questionnaire survey for migrant domestic workers'," 27 November 2014, available at: http://www.eoc.org.hk/eoc/graphicsfolder/ShowContent.aspx?ItemID=12657 (last accessed 15 March 2016); Amnesty International, *Exploited for Profit, Failed by Governments: Indonesian Migrant domestic Workers Trafficked to Hong Kong*, London: Amnesty International, 21 November 2013, https://www.amnesty.org/en/documents/ASA17/029/2013/en/ (last accessed 16 March 2016).

[89] Justice Centre, *Coming Clean: The Prevalence of Forced Labour and Human Trafficking for the Purpose of Forced Labour Amongst Migrant Domestic Workers in Hong Kong*, March 2016, Hong Kong: Justice Centre, 24.

[90] Justice Centre, *Coming Clean*, 20; ILO, "Measuring the Economic and Social Value of Domestic Work," *Conditions of Work and Employment Programme — Advancing Decent Work for Domestic Workers*, Policy Brief 3 http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_159839.pdf (last accessed 15 March 2016); Lily Kuo "How Hong Kong's 'maid trade' is making life worse for domestic workers throughout Asia," *Quartz*, 19 February 2014, http://qz.com/176354/how-hong-kong-maid-trade-is-making-life-worse-for-domesticworkers-throughout-asia/ (last accessed 15 March 2016).

[91] Interview with Doris Lee, founder of Open Door, 17 December 2012.

ethnic background and nationality is often disregarded, even by labour unions that technically are the very institutions that should be protecting them.[92] As a result, research on foreign DHs continues to be extremely difficult, not only because the DHs are risking their livelihoods by participating in research that may otherwise incriminate their employers, but that government officials, employment agents and employers are all reluctant to openly discuss anything that they deem incriminating, thus leaving NGOs and activists the only people who discuss their work, lives and opinions openly and enthusiastically.

As it has been argued by Christine Chin, DHs, like the Filipinas and Indonesians in Hong Kong, are caught in the nexus of capitalist-patriarchal-racialised ideologies underpinning economic restructuring processes that intersect the household, national, regional and global levels.[93] While the identification of these ideologies offer an idea as to why there continues to be a culture of silence surrounding domestic service, there needs to be an explanation as to how this culture came about and methods by which it becomes entrenched in a society like Hong Kong's. This chapter and the next will address this by identifying some of the main processes by which the key state actors, Hong Kong and the Philippines, have come to regulate the incoming/outgoing flow of DHs, as well as examining the relationships that they have with DHs to understand the extent to which they contribute to this culture of silence. If so, how and why? Similarly, non-state actors like employment agencies will be analysed to highlight their roles and responsibilities within the system.

From the perspective of the Philippine government and its agents, Filipina DHs are economic heroes that are saving the nation's dire socio-economic situation.[94] And on the other side of the discussion, Hong Kong government officials' opinions of DHs range from 'pests' to 'mild annoyance' that need to be controlled for social order.[95] From the perspective of middle-class employers who see these women as a necessity to their lifestyle, DHs are a status symbol that conveniently perform household duties as well. Recruitment

[92] Chen and Szeto. "In-Your-Face Multiculturalism," 56-57.
[93] Christine B.B. Chin, "Walls of Silence and Late Twentieth Representations of the Foreign Female Domestic Worker: The Case of Filipina and Indonesian Female Servants in Malaysia," *International Migration Review* 31, no. 2 (Summer 1997): 355. See also: Abigail Bakan and Daiva Stasiulis, "Making the Match: Domestic Placement Agencies and the Racialization of Women's Household Work," *Signs: Journal of Women in Culture and Society* 20, no. 21 (1995): 303-335; Chang and Ling (1996).
[94] See Chapter Five for further analysis.
[95] This is seen in the weekly raids carried out in the many areas that DHs gather in during their days off.

agencies, on the other hand, have a much more insidious view on this industry', where DHs are a means to an end, or at least, commodities that help them make profit.

Historical Background

The involvement of three major demographic sectors in the commodification of DHs in Hong Kong—foreign expat and local Chinese employers in Hong Kong and the Filipinos—necessitates two separate but interrelated discussions on the two country's historical background and legal framework in the management of migrant labour. The following background section sets the scene in Hong Kong in terms of the social-cultural and historical developments leading up to the introduction of Filipina DHs in Hong Kong, and their eventual convergence in the 1970s. The relationship between expat employers, the then-dominant *amahs* and the Filipina DHs will also be discussed.

Domestic service in Hong Kong did not begin *ex nihilo* with the establishment of the crown colony in 1841. In fact, household labour was a well-established institution that straddled various gender, social and economic boundaries. As Rubie Watson artfully sums up in her essay, "Wives, Concubines, and Maids: Servitude and Kinship in the Hong Kong Region, 1900-1940," the relationship between gender and involuntary labour is complex especially in so-called indigenous or traditional forms of slavery in which the sexual division of labour dominates the organisation of production.[96] Similar observations have been made in reference to other societies where gender inequalities are pervasive and manifest themselves in very real and concrete ways that are intimately related to slavery and how it can be defined.[97]

Male and female bondservants, domestic servants, indentured labourers and servants have been an integral part of Chinese households for centuries, especially for large

[96] Rubie S. Watson, "Wives, Concubines, and Maids: Servitude and Kinship in the Hong Kong Region, 1900-1940," in *Marriage and Inequality in Chinese Society* (Berkeley, CA: University of California Press, 1991), 1.
[97] Herbert S. Klein, "Eighteenth-century Atlantic Slave Trade," in *The Rise of Merchant Empires: Long-distance Trade in the Early Modern World, 1350-1750*, ed. James D. Tracy (New York, NY: Cambridge University Press, 1990), 287-311; Suzanne Miers and Igor Kopytoff, "African 'Slavery' as an Institution of Marginality," in *Slavery in Africa: Historical and Anthropological Perspectives*, eds. Suzanne Miers and Igor Kopytoff (Madison, WI: University of Wisconsin Press, 1977), 28-29; Claire C. Robertson and Martin A. Klein, *Women and Slavery in Africa* (Madison: University of Wisconsin Press, 1983); Ann Laura Stoler, *Carnal Knowledge and Imperial Power* (Berkeley and Los Angeles and London: University of California Press, 2002); Eric Williams, *Capitalism and Slavery* (London: Andre Deutsch Limited, 1964); and, James L. Watson, "Transactions in People: The Chinese Market in Slaves, Servants and Heirs," in *Asian and African Systems of Slavery*, ed. James L. Watson (Oxford: Basil Blackwell. 1980b), 223-250.

families.[98] Indeed, it was common for concubines, slaves, indentured labourers, servants and three to four generations of family members to live under the same roof at the time given that those households were created out of various affiliations that allowed for overlapping ties of consanguinity, marriage and adoption.[99] Although male servants played an integral role in colonial societies, the existing scholarship skews predominantly to the service of female workers.[100] While this may be related to the feminisation of domestic work that was foreign to much of the non-European/American world prior to the twentieth century, the fact remains that men, specifically those who were exchanged as a part of the Chinese coolie trade in the nineteenth century, dominated most of the menial jobs in kitchens, laundries and housekeeping.[101] Tyner and Hansen have separately noted that in their attempts to rectify the masculine bias in pre-existing literature regarding household production and employment, and focusing on the parallel(s) drawn between domesticity and womanhood after the late twentieth century, scholars in recent decades have adopted a wholesale shift in their attention on female domestic work.[102]

Generally the individuals who served the household were purchased, adopted, hired, or coerced, and married, while others may have taken a more arduous and roundabout passage via China's extensive trade in people.[103] Boundaries between employers/employees, owners/owned, debtor/lender, and benefactor/servant were fluid

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[98] J. Watson, "Chattel Slavery in Chinese Peasant Society: A Comparative Analysis," *Ethnology* 15, no. 4 (1976): 362.

[99] Ibid, 361; R. Watson, "Wives, Concubines, and Maids," 1; Maria Jaschok, *Concubines and Bondservants: A Social History* (London: Zed Books, 1988).

[100] With the exception of J. Watson, *Emigration and the Chinese Lineage: The Mans in Hong Kong and London* (Berkeley: University of California Press, 1975); J. Watson, "Chattel Slavery in Chinese Peasant Society: A Comparative Analysis," *Ethnology* 15, no. 4 (1976): 361-375; J. Watson, "Slavery as an Institution: Open and Closed Systems," in *Asian and African Systems of Slavery*, ed. J. Watson (Oxford: Basil Blackwell, 1980a), 1-15; J. Watson, "Transactions in People: The Chinese Market in Slaves, Servants and Heirs," in *Asian and African Systems of Slavery*, ed. James L. Watson (Oxford: Basil Blackwell, 1980b), 223-250; R. Watson, *Inequality among Brothers: Class and Kinship in South China* (Cambridge: Cambridge University Press, 1985).

[101] Arnold Meagher, *The Coolie Trade: The Traffic in Chinese Laborers to Latin America, 1847-1874* (Philadelphia: Xlibris Corporation, 2008); Stewart (1951); Erika Lee, *At America's Gates: Chinese Immigration during the Exclusion Era, 1882-1943* (Chapel Hill: University of North Carolina Press, c2003); Iris Chang, *The Chinese in America: A Narrative History* (New York: Viking, 2004); Him Mark Lai, *Becoming Chinese American: A History of Communities and Institutions* (Walnut Creek, CA: AltaMira Press, 2004); Henry Tsai, *The Chinese Experience in America* (Bloomington: Indiana University Press, 1986); Ronald Takaki, *Strangers from a Different Shore: A History of Asian Americans* (New York: Back Bay Books, 1998); Kil Young Zo, *Chinese Emigration into the United States, 1850-1880* (New York: Arno Press, 1978); J. Watson, "Transactions in People: The Chinese Market in Slaves, Servants and Heirs," in *Asian and African Systems of Slavery*, ed. James L. Watson (Oxford: Basil Blackwell, 1980b), 223-250.

[102] James Tyner, *Made in the Philippines: Gendered Discourses and the Making of Migrants* (London: RoutledgeCurzon, 2004); Karen T. Hansen, "Household Work as a Man's Job: Sex and Gender in Domestic Service in Zambia," *Anthropology Today* 2, no. 3 (1986): pp.18-23; Jean H. Hecht, *The Domestic Servant Class in Eighteenth-Century England* (London: Routledge and Kegan Paul, 1980); Pamela Horn, *The Rise and Fall of the Victorian Servant* (New York: St. Martin's Publishing, 1975).

[103] J. Watson (1980b).

and overlapping. Indeed, clear distinctions between servants and family members were difficult to draw, especially when one considers that a servant can be spoken of as kin, but kin can also be treated as a servant. More often than not girls and young women were usually the ones who were liable to fall under the grey area that lies between the kin/servant spectrum. Once transactions have been made for the servants, the definition of servitude varied widely in terms of duties, duration and rewards. As the literature currently stands, there exist various gaps in understanding the transformation and evolution of servitude in China, some of which can be attributed to issues in terminology and translation. For example, little is known regarding the demographic profile, or gender ratio, of late Imperial China's servile population. While scholars are currently reassessing the state of servitude and the role of male servants in late Qing and colonial Hong Kong, there has been little explanation of this phenomenon or attempt to place it in its socio-historical context.[104] It must be said here that further studies of indentured servitude, domestic service and labour arrangements in contemporary China are paramount in order to answer more probing questions regarding the shifting and fluid nature of domestic service in Chinese societies. However, this is far too great a task to undertake for a project of this scale, in terms of size and time.

Despite being a sleepy fishing port when Hong Kong was established as a colony in 1841, the British were quick to maximize the island's production and developed its shipping industry. This change to the market opened up a lot of opportunities for Hong Kong and those who lived in the surrounding Guangdong province as well, which was caught in the midst of social and political unrest at the time.[105] The first migrants from China were predominately male because tradition generally prevented wives from immigrating with their husbands. Further, the primitive housing and sanitary conditions in Hong Kong was another compelling reason for husbands and their families to prevent the women from travelling. This phenomenon was also mirrored in the European communities, wherein the earliest European population to have settled in Hong Kong were also predominantly male. This was allegedly due to the fact that most European women were reluctant to live in the frontier-like conditions of tropical Hong Kong.[106] Indeed, the 1867 Commissioners' report of the working of The Contagious Diseases Ordinance noted

[104] J. Watson (1975, 1976, 1980a, 1980b), R. Watson (1985).
[105] See Carroll (2007); Endacott (1958); and Endacott and Hinton (1962) for more information on this period of Hong Kong's history.
[106] Andrea Sankar, "Female Domestic Service in Hong Kong," *Michigan Occasional Papers in Women's Studies* 1 (1978): 52.

that the majority of women who were living in Hong Kong at the time—other than the descendants of the original inhabitants—were prostitutes.[107]

Although it is acknowledged that men and boys were sold as servants far less often than women and girls because the former were expected to carry the family line, take care of their family and earn money, domestic work in Hong Kong was not always an exclusively female space. In fact, men worked actively in private households in the early colonial period for a myriad of reasons, wherein the underlying assumptions of the colonial officials of the crown colony were comparable to those in other colonial societies, such as Northern Rhodesia, now Zambia.[108] For example, it was not only assumed that they had to "protect" the colonised women as they were "uneducated," but that the harsh social and living conditions were deemed more suitable for men to bear. Thus, while European homeowners had the opportunity to "purchase" female servants, they rarely did so.[109] James L. Watson has written on a comparable phenomenon that existed in the so-called hinterland areas of Hong Kong like the New Territories—a region that was only loosely administrated during the first three decades of colonial rule.[110] Most powerful families at the time kept, generally, male "hereditary servants," or *sai*[3] *man*[4] 細民 (literally, "minor citizens," or "little people"), who were the property of these families, but not owned by the lineage as a whole, as a mark of superior wealth and status. Controversially labelled as "chattel slaves," by Watson, these household servants were acquired in two different ways: either by purchasing an unwanted son from an impoverished stranger, or buying the offspring of a neighbour's *sai*[3] *man*[4].[111] Whether these men can be considered as "hereditary servants," "serfs," "servants," or "chattel slaves," is still debatable, wherein the ambiguous boundaries that separate each are comparable to that of the twenty-first century institution of transnational domestic service as well.

As it was mentioned earlier, females were also sold to large families as bondservants, or *mui*[1] *zai*[2] 妹仔, as well. The official definition of *mui*[1] *zai*[2], as it was stated in the Hong Kong Census Report of 1921, refers to, "all young girls whose parents have assigned their rights of guardianship to other families for a monetary consideration, and

[107] Sankar, "Female Domestic Service in Hong Kong," 51-52.
[108] Karen T. Hansen, "Household Work as a Man's Job: Sex and Gender in Domestic Service in Zambia," *Anthropology Today* 2, no. 3 (1986): 18-23.
[109]Ibid.; Hansen, "Part of the Household Inventory: Men Servants in Zambia," in *At Work in Homes: Household Workers in World Perspective* (Washington, DC: American Anthropological Association, 1990), 129.
[110] J. Watson, "Chattel Slavery," 363.
[111]Ibid.

whose labour is at the free disposal of the new guardian till the age for marriage."[112] Despite having been ruled as an illegal activity in the crown colony, many Chinese families continued this tradition of buying servants. At one extreme this institution was intended to "rescue" young girls from a life of sin by purchasing them from preventing their own families from selling them to a life of prostitution. In the most ideal circumstances the girls would then be brought up as servants in a wealthy household and will eventually be married off at their owners' expense, made possible only after several years of dedication and service to the household. The other extreme concerns the abuse that they potentially suffered given that they were deemed as the "property" of their owners, as well as the lack of laws governing this institution until well into the mid-twentieth century.[113] *mui*^{1} *zai*^{2}, along with concubines, were often close enough to the families that they served to assume a kin role, but whose marginal statuses also makes it hard to conceptualise their positions in the household.[114]

Even with the establishment of the Anti-Moo-jai [sic.] campaign of the 1920s, the establishment of the Mui Tsai Bill [sic.] of 1932 and the setting up of a royal commission to investigate the *mui*^{1} *zai*^{2}in Hong Kong and Malaya, wealthy Chinese families continued to rely on male and female free and unfree labour to serve in their households.[115] Hong Kong is a particularly well-documented case study in this regard.[116] Although men were still active as servants in Hong Kong's colonial period, new opportunities arose in the early twentieth century for men to enter the public sphere as manual labourers, rickshaw pullers and builders, which meant that women were quickly relegated into the domestic sphere of colonial households.[117]

As such, it is no surprise that domestic service was not considered a viable profession until the early twentieth century when *amahs* became a recognisable part of society. In many ways, it can be argued that the establishment of *amahs* in Hong Kong set the scene for the arrival of the Filipino DHs in the 1970s. The appearance of *amahs* not

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[112] *1921 Hong Kong Census Report*. Quoted in *The Hong Kong Daily Press*, 7 December 1921, 3.
[113] R. Watson, "Wives, Concubines and Maids," 231-255.
[114] Maria Jaschok, *Concubines and Bondservants: A Social History* (London: Zed Books, 1988); Jaschok, "A Social History of the Mooi Jai Institution in Hong Kong, 1843-1938," (PhD diss., SOAS, 1981; H.L. Haslewood, *Child Slavery in Hong Kong: The Mui Tsai System* (London: Sheldon Press, 1930).
[115] See Jaschok (1988, 1981) and Kenneth Gaw, *Superior Servants: The Legendary Cantonese Amahs of the Far East* (Oxford: Oxford University Press, 1988); Hong Kong Governor (1930-35: Peel). *Report by the Governor of Hong Kong on the Mui-tsai Question*. London: HMSO, 1930.
[116] See J. Watson (1975, 1976).
[117] Constable, "Jealousy, Chastity, and Abuse: Chinese Maids and Foreign Helpers in Hong Kong," *Modern China* 22, no. 4 (1996): 452.

only opened up domestic service as a viable profession, but Hong Kong's rapid industrialisation in the 1960s to 1970s meant that many local women who were eligible to work, or were already working, in the homes of expatriates and wealthy Chinese families chose to work in factories, or the service-sector instead, and whose shoes were eventually filled by Filipino migrants.

The fascination, or borderline-obsession, with the *amahs* is a necessary point of departure in any discussion on the history of Filipino DHs in Hong Kong, as this study, Chapter Four in particular, will demonstrate that they are often inexplicably compared to one another in popular culture. Indeed, understanding the role of the *amah* in South China societies requires an examination of their origins, as well as the customs that surround this profession—a profession that Kenneth Gaw argues was made possible by the unique work and customary practices of the region that fostered a sense of sisterhood and economic independence that did not exist anywhere else in China at the time.[118]

Evolving through history, picking up different nuances and shedding different meanings along the way, *amahs*, as a construct, has come to represent a wide ethnic and social backgrounds of DHs, as well as the varied ideas that people have about domestic work. As such, scholars continue to reassess the etymology of the term '*amah*'.[119] While there are different approaches to understanding the term, one common feature to these interpretations is their relation to the act of mothering. From the Portuguese word *ama* to *naai*[5] *maa*[1], the Chinese term for wet nurse (*naima*, 奶媽), all of the words connect the person in that role to childcare, or specifically, wet nursing.[120]

Originally hailing from Shun De 順德, Dongguan 東莞, Sanshui 三水, Nanhai 南海, Panyu 番禺, Xinhui 新會, Zhongshan 中山 and other surrounding areas of the Pearl River Delta 珠江三角洲, the first Cantonese *amahs* who arrived in Canton (present day Guangdong) and Hong Kong would have had extensive work experience as they were expected to work alongside the men.[121] Working on the paddy fields, in the silk industry

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[118] Gaw (1988).
[119] See Constable's *Maid to Order* for an excellent summary of the arguments behind the terms "*muijai*", and "*amah*". I must add here that I have some qualms about the applicability of her argument of the "*muijai*" mentality in the mind-set of Hong Kong Chinese locals when viewing domestic work. For works on the role of the *amah* in Southeast Asian and Chinese societies, see: Gaw, *Superior Servants*, 87; Ooi's "Black and White Amahs," 69-84; and, R. Watson (1991). See also: Mimi Chan and Helen Kwok, *A Study of Lexical Borrowing From Chinese Into English with Special Reference to Hong Kong* (Hong Kong: Hong Kong University Press, 1985): 204-205.
[120] Constable, *Maid to Order*, 52.
[121] Gaw, *Superior Servant*, 25.

and as domestic workers, these activities allowed the women to maintain a sense of (economic) independence from men that was far beyond any that was achieved anywhere outside of the region.[122] Further nurturing this sense of independence were 'women's residences' (*neoi*^{5} *jan*^{2} *uk*^{1}, *nüren wu*，女人屋) that were catered to, and ran by, women. These houses were exclusive spaces for girls and women known usually owned by widows for unwed women to stay in.[123] Generally, the women would stay there at night but would return home for their meals. According to Gaw, two factors necessitated these spaces: 1) the widows' need for help and companionship, and 2) the overcrowding of households. Alternatively, there were the 'old aunts' residences' (*gu*^{1} *po*^{4} *uk*^{1}, *gupo wu*, 姑婆屋) for older women as well.

Also integral to the construction of *amahs* is the combing up ceremony (*so*^{1} hei^{2}, *shuqi*, 梳起).[124][125] Custom generally dictates unwed women to wear their hair in a plait while married women wore theirs in a bun at the back of their head. However, going through *so*^{1} *hei*^{2} —a ceremony wherein its proceedings mirror that of a traditional marriage—essentially means that the woman who is *so*^{1} *hei*^{2} can put her hair up in a bun to indicate that she is married while being single. Taking vows of celibacy, the reasons that these women give for undergoing this ceremony reflect their desire to stay unwed and to maintain a sense of independence from their families. Since the *so*^{1} *hei*^{2} proceedings mirror that of a traditional marriage ceremony, it is not surprising that the women are expected to move out from their homes after giving their vows. Thus, the women's/old aunts' residences were immensely important to these women for support, networking, and companionship.

As it was mentioned above, the declining silk industry in the early twentieth century pushed many of the women who were *so*^{1} *hei*^{2} to travel from the villages in the Pearl River Delta to Canton, the provincial capital, to trade, shop and to look for work as domestic workers.[126] When these women migrated from the Delta to urban Hong Kong and Southeast Asia, they brought with them their beliefs and cultures. As migrants, they were

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[122] See also: Marjorie Topley, "Marriage Resistance in Rural Kwantung," in *Women in Chinese Society*, eds. R. Watson and Patricia Ebrey (Berkeley: University of California Press, 1991), 231-255; and Amy Sim, "Sapphic Shadows: Sworn Sisterhoods and Cyber Lesbian Communities in Hong Kong," in *Chinese Women and the Cyberspace*, ed. Khun Eng Kuah (Amsterdam: Amsterdam University Press, 2008), 181-202.
[123] Gaw, *Superior Servants*, 41.
[124] Ibid.
[125] Ibid.; Sim, "Sapphic Shadows," 184-185.
[126] Constable (1996); Alvin Y. So, *The South China Silk District: Local Historical Transformation and World-System Theory* (Albany: State University of New York Press, 1986); Claire Chiang, "Female Migrants in Singapore: Towards a Strategy of Pragmatism and Coping," in *Women & Chinese Patriarchy: Submission, Servitude and Escape*, eds. Maria Jaschok and Suzanne Miers (London: Zed Books, 1994); Sim, "Sapphic Shadows," 184-186.

supported through the transition from industrial worker to domestic workers by transforming their sisterhoods into guild/village/family associations.[127] These women, alternatively known as *maa*[5] *ze*[2] 媽姐, unlike the other workers (*gong*[1] *jan*[4]*, gongren*, 工人), were seemingly surrounded by an air of mystique that derived from a combination of the mysterious sisterhood that they enjoyed and the ambiguous origins of the imagination of the *amah*, to which they were all bound.[128]They set up so-called 'vegetarian halls' which became a meeting place for their wellbeing and security. They identified with one another as spinster sisters, migrant women, workers and family.[129] They care for one another in life, and in death by buying memorial tablets for the deceased. By doing so, they strengthen the sisterhood that they were a part of and provided a refuge for early female migrants.[130]

By the late 1960s, Hong Kong witnessed a slow but gradual transition from *amahs* to DHs after the PRC initiated new economic reforms and began trading again with Western countries. As more factories opened up, more women began to prefer to work outside of other people's living rooms and kitchens and sought on the factory floors instead. In 1969 the colonial government agreed to the import of foreign DHs when a significant portion of the expatriate community demanded to bring in their own DHs to work with them while they are in Hong Kong.

From Village to Metropolis

Changes began to take place in the 1970s to the early 1980s when the PRC initiated economic reforms and to start trading again with Western countries. As observed in a study conducted by the Asian Migrants Workers Centre in 1989, on the one hand, Hong Kong's economy benefited immensely from this renewed interaction. It also meant that the colonial government of Hong Kong had to come up with ways to satisfy the increasing demands of the labour market without exacerbating the tide of immigration from China,

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[127] Amy Sim, "Sapphic Shadows," 185-186; Andrea Sankar, "Spinster Sisterhoods," in *Lives: Chinese Working Women*, eds. M. Sheridan and J.W. Salaff (Bloomington: Indiana University Press, 1984), 51-52.
[128] Constable (1996, 1997, 2007); Gaw, *Superior Servants*, 89-91; J.E. Stockard, *Daughters of the Canton Delta: Marriage Patterns and Economic Strategies in South China, 1860-1930* (Hong Kong: Hong Kong University Press, 1989), 70, 148-149.
[129] Sim, "Sapphic Shadows," 185-186 and Gaw (1988).
[130] Andrea Sankar, "The Evolution of the Sisterhood in Traditional Chinese Society: From Village Girls' Houses to Chai T'angs in Hong Kong," (PhD diss., University of Michigan, 1978); Gaw, *Superior Servants*, Chapter 10.

on the other.[131] It goes without saying that the first group of Hong Kong employers of Filipino DHs were non-Chinese expatriates—pilots, diplomats, and businessmen— who preferred English-speaking DHs. In 1969 the colonial government agreed to the import of foreign DHs when a significant portion of the expatriate community demanded to bring their DHs with them to come to work in Hong Kong.

In the first decade of the arrival of Filipino DHs in Hong Kong, many were still attempting to come to terms with the presence of the newcomers, and understand the implications of that on their lives. An article published on 4 October 1981 in the *SCMP* explained the story behind the role of the Filipino DH in Hong Kong's lifestyle. Wei Peh T'i, the author of the article, summed up the phenomenon as such:

> "Not an *au pair* girl of modern Western households with young children, the Filipina in the household is a domestic servant. Being young in most cases, these girls are not so set in their ways. They, therefore, fit into the household. Unlike the Chinese amah, they are not a mysterious part of the local scene."[132]

This comment not only suggests the Chinese *amah* as a dubious and problematic character, but it also places the Filipina DH and the construct of the Chinese *Amah* in polar opposites: Filipina/Chinese, foreign/local, familiar/mysterious, and domestic servant/amah.

It is not coincidental that these are the same binary constructs that the numerous complaints in the previous section relied upon wherein the construct of the Filipino DH is often found pitted against that of the Chinese *Amah* in an unlikely 'either/or' scenario. Two opposing views exist in relation to this binary. The first is of the expatriate who sees the Filipino DH as a welcoming, familiar and unthreatening presence in the domestic sphere. The second is of the Chinese local who remembers the Chinese *Amah* in a moment of nostalgia whose presence is being threatened by the Filipino foreigner who is a destabilising force in the traditional Chinese family and society.[133]

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[131] Asian Migrant Workers Centre, *Foreign Domestic Workers in Hong Kong: A Baseline Study* (Hong Kong: Asian Migrant Workers Centre, 1989), 6.
[132] Wei Peh T'i "Why Maids are Part of HK's Lifestyle," *The South China Morning Post* (hereafter *SCMP*), 4 October 1981.
[133] Constable and others have argued that the construct of the Chinese *Amah* represents an idealised past on the one hand, and symbolises ethnic, cultural or racial superiority on the other. However, I have found that the LTEs and articles collected here suggest otherwise.

In her letter to the *SCMP* on 23 August 1983, Judy Armstrong, having employed two highly recommended Chinese *amahs* in the past, "neither of whom could even write English, let alone read science books to her child," expressed her gratitude for her "two Filipina sisters" and, "[challenges] any domestic employment agency in Hong Kong to find [her] a Chinese *amah* equally qualified."[134]

As Hong Kong's economy continued to boom throughout the 1970s and 1980s, excess demand for labour resulted in the employment of even seniors and a higher level of participation of women in the workforce. In order to allow for a higher level of participation of people in the workforce, especially those traditionally engaged in domestic work, the colonial government liberalised the importation of DHs in the early 1980s. First jumping to 1917 from 44 in 1975, hiring grew progressively with numbers soaring to 11,179 in 1981 and 53,740 in 1990.[135]

Indeed, the heightened migration of Filipino DHs to Hong Kong in the 1980s and 1990s was one aspect that clearly reflected broader developments in the city. An active economy engendered a burgeoning 'new' middle class, which included a new class of professionals, administrators, and managers who were better educated and higher earning than their traditional counterparts.[136] Problematic terminology notwithstanding, this 'new' middle class underwent a wholesale transformation in the immediate period leading up to, and after, the 1997 Handover, and also played a great part in dictating the flows of migrant labour in the region as well.

The Rise of the 'New' Middle Class of Hong Kong

Hong Kong's middle class provides a specific turning point for this research. The middle class, albeit fragmented and non-homogenous, forms a large sector of the city's population, and are the majority of those who have come to employ DHs in their homes in recent decades. This section addresses several questions by exploring their historical background and political outlook, both of which consequently influence their attitudes towards foreign workers and the latter's status in Hong Kong: How did this non-homogenous group of people come to dictate the flows of migrant labour into the city? Why have they blocked

[134] Judy Armstrong, letter to the editor, *SCMP*, 23 August 1983
[135] Asian Migrant Workers Centre, *Foreign Domestic Workers in Hong Kong*, 7.
[136] Hsin-Huang Michael Hsiao, "Introduction," in *Discovery of the Middle Classes in East Asia*, ed. Hsin-Huang Michael Hsiao (Taipei: Institute of Ethnology, 1993), 8.

policies and legislation from accommodating foreign DHs time and time again? What is their symbolic significance in the context of Hong Kong's society?

The actual definition of what it means to be middle class, or what sort of economic standards one needs to qualify in order to be in the middle class, differs from region to region. Middle class can be defined by education, wealth, environment, upbringing, social network, manners and values, or even a speaking voice. However, in Hong Kong, or at least to the local Hong Kongers, what it means to be middle class is more of a state of mind than an actual state of being. For example, in 2014 the median monthly domestic household income is $23,500 HKD, which technically means that anyone who earns that amount, or above, belongs in the middle-income group, but this does not necessarily mean middle class, as values of one's residential property, consumption patterns and vacation destinations are taken into consideration.[137] Indeed, if we take Hong Kong's obsession with the property market into consideration as well, a better definition of middle class, in the Hong Kong context, can emerge. Middle class, to local Chinese Hong Kongers, relates to the assets they possess, thus making property a very important element to be taken into consideration.[138] And the definition of the status itself becomes more like, as Li Tao described in his article: "a barometer, an index that fluctuates like stock data, continually redefining and re-evaulating one's place on the property ladder."[139]

In 1995, an article in *Fortune Magazine* declared "The Death of Hong Kong".[140] Between the signing of the Sino-British Joint Declaration in 1984 and the 1997 Handover, it is estimated that around 500,000 Hong Kong residents emigrated. Then, several years before the Handover, many returned. During this period, many observers interpreted the exodus as a form of cultural resistance to protect a way of life. As Ackbar Abbas has rightly pointed out in his monograph, *Hong Kong: Culture of Disappearance*, the history of Hong Kong, in terms that are relevant to what it has become today, has effectively been a history of colonialism."[141] The co-operation and hybridity that came to define colonial rule in Hong Kong gave those who were colonised a sense of belonging—a sense of belonging

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[137] Li Tao, "Middle Class Myth," *China Daily*, 26 April 2013, http://epaper.chinadailyasia.com/focus-hk/article-211.html (last accessed 15 March 2016). *See also*: Lui, Tai-Lok. "Governance Crisis in Post-1997 Hong Kong: A Political Economy Perspective," *China Review* 7, no. 2 (2007): 1-34; "Rearguard Politics: Hong Kong's Middle Class," *Developing Economies* 41, no. 2 (2003): 161-183.
[138] Li (2013).
[139] Ibid.
[140] Louis Kraar, "The Death of Hong Kong," *Fortune Magazine*, 26 June 1995. http://archive.fortune.com/magazines/fortune/fortune_archive/1995/06/26/203948/index.htm (last accessed 12 September 2015).
[141] Abbas (1997).

engendered through an array of daily relationships continuously negotiated through confrontation and compromise, at home and at work, through policies and on the streets. Indeed, in his observations on the intersections of class identity and the employment of Filipino DHs, Pinches pointed out:

> "Intrinsic to the employment of Filipino domestic servants…is their place as status-markers for the middle class and elite employers. Having Filipinos and other foreigners do work that is seen as servile and demeaning not only enhances the social standing of the middle class, but also the national identity of the broader populace."[142]

In his 2004 policy address, the then Chief Executive Officer of the HKSAR, Tung Chee Hwa (in office: 1 July 1997- 12 March 2005), stated, in a section of the speech appropriately titled "Attaching Importance to the Middle Class": "We appreciate their ['the middle class'] values and beliefs, as well as their aspiration to participate in politics."[143] While this statement seems to suggest a uniform set of values among those who may belong in that class, this group of people is by no means homogenous. Due to the problematic, and somewhat ambiguous, nature of the terminology, some scholars have suggested sub-categories, such as 'upper-middle class', and 'lower-middle class', or the 'new' middle class and 'old' middle class, as well as divisions between the 'service professionals' and the 'corporate professionals' in their attempts to reflect the structure of the middle class more accurately.[144] Indeed, the existence of this division and non-uniformity reflects Hong Kong's political and economic development in the past four decades.

Existing scholarship on the subject indicates that the new middle class in Hog Kong has its origins in the transformation of the economy and the state in Hong Kong.[145] Most of the individuals who belong in the middle class today are, 'first generation', in the sense that many members of the current middle class are not of middle-class origin. In fact, it is

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[142] Michael Pinches, "Class and National Identity: The Case of Filipino Migrant Workers," in *Organising Labour in Globalising Asia*, ed. Jane Hutchinson and Andrew Brown (London: Routledge in Association with the Asian Research Centre, Murdoch University, 2001), 192.
[143] 2004 Policy Address by Chief Executive, "Seizing Opportunities for Development, Promoting People-Based Governance," by the Chief Executive, Tung Chee-Hwa, 7 January 2004, Hong Kong.
[144] Lui "Hong Kong's New Middle Class, 248; Lui, "Rearguard Politics: Hong Kong's Middle Class," 172.
[145] Hsiao, *Discovery of the Middle Classes*, 8. *See also:* Ming-Kwan Lee, "Emerging Patterns of Social Conflict in Hong Kong Society," in *Hong Kong in the 1980s*, ed. Joseph Y.S. Cheng (Hong Kong: Summerson Eastern Publishers, 1982); Fan-Zhi Lu, "Zhongcanjieji yu 1997 [The Middle Class and 1997]," in *Xiang Gang: Cong Zhimindi dao Tebiexingzhengqu* [*Hong Kong: From Colony to Special Administrative Region*] (Hong Kong: Guangjiaojing Publisher, 1982); Alvin So, "Democratic Transition in East Asia: Taiwan Breakthrough, Hong Kong Frustration," Paper presented to the *Annual Meeting of ASA*, Washington, DC, 1990.

found that many members of this first generation were born in Hong Kong after World War II and tended to come from worker and peasant family backgrounds. In addition, the scholarship also suggest that these members of the new middle class have experienced significant upward mobility during the economic restructuring between the 1970s and 1990s.[146] Lui Tai-Lok summarises the phenomenon as such, "Unlike other advanced industrial societies where the middle class becomes identifiable as a [collective] through the inter-generational reproduction of their class position, Hong Kong, being a newly industrialised society, presents a newly emerging middle class…[who] have not really developed their own cultural distinctions."[147] This experience is paramount as it has an impact on the consolidation of the middle class giving it demographic and cultural identities that are unique to a nascent sector of society. Specifically, those who self-identify as belonging in the middle class today remember what it was like to be in a lower class position and continue to be influenced by the culture of that class. Hong Kong's social structure has evolved with its economic structure, in that the term 'middle class' was largely absent from public and academic discourse until Hong Kong began its transition to an affluent society in the 1970s.[148]

It is against this backdrop that the middle class emerged in the 1980s. The establishment of a free market capitalist economy gave people the impression that anyone, and everyone, in the society had the right to become a member of the business elite. On the one hand, these conditions facilitate the impression of an attainable climb up the social ladder to anyone who aspires—a notion of success based on personal efforts, the concept of competitive individualism and the idea of the capable deserving to earn more, espoused by many as the 'Hong Kong Experience' or the 'Hong Kong Dream'.[149] On the other hand, it means that this group of people, who are not homogenous in the least, but who have vested interests in protecting their new statuses in society, share at least one trait: support for government policies so long as they sustain the capitalist economy of Hong Kong.[150]

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[146] Alvin Y. So, "Western Sociological Theories and the Hong Kong New Middle Class," in *Discovery of the Middle Classes in East Asia*, ed. Hsin-Huang Michael Hsiao (Taipei: Institute of Ethnology, 1993), 232.
[147] Lui "Rearguard Politics," 170.
[148] Hsiao, *Discovery of the Middle Classes*, 8; Lui, "Rearguard Politics," 164.
[149] Lee, "Hong Kong's Middle Class," 236. See also: Lui Tai-Lok, "The Hong Kong New Middle Class on the Eve of 1997," in *The Other Hong Kong Report 1997*, ed. Joseph Y.S. Cheng (Hong Kong: The Chinese University Press, 1997): 207-225; Lui Tai-Lok and Thomas W.P. Wong, "'The Hong Kong Experience': Class, Inequality and Morality in Political Transition," *Asiatische Studien/Etudes Asiqtiques* 49, no. 1 (1995); Lui, "Rearguard Politics," 172.
[150] Lui, "New Middle Class," 256, 262.

Those who continue to hold on to the 'Hong Kong Dream' and self-identify as middle class are bound in their belief in hard work and individual competition, focusing on personal careers rather than collective action.[151] Scholars from various disciplines have discussed the rise of the 'new' middle class in Hong Kong in the 1980s, especially in relation to social inequality and public opinion of the long-established partnership between government and businesses.[152] The middle class also became a matter of heated debate for many in the immediate period leading up to the 1997 Handover, especially during the Sino-British negotiations, when many were discussing the role of the middle class in the transition period.[153] As few have analysed the rise of Hong Kong's middle class as a phenomenon in and of itself and how this has affected other strata of society, such as the DHs who are becoming increasingly visible in their homes, this research will extend Lu and Wong's critique of Hong Kong's political economy to an analysis of social relations.

The middle class prospered in a relatively stable economy where competition determined one's fate. For those who have moved to their present middle-class positions through the competition for academic qualifications, the elitist education system has worked to their advantage. For those who have moved along the non-credential path, opportunities have been made available by the rapid structural changes of the economy. Success, at least in the mind of the local people, is determined by free competition. Indeed, the findings of one of the social indicators surveys gauged the respondents' perception of social inequalities and mobility in contemporary Hong Kong. This particular study shows that the majority of the population surveyed believe that there is room for improvement and that society is open enough to allow for advancement endeavours, and above all, they believe in the importance of self-efforts. They also believe that the most important social condition for a good future is free competition in the society. In short, regardless of the kind of strategies adopted for climbing the mobility ladder, people in general perceive a free market capitalist economy as a system full of opportunities for advancement. Success,

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[151] Lee, "Hong Kong's Middle Class," 236.
[152] Lui (1997, 2003); Lui and Wong (1995), Lau and Kuan (1988); Hsiao (1993); So (1990); Jennifer Chiu, "Unpacking Hong Kong's Middle Class: Myths and Mobilization before the 2004 Legislative Council Election," *Civic Exchange: Intern Publication*. Hong Kong: Civic Exchange, 2004."
[153] Lui (1997, 2003); Lui, ""Governance Crisis in Post-1997 Hong Kong: A Political Economy Perspective," *China Review* 7, no. 2 (2007): 1-34; Lui, "Hong Kong Society: Anxiety in the Post-1997 Days," *Journal of Contemporary China* 8, no. 20 (1999): 89-101; Ng, Chi-Sum, Jane CY Lee and Qu Auyang, 香港居民的國籍和居留權：1997 年前後的延續與轉變 *Xianggang jumin de guoji he juliuquan: 1997 nian qianhou di yanxu yu zhuanbian* (Nationality and right of abode of Hong Kong residents: continuity and change before and after 1997). Occasional Paper and Monograph no. 122. Centre of Asian Studies (Hong Kong: University of Hong Kong, 1997).

at least in the minds of those who carved out their own niche in this environment, is dependent on individual efforts, either through the acquisition of formal qualifications or through hard work. This, in essence, is the myth of the 'Hong Kong Dream'.

The discourse of the 'Hong Kong Dream' or 'Hong Kong Experience', technically an artifice of colonial historiography, made its way into local popular culture around the 1980s when people dreamt of making a future of their own and to move up the social ladder where possible. But there are two sides of this 'Hong Kong experience.' On the one side, there are individual efforts of making better lives. In the process of socio-economic advancement, the Hong Kong people have developed a distinct identity: one that perceives Hong Kong as the land of opportunities and also a society where they have some rightful claim to entitlements. These feelings, however, have a potential to lead to feelings of injustice. This is especially true for those who are trying to make the best out of this system that proclaims itself as one that is open to opportunity but is in fact unequal and grossly skewed.

However, in response to barriers and class differences, the people of Hong Kong, instead of getting organised and taking collective political action to improve their livelihood, tend to adopt an individualist strategy. Given a choice, most Hong Kong locals believe that they would be better off by making greater efforts to go ahead on their own rather than sticking together and working for common interests. Part of the reason for the choice of an individualist strategy is that few attempts have been made by local political organisations and trade unions to articulate class and class interests for collective mobilisation. But more important is the impact of mobility experience on the Hong Kong people's perception of openings and opportunities in a growing economy, wherein belief in meritocracy and free competition continues to hold sway. In this environment, the practical answer to the question of survival in economic competition is to find your own way up the social ladder.

That experience itself has had a profound impact on local Hong Kong culture. To many, Hong Kong represents opportunity to make a good living, and it in that sense symbolises freedom and openness-- whether by luck, entrepreneurship or by bureaucratic advancement, there are opportunities of mobility. The diverse channels of mobility and opportunity become something more than economic success; they are part of the actual experience, that actual development or formation of the Hong Kong identity and in that process shapes the Hong Kong way of life. In turn, the freedom to be economically successful and to make a better living, become embedded in personal freedom and societal

openness. This is the other side of the 'Hong Kong experience'. In their perception of the Hong Kong way of life, there is no promise of personal success, nor guarantee of social mobility. In the Hong Kong people's mind, equality is the equality of opportunity, fairness "the more competent gets more," and competition virtuous. Class differentials are recognised, but the more important question is how to move on to make a better living. The key to the realisation of the 'Hong Kong Dream' lies in a social system allowing individuals to pursue their own goals. While democracy (more precisely the formation of the future government) is the hot issue of political debate, people's concerns are really about liberty and freedom. Although the notion of 'capitalism unchanged' appears to have its popular support, the real issue is actually about a socio-economic system which gives room for individuals of different classes to strive for success through different channels.

It is this 'open opportunity' mentality that continues to influence the Hong Kong middle class and their perception of the DHs who have come to Hong Kong to fight for a living wage alongside them. The persistence of this mentality remains to be one of the major roadblocks for DHs in their quest for recognition and protection. The prevailing sentiment is predicated on the assumption that all DHs were aware of the conditions of their stay prior to their start of their contract. Therefore, following this logic, it is disingenuous for DHs to think that they can expect anything more than what has been agreed upon. Further, should the women really believe that they are entitled to anything more, then it is their prerogative to leave their domestic jobs in Hong Kong and go back home, but they should not be allowed to consider that they are entitled to stay in Hong Kong and compete for jobs that are already few and far in between. Given this, it is easier to understand why the fight for the Right of Abode (ROA), or even higher wages, is not seen as a legitimate one in the eyes of the majority of locals despite international standards entitling DHs to higher standards than those guaranteed by the government of HKSAR.

Although the term 'middle class' is ambiguous and problematic, it is also politically useful. It encompasses a broad group of people with a wide range of values and interests, but within the group there exists a trend of polarisation, with service professionals tending to hold democratic values and corporate professionals tending to align with business interests who prioritise friendly relations with Beijing. Chapter Four of this dissertation will provide an in-depth discussion of how this mentality impacts the lives of DHs.

Concluding Remarks

The Hong Kong government has spent an exorbitant amount of money and an untold amount of effort in promoting itself as an international city, which is to say that like any cosmopolitan city it is accepting of all people from different nations. However, in the words of Doris Lee, the spokesperson and founder of Open Door, "It is laughable that Hong Kong builds itself as an international city. When something is positive or international, it is immediately seen as 'western', but when something is against their beliefs or the status quo, the immediate criticism is that they are outsiders."[154] What Lee is expressing here, that racism, or at least discrimination, has always been a part of the everyday reality of Chinese mainland immigrants, Southeast Asian DHs, and any other groups of people that are easily deemed as 'outsiders'. And indeed it is something that was echoed by countless others in other interview sessions, the details of which will be explored in Chapter Four. While DHs were recognized as a separate category in the 1970s, the existence of ethnic minorities as a subgroup of Hong Kong's population census data was not mentioned until 2001. Legislation against racial discrimination, such as the *Racial Discrimination Bill* was not introduced to LegCo until 2006 and the *Racial Discrimination Ordinance* was not passed until 2008.[155]

Multiple scholars have argued that the approach taken by the Hong Kong government towards racial diversity and inclusion has been anything but diverse.[156] As Kennedy has discussed, Hong Kong is far from a fully developed liberal multicultural society where minorities can express and practice their identities without assimilating into the mainstream majority. The reality is that Hong Kong is a predominantly 95% Han Chinese society, where ethnic minorities constitute only 5% of its population. While there have been many suggestions over the years as to how to make its society more multicultural, due to inertia there has been zero initiatives to initiate multicultural discourse, other than the occasional marketing campaign to pay lip service the NGOs.

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[154] Interview with Doris Lee, founder of Open Door, 17 December 2013.
[155] Chen and Szeto, "In-Your-Face Multiculturalism," 56.
[156] Chen and Szeto. "In-Your-Face Multiculturalism," 55-74; Kerry J. Kennedy, "The 'Long March' Toward Multiculturalism in Hong Kong: Supporting Ethnic Minority Students in a Confucian State," in *Minority Students in East Asia: Government Policies, School Practices, and Teacher Responses*, ed. J. Phillion, M.T. Hue and Y. Wang (New York: Routledge, 2011), 155-173; Surajit Chakravarty, *Spaces of Market-Culturalism: The Cause of Chungking Mansions, Hong Kong*, PhD Dissertation from the University of Southern California, 2010.

-3-

Institutionalising Domesticity:

Understanding the Legislative Context of Domestic Service

"A group of us Filipinos was at a social gathering the other day, and one of the women who has lived here in Hong Kong for some time, working as a high-powered business executive, demanded, 'Who are those people that keep saying such nasty things about us Filipinos and why are they saying them?' 'What sort of things?' I asked, even though I knew the answer. 'Well,' she fumed, 'they're saying that the population of the Philippines consists mainly of servants, third-rate musicians, laborers and other menial workers!' 'Well,' I said, 'then we could say that the Chinese are fit only to be cooks and launderers, that the British are class-conscious and uptight, and that the Americans are a naive and immature people.' 'Not just that,' my friend went on, 'they're also saying that Filipino businessmen and politicians are all con-men and crooks!' 'So,' I suggested, 'we could say that the Japanese are sly and untrustworthy, that the Russians are all rabid communists, and that Americans are boorish red-necked yokels.' Continuing her fulminations, my friend exploded, 'To top it all, they are saying that Filipino men and women are no better than pimps and prostitutes!' 'Then,' I said, 'we could say that the British are perverts who invented homosexuality (after all, it's called the 'English Disease,' isn't it?), and that the French have sex in the brain (they invented 'French Letters,' didn't they?), And we could point out that the Americans originated pornography—just think of Playboy, Penthouse and Hustler." Isabel Taylor Escoda[157]

Introduction

The passage above is selected from a collection of Isabel Escoda's scripts from the Radio-Television Hong Kong (RTHK) radio programme, "Letters from Hong Kong" which was a weekly programme broadcasted in the 1980s that featured Hong Kong residents—mainly

[157] Escoda, "Feckless, Frivolous, Flamboyant Filipinos," *Letters from Hong Kong,* 32-33.

British expatriates—sharing their views on life in Hong Kong and a variety of topics on contemporary culture, politics and society. Escoda, the only Filipino among the programme's correspondents, through her experience offers an insightful perspective into life in Hong Kong as a minority. Reading the collection one cannot help but note the challenges of being a Filipino expatriate living in a place where the majority of her compatriots are DHs—a profession that still carries a negative connotation, while appreciate the various ways in which people viewed life in the then British colony. The passage highlights the diversity of Hong Kong's sizeable Filipino community and the fact that a significant number of these individuals are actually professionally educated. But to some of the city's local residents, expatriate or otherwise, the growing presence of Filipinos in Statue Square on Sunday and the red-light district in Wanchai was gradually instilling a sense of aliens 'taking over' the city—a sentiment borne in the 1960s when the colonial administration was incapable of dealing with the upsurge of illegal immigrants from Vietnam and the PRC.[158]

Of the Filipinos who work in Hong Kong it goes without saying that not all of them are DHs. In fact, a significant number of them are professionals working in accounting, law and finance. Indeed, before the number of Filipino DHs was officially recorded by the government, with the initial support of the Philippine Consulate General, a group of Filipinos organized the Philippine Hong Kong Association (now known as the Philippine Association of Hong Kong, or PAHK) to provide moral and social support to the 200 Filipinos who were residing in Hong Kong at the time and, according to the PAHK website, "working as executives of multinational companies."[159] After distancing itself away from the Consulate, the PAHK took on a more activist stance and expanded its services.[160] In essence, it is the 'predecessor' of non-profit organisations and migrant advocacy groups whose development can be traced back to the 1980s when the Filipino expat community ballooned to not only include professionals but also DHs, and to the extent that—as Escoda's friend reflects in the passage above—'Filipino' is immediately equated with DH for some.[161] As intimated, it was not always this way-- what changed? And why?

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[158] *A Problem of People* (New ed.), (Hong Kong: WFC Jenner, Government Printer, 1960).
[159] "History," The Philippine Association of Hong Kong, 2014, http://www.pahk.com.hk/History.html (last accessed 9 January 2014).
[160] Ibid.
[161] For another example *see* Escoda, *Letters*, 107.

In sum, Escoda's comments provide a good starting point in examining the legal framework behind this phenomenon. The ways in which discussions of the problems that Filipino DHs seem to have presented to the city's inhabitants overlapped with pre-existing fears of refugees, illegal immigrants, population control, amongst others allow for us to examine the intersections therein. In this chapter, after briefly contextualising the development of local migrant advocacy groups and non-governmental organisations (NGOs) in the 1980s, it will analyse the development of Hong Kong citizenship and its relation to DHs with reference to the discussion in previous chapters. The analysis will provide some insight into the future of these NGOs and the role of the governments in the countries of origin and destination in the promotion and protection of the rights of DHs.

According to the latest figures published by the Labour Department of the HKSAR, there are roughly 900 employment agencies in the city that are registered and operating under the Employment Agency Regulations (Cap 57A) made under the Employment Ordinance.[162] Indeed, the high number giving the impression that there is considerable choice for employers and potential DHs disguises the fact that only one out of every ten of these companies take up the responsibility of assisting DHs and their employers in the necessary immigration procedures for when they start their work in Hong Kong, not including the DHs who fall under the problematic category of workers who are known as 'direct hires'.[163] Further, the number of active recruitment agencies, which handle land-based workers, licensed by the Philippines Overseas Employment Association (POEA) has been declining steadily in recent years from (1,234 in 2004 to 858 in 2014) due to the combination of several factors including but not limited to: Smaller pool of candidates, questionable quality of employers, expansion of illegal recruitment operations,

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[162] Labour Department, Hong Kong Special Administrative Region of the People's Republic of China, *List of licensed employment agencies under the Employment Ordinance (Cap 57, Hong Kong Laws) as at 30 September 2013* (Hong Kong: Labour Department, 2013).
N.B. In reality the number of agencies that exist in the city is suspected to be significantly higher if the number of agencies that exist in the city is suspected to be significantly higher if the number of illegal/non-registered operations that are run from the homes of local housewives and the offices of logistics companies are taken into consideration as well.

[163] There are two groups of direct hires: 1) Those hired directly by members of the diplomatic corps, international organisations and other employers as allowed by the Secretary of Labor and Employment of the Philippines provided that they were hired in accordance with the regulations of the Philippines Overseas Employment Association (POEA); and 2) DHs who are able to secure employment overseas without the intervention of the POEA or private recruitment agents where they can be further sub-categorised as follows: a) those DHs who are already working and are renewing their contract with the same employer but are no longer covered by the joint and solitary liability of their recruitment agency and the employer, b) those DHs with an active legal status and transferring to a new employer, and c) those who travelled to Hong Kong on a tourist visa but were able to secure a working visa and job.

and the introduction of more stringent procedures that took effect on 24 May 2002.[164] The most established of these companies have been in operation since the 1980s, initially catering to expatriates from the United States and Europe who were able to afford domestic labour, but were burdened with the lack of locals who were willing to work in domestic service or in search of DHs who were formally education and had a good command of English. Since the 1980s the number of employment agencies has ballooned to the extent that it is arguably now an industry in and of itself. Employment agencies as a collective form a crucial chain in the trade—for lack of a better term—of foreign DHs into Hong Kong and assisting first the colonial, and now the HKSAR, government in the facilitation of the necessary immigration procedures by being the immediate channel through which the relevant government bodies, employers and DHs communicate with one another.

The unprecedented expansion of employment agencies in Hong Kong that reached new heights in the 1980s streamlined the process for local households to hire DHs on the one hand, while legitimised this problematic form of 'trade' by actively suggesting that domestic service is indispensable for middle-class households on the other. Being an increasingly lucrative business/industry, the problems that DHs were facing were swept under the rug, or continually redirected, by employment agencies and the Labour and Immigration Departments alike. Indeed, when DHs sign their contracts in the Philippines, there is no guarantee of the working and living conditions that they will be in. When the actual conditions turn out to be unfavourable, one option is to terminate the contract but this means that the DH would have to shoulder the costs associated with the termination of the current contract repatriation and application for a new one, including but not limited to: transportation costs (including flight ticket), Pre-Departure Orientation Seminar (PDOS) fee, training fee, contract processing fee, etc.[165] Given the minimal amount of protection that DHs who secured their jobs via legal channels receive, one can only imagine what it must be like for those who are working illegally. As a result, local migrant/DH advocacy groups emerged, and continue to exist to this day, as one of the few

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[164] *See* Philippines Overseas Employment Administration, Department of Labor and Employment, *2011 Annual Report* (Zamboanga City: Department of Labor and Employment, 2011), available at http://www.poea.gov.ph/ar/AR2011.pdf (last accessed: 7 January 2014). *See also* Inquirer Global Nation, "Number of recruitment agencies drop from 1,200 to 700," *Inquirer Global Nation*, 23 January 2011, http://globalnation.inquirer.net/news/breakingnews/view/20110123-316120/Number-of-recruitment-agencies-drop-from-1200-to-700 (last accessed: 7 January 2014).

[165] Technically the PDOS fee—typically around P100—is supposed to be covered by the agency as part of the processing fees paid by the applicants. While the receipt is issued by PDOS providers to the agency, it is suspected that it is the DH who actually pays.

outlets for DHs to air their grievances or simply to foster a sense of belonging in a city where they are often seen as irreplaceable but undesirable at the same time.[166] Therefore, while it may seem logical to presume that migrant/DH advocacy groups work in opposition to employment agencies, this chapter will show that they paradoxically sustain and maintain one another in a delicate balance.

The Question of Belonging

In 1971 the Hong Kong government introduced the category of 'Hong Kong Belonger' into law. The process and ideology behind this term merits some discussion in this study as it not only signifies one of the first official attempts by the Hong Kong government to detail the rights and responsibilities in terms of a positive citizenship category, but it also provides some context into the formation of local identities. It was a watershed period in Hong Kong history for it marks the beginning of local discourses on belonging. As noted by Agnes Ku in her research on Hong Kong history and citizenship studies, this term of belonging concealed an aspect of British imperialism that, for the Hong Kong people, carried exclusionary implications. Furthermore, it sheds light on a dual process of state building and identity formation.[167] What remains under-researched is how Hong Kong's citizenship policies and governance-strategies—the majority of which were formed in the colonial period—continue to shape the experience of Filipino DHs and Hong Kong residents alike, which in turn feed back into on-going discussions of 'belonging' or what it means to be a 'local Hong Konger'. Given that Hong Kong stood, and flourished, on the shoulders of migrants, why is one group more of a 'belonger' than another?

The monitoring of foreign DHs and the existence of DH-specific immigration policies in Hong Kong are influenced in part by concerns over migration flows from the PRC and the surrounding region of Southeast Asia. This is highlighted by the administrative discourse of Hong Kong's 'problem of people'—a phrase that originated in the 1940s and reaching its height in the 1960s when a government booklet was published

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[166] *See* Another Employer, letter to the editor, *SCMP*, 23 October 1981; MF Strickland-Fleming (Ms.), letter to the editor, *SCMP*, 12 October 1981; Andrew Wells, "Let's establish a family tradition," *SCMP*, 20 June 2005. *See also* Hong Kong Employers of Overseas Domestic Helpers Association, "Submission from the Hong Kong Employers of Overseas Domestic Helpers Association: Submission on wage cut and the levy on employers of Foreign Domestic Workers (FDW)," *Minutes of Special Meeting on the Panel on Manpower. 2003. 03.12*, LegCo Paper Number CB(2)1492/02-03(01).

[167] Agnes Ku, "Immigration Policies, Discourses and the Politics of Local Belonging in Hong Kong (1950-1980)," *Modern China* 30, no. 3 (2004): 342.

under the same title to call for different methods of control, restriction and planning.[168] This umbrella term that was used for a multitude of social problems ranging from housing facilities and refugees stemmed from the colonial authorities who truly believed that now have a 'problem of people' in their hands of an unprecedented magnitude. From the 1960s to 1980s, in particular, Hong Kong was the initial port of entry for refugees who fled Vietnam, and most of them, otherwise known derogatorily as 'boat people' were held in detention camps that were in use until the late 1990s.[169] Upon the 1997 Handover, the HKSAR officially ended the practice of accepting Vietnamese migrants and vigorously defended its policy of refusing all asylum seekers who are generally treated as illegal immigrants. Or rather, any immigrant who can otherwise be perceived not only as a socio-economic threat by potentially taking up the job opportunities' of local residents, but also as a threat to the existing socio-cultural order, or sense of local belonging.[170]

In May 1999, the HKSAR government requested a reinterpretation of certain provisions of the Hong Kong Basic Law from the PRC's National People's Congress (NPC) in order to prevent a flood of immigration of Mainland children being born in the city, and FDHs applying for citizenship.[171] The reinterpretation of the Basic Law stirred up great contention within Hong Kong about the legal system and the autonomy of Hong Kong governance. However, this Right of Abode controversy is not purely an issue of 'constitutional crisis', as some have called it, but an indication of social exclusion that has been shaping, and transforming, Hong Kong society since the 1970s.[172]

Hong Kong's historical function as a trade and financial intermediary meant that commerce and the economy was placed above all else. Under the 1842 Treaty of Nanking, China's cession of Hong Kong Island to Britain made it into a Crown Colony, as well as a political and economic outpost of the British Empire in East Asia.[173] Unlike other colonies of the British Empire, the fundamental purpose of Hong Kong's existence as a colony was arguably for revenue and resource extraction, which meant that a 'grand design' for Hong

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168 Agnes Ku, "Immigration and Belonging," 329.
169 Refugee Action, *Refugees from Vietnam in Hong Kong: A Report by Refugee Action* (Derby: Refugee Action, 1986).
170 Ku, "Local Belonging in Hong Kong," 350.
171 Alan Smart and Josephine Smart, "Time-Space Punctuation: Hong Kong's Border Regime and Limits on Mobility," *Pacific Affairs* 81, no. 2, Migration and Mobility (Summer 2008): 184.
172 Ibid.
173 The Kowloon Peninsula was ceded to the British in 1858 and the New Territories were leased in 1898.

Kong was non-existent.[174] Equally non-existent for a significant period of the colonial era was the desire of colonial officials to understand their Chinese subjects, their society or their customs. In other words, the overall strategy adopted by the government underscored the facilitation of the market economy arguably at the expense of citizenship development in the long run.[175] While the development of citizenship rights was ignored by the colonial administration, a strong movement for citizenship rights from below did not exist at the time either. Indeed, the transient mentality of many of the Chinese migrants, or 'refugee mentality' as some argues, allowed them to stay aloof from the reality of colonial rule—few, if any, of them bothered to question the legitimacy of British colonial rule.[176] On the one hand, the small community of local Chinese business elite enjoyed various privileges for committing to Hong Kong's commercial future. And on the other hand, the general populace, who mainly were immigrants from the PRC with the exception of a small minority, remained largely unattached to the notions of citizenship rights or belonging. It seemed at the time that for most of these migrants, Hong Kong was a place where work could be found, where money could be made, and where one could perhaps find refuge. Once the job is completed, the idea is that these migrants would return home.[177] Han Suyin eloquently reflected on the subject in her novel, *A Many Splendored Thing*:

> "Each man, despite his air of belonging, is a transient, claiming as his origin a village back in south China, refusing to belong to the Colony, maintaining his status of passerby even when he works here all his life, even when his children are born here, sometimes even when he is born here. This is the most permanent fact about the Colony: with few exceptions, those who come to regard themselves as on the way to somewhere else."[178]

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[174] Denny Kwok-Leung Ho, "Citizenship as a form of governance: a historical overview," in *Remaking Citizenship in Hong Kong: Community, Nation and the Global City*, ed. Agnes S. Ku and Ngai Pun (Oxon: RoutledgeCurzon, 2004), 22.
[175] Ku, "The Development of citizenship in Hong Kong: Governance without democracy," *Repositioning the Hong Kong Government: Social Foundations and Political Challenges* (Hong Kong: Hong Kong University Press, 2012), 127.
[176] Lau Siu-Kai, *Society and Politics in Hong Kong* (Hong Kong: Chinese University Press, 1982), 7. *See also* Matthews et al., *Hong Kong, China: Learning to belong to a nation* (London and New York: Routledge, 2008), 29.
[177] GB Endacott and A. Hinton, *Fragrant Harbour: A Short History of Hong Kong* (Hong Kong: Oxford University Press, 1962), 90-1; Johannes M.M. Chan, "Immigration Policies and Human Resources Planning," in *Hong Kong Mobile*, ed. Helen S. Siu and Agnes S. Ku (Hong Kong: Hong Kong University Press, 2008), 153-154.
[178] Han Suyin, *A Many Splendored Thing* (London: Jonathan Cape, 1952), 33.

The concept of 'transient mentality', compounded with the popular conception that Hong Kong is a city whose inhabitants have little interest in politics, not only became one of the government's main justifications for suppressing development of its citizenship policies, but also contributed to the 'myth' of Hong Kong being a largely politically apathetic society.[179]

Indeed as Ku and others have observed, one of the most critical periods for the construction of local identity in Hong Kong is between 1950 and 1980 when the colonial government introduced and increasingly tightened regulation of Chinese immigration during this period. There are several factors at play during this time period: 1) restricting immigration from the PRC, 2) transformation of 'refugee identity' to 'rooted Hong Kong identity', 3) shifting understandings of nationality and citizenship in the West—in this case, in the United Kingdom. To sum up briefly, during the initial phase of the 1950s and the 1960s, illegal immigrants were generally accepted, which gave way to stricter policies. The 1970s marks the second phase which is highlighted by the colonial government's formulation of the 'reach-base policy' as a stopgap control mechanism without fully having to integrate the refugees into the society. The final phase of the 1980s is marked by the government's exercise of full control over the process by abolishing that policy.[180]

The policy changes adopted by the government before the abolishment of the 'reach-base policy' reflected the government's reactive measures against the massive waves of immigrants from the PRC, on the one hand.[181] On the other, however, it has been argued that the hidden influence of international politics was also at work. This period saw an increase in the involvement of Britain and the United States, as opposed to the PRC, in defining the refugee status of Chinese immigrants in Hong Kong.[182] With the introduction of the *British Nationality Act 1948*, and the rapid decolonisation of the 1950s, immigration control was more strictly enforced in Britain, and amendments to policies were

[179] Ngo Tak-Wing, "Colonialism in Hong Kong Revisited," *Hong Kong's History: State and Society under Colonial Rule* (London: Routledge, 1999), 5-6. *See also* Lau Siu-Kai and Kuan Hsin-Chi, *The Ethos of Hong Kong Chinese* (Hong Kong: The Chinese University Press, 2009), 157.
[180] Agnes Ku, "Immigration Policies, Discourses and the Politics of Local Belonging in Hong Kong (1950-1980)," *Modern China*, 30, no. 3 (2004): 327.
[181] Chan, "Immigration Policies," 161.
[182] Helen F. Siu and Agnes Ku, *Hong Kong Mobile: Making a Global Population* (Hong Kong: Hong Kong University Press, 2009), 157.

consequently introduced.[183] These amendments to the *English Immigrants Acts* were reflected in Hong Kong's Immigration Ordinance. It is this period that we see the colonial government engaging in what can be called "identity making through state building."[184]

In 1962, the Commonwealth Immigrants Act defined a "United Kingdom belonger" as a person who had tangible ties with the United Kingdom on account of either having been born there or having acquired a passport there. [185] In 1968, this definition was further amended so that it reflected an ancestral link to United Kingdom. By the time the Immigration Act 1971 was enacted, a notion of 'patriality' appeared, which emphasised the notion of 'belonging' more than ever before. The distinction between patrials and non-patrials was embodied in the dual or even multiple structure of citizenship as laid out in the British Nationality Acts. For non-patrials, the concept of citizenship, in effect, no longer carried with it the right to freedom from immigration control.[186] This marked the beginning of the separation of ideas of nationality and citizenship. Following this understanding, being British, both in the political and cultural sense, was to remain exclusively attributed to the indigenous population of the country of birth.[187] Argued in the Hong Kong case by Ku, and in the British case by Martin Barker, it reflected an ideology of 'new racism' that viewed cultural differences as insurmountable.[188] Due to its colonial status at the time, Hong Kong and its citizenry, like other non-British people of the Commonwealth, were caught up in the upheavals of the changes in British nationality.

In 1971 the government defined for the first time in the history of Hong Kong the category of the 'Hong Kong Belonger' into law.[189] Originally designed as an immigration control method, three immigration categories existed to establish the citizenship rights of those who were entitled to enter and reside in the colony, namely: 'Hong Kong belonger', 'Chinese resident', and 'resident United Kingdom belongers'.[190] This included all British

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[183] *See Commonwealth Immigrants Acts 1962* and *1968*, the *Hong Kong Immigration Act 1971*. Satvinder S. Juss *Immigration, Nationality and Citizenship* (London: Mansell, 1993) provides a good review of these bills. For more context on their relevance to Hong Kong *see* Jowett et al. "The British who are not British and the immigration policies that are not: The Case of Hong Kong," *Applied Geography* 15, no. 3 (1995): 245-265; and Ng Chi-sum, Jane CY Lee and Qu Auyang, 香港居民的國籍和居留權：1997 年前後的延續與轉變 *Xianggang jumin de guoji he juliuquan: 1997 nian qianhou di yanxu yu zhuanbian* (Nationality and right of abode of Hong Kong residents: continuity and change before and after 1997). Occasional Paper and Monograph no. 122. Centre of Asian Studies (Hong Kong: University of Hong Kong, 1997).
[184] Ku, "Immigration and Belonging," 347.
[185] Ibid., 343.
[186] Ibid.
[187] Suzanne Shanahan, "Different Standards and Standard Differences: Contemporary Citizenship and Immigration Debates," *Theory and Society* 26, no. 4 (1997): 421-448.
[188] Martin Barker, *The New Racism: Conservatives and the Ideology of the Tribe* (London: Junction Books, 1981).
[189] Ku, "Immigration and Belonging," 343-344.
[190] Ibid.; Chan, Immigration Policies," 163-166.

subjects born in Hong Kong, or Chinese Residents, who were persons wholly or partly of Chinese ethnicity and who had been ordinarily resident in Hong Kong for a continuous period of time not less than seven years.[191] All migrants from the PRC who had been ordinarily residents in Hong Kong or have resided in the territory for at least seven years fell into the category of 'Chinese residents', and 'ordinary residence' excluded any period when the stay was illegal.[192] Those who were "Chinese residents" were given a right to land in Hong Kong, but unlike 'Hong Kong belongers', they were subject to deportation under certain conditions. During this period, with the demand for labour at a high, the colonial government opened its doors to migrant workers, notwithstanding the widespread discontent of the local Chinese population. However, it should be noted that during the initial period of introducing the 'Hong Kong belonger' category, the distinction between local-born and immigration was still largely political and formal, defined by place of birth, political allegiance or citizenship and the right of abode in the British colony. Differences were not marked culturally or in other substantive ways in day-to-day practices.[193]

The rising number of migrants in the 1960s and 1970s was matched by the colonial government's sporadic, and noticeably inconsistent, responses given the inexperience of the Hong Kong colonial administration as a whole in dealing with immigration matters of this capacity.[194] At the time, however, the dominant concern as generally the need to balance industry demand for labour and the degree to which migrant labour would be integrated into local society, with particular concern placed on tension and crime between different ethnic communities.[195] Indeed, the excessive population growth was not only about the strain on public resources (as it had been in the 1950s), but also the new immigrants making little economic contribution to the city and affecting the overall living standard of Hong Kong. Thus, by the 1970s the dominant discourse against illegal immigration carried a sense of cultural superiority of local Hong Kong citizens over that of the 'mainlanders', and becoming a distinguishing identity amongst Hong Kong people.

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[191] "Chinese resident" proved to be the most controversial category in its reflection of overlapping understandings of what it means to "belong." For more information on the debates that took place within, and without the Legislative Council, *see* Attorney General Roberts, *Hong Kong Hansard: Reports of the Sittings of the Legislative Council of Hong Kong* (Hong Kong: Hong Kong Government 1971-1972): 108; *Sing Tao Daily*, 16 July 1971.

[192] Ku, "Local Belonging in Hong Kong," 327.

[193] Ibid.

[194] Ibid., 350.

[195] For more information on the government's position on the inclusion of refugees into the local society, *see Problem of People*, 6-7. Similar sentiments were echoed in the Legislative Council and local newspapers, *see Hansard*, 153; 華僑日報 *Wah Kiu Yat Po* [Overseas Chinese Daily News], 25 March 1972.

Discourse aside, the government dealt with the continual massive flows of legal and illegal immigrants by switching from its more relaxed stance towards illegal immigration to the harsher 'touch-base', or 'reached-base', policy on 30 November 1974 whereby all illegal immigrants who were arrested at the border or in Hong Kong territorial waters would be repatriated.[196] But all others who evaded immediate capture would be given permission to stay in Hong Kong if they were to apply for an identity card at the Immigration Department.[197] The rationale of this policy was to avoid creating a community of people living outside the law who could be exploited by employers or blackmailed by unscrupulous people and who might be compelled to live on the fringes of society and be drawn to crime as a means of survival.[198] The 'touch-base' policy greatly minimised the number of illegal immigrants over the next few years, when less than 1,800 illegal immigrants were arrested each year. Those who made it to Hong Kong and evaded arrest came to about 6,600 per year.[199]

The abolition of the 'touch-base' policy on 23 October 1980, following the PRC's adoption of the Open Policy after 1978, was an important turning point in the history of immigration in Hong Kong. From this date onward, all illegal immigrants from the Mainland were to be removed. While the Director of Immigration had discretion to permit an illegal immigrant to remain in Hong Kong on humanitarian grounds, it was used sparingly, and arguably, inhumanely.[200] The emphasis since then has always been placed on the migrants and the burden that they would be on Hong Kong society and economy, and the unfairness to others who chose to queue for a one-way permit to go to Hong Kong. Indeed, the abolition of the 'touch-base' policy occurred at the same time when the PRC's economic reform eroded social and political controls at the local level, especially considering the fact that the household registration system (户口 *hukou*) also relaxed whereby facilitating the movement of people. Thus, the territory was faced with an influx of illegal immigrants that was significantly more severe than that of the previous period when 60,000 people crossed the border illegally.[201]

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[196] Chan, "Immigration Policies," 159.
[197] Law Kam-yee and Lee Kim-ming, "Citizenship, Economy and Social Exclusion of Mainland Chinese Immigrants in Hong Kong," *Journal of Contemporary Asia* 36, no. 2 (2006): 220.
[198] Chan, "Immigration Policies," 159. See also: *Hong Kong* 1981 (Hong Kong: Government Printer, 1982), 145.
[199] Chan, "Immigration Policies," 159.
[200] Ibid., 161.
[201] Law and Lee, "Citizenship and Social Exclusion," 220. *See also* Ronald Skeldon, "Labour Migration to Hong Kong," *ASEAN Economic Bulletin* 12, no. 2, Labour Migration in Asia (November 1995): 202.

Since the 1970s and '80s Hong Kong has witnessed a continuing trend of restrictive regime on immigration, the effects of which has had deep and severe consequences for all immigrants, whether they are from the Mainland or not.[202] The prevailing immigration policy that the postcolonial, HKSAR, government inherits from the British colonial administration has not changed much in that they continue to adopt a one-sided approach that is focused on controlling the entry of workers, as opposed to one that is also aimed at monitoring their status (or statuses) while in Hong Kong. DHs, in particular, are obviously considered to be temporary migrants by the local population and the government, and are in no way meant to integrate into Hong Kong society. Legal unskilled or semiskilled workers are issued temporary work visas that are good for two years, and are renewable. As it has been mentioned in the previous chapter, DHs who are working legally in Hong Kong are protected by the HKSAR Standard Employment Contract for Foreign Domestic Helpers (ID 407) in the Employment Ordinance, which is the sole authority for the benefits and protection of DHs. The employment and legal provisions of this document do not, however, extend to undocumented migrants or DHs who are seen as working in the informal sector. In this respect, there are loopholes to this system given that if a DH makes a claim or seeks payment of unpaid wages, s/he risks getting fired, making him/her illegal. If not for the established presence of the various migrant advocacy groups in the city, first time DHs who are working legally in Hong Kong may find themselves lacking the appropriate information and resources to launch a proper enquiry with the Labour Department especially when the respective governments, employers and recruitment agencies are dispassionate.

Using the creation of the category of 'Hong Kong Belonger', this section has analysed the mutually affirming processes of immigration policy creation and community formation. It highlights the dynamics between institutional practices and people, communities and societies. It has shown how official categories and terminologies are not just abstract concepts but can have very real, everyday consequences in the way that they produce differences, evoke awareness, reveal assumptions and mask distinctions. Thus, it is necessary to be reminded here that identities are often created due to the convergence of existing discourses, shifting ideologies, new narratives and changing socio-political contexts.[203]

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[202] Johannes S.C. Chan and Barthazar A. Rwezaura, *Immigration Law in Hong Kong: An Interdisciplinary Study* (Hong Kong: Sweet & Maxwell Asia, 2004); Chan, "Immigration Policies," 190.
[203] Ku, "Immigration and Belonging," 353.

Origins of State Management of Foreign DHs in Hong Kong

As Filipinos began to arrive in significant numbers as DHs, the colonial government of Hong Kong saw the need to effectively manage and monitor the growth of foreign DHs. Several pieces of legislation have been devised over the years to provide the legal framework for the employment of foreign DHs in Hong Kong and consequently form the basis of understanding their transformation as a community. The first is the Employment Ordinance. Under this Ordinance, foreign DHs in Hong Kong enjoy the same legal rights and benefits as employees, including the right to unionise, organise, demonstrate, and engage in religious and cultural activities, amongst other activities. The Employment Ordinance not only defines the benefits and entitlements of local and foreign workers, but it also details provisions for one rest day per week (sec. 17), statutory holidays (sec. 39), and annual leave (part VIIIA). Thus, employers can be fined up to 100,00HKD if they terminate their workers' contracts for requesting a day off from work, or participating in a union. Further, given the concerns that various migrant organisations had about employment agencies, their operations are officially governed by part XII of the Employment Ordinance and the Employment Agency Regulations (Cap. 57A).[204]

The governance and operation of the Employment Ordinance is specified under the Standard Employment Contract, which was first instituted by the colonial government in 1975.[205] The Standard Employment Contract, Schedule of Accommodation and Domestic Duties, combined with the Employment Ordinance, are designed to protect the rights and interests of foreign DHs and are a result of negotiations that have taken place in the past several decades. The relatively successful enforcement of the Standard

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[204] Hong Kong Labour Department, Hong Kong Special Administrative Region of the People's Republic of China*, List of licensed employment agencies under the Employment Ordinance (Cap 57, Hong Kong Laws) as at 30 September 2013* (Hong Kong: Labour Department, 2013).

[205] See Hong Kong Immigration Department, "Foreign Domestic Helpers," 20 July 2015 http://www.immd.gov.hk/eng/faq/foreign-domestic-helpers.html#general (last accessed 14 September 2015); Hong Kong Immigration Department, "Employment Contract for a Domestic Helper Recruited from Outside Hong Kong- English Version," *Hong Kong Immigration Department*, 3 March 2015 http://www.immd.gov.hk/eng/forms/forms/id407.html (last accessed 14 September 2015); Hong Kong Immigration Department, *Guidebook for the Employment of Domestic Helpers from Abroad* (Hong Kong: Hong Kong Immigration Department, March 2015), available at: http://www.immd.gov.hk/pdforms/ID(E)969.pdf (last accessed 14 September 2015) ; Hong Kong Labour Department, *Practical Guide for Employment of Foreign Domestic Helpers—What Foreign Domestic Helpers and Their Employers Should Know*, July 2015, available at: http://www.labour.gov.hk/eng/public/wcp/FDHguide.pdf (last accessed 14 September 2015).

Employment Contract guarantees minimum protection at least for all foreign DHs regardless of their nationality or gender. Specifically, the Standard Employment Contract spells out the minimum working conditions and the legal responsibilities of the employer. Further, all foreign DHs have a legal minimum wage set by the government. Because DHs are required to "live-in" with their employers, as per the legal requirement, they are excluded from the government's Minimum Wage Ordinance enacted in 2010, which is based on an hourly rate that is currently set at $32.50HKD. Their salaries are regulated instead by the Minimum Allowable Wage for Foreign Domestic Helpers (MAW). As of 1 October 2015, the MAW has been set to $4,210HKD. It is worth noting that under the Standard Employment Contract, any DH who is employed is mandated to live in the home of the employer. The employer must provide him/her with "suitable accommodation" and "reasonable privacy" within their home and it must be free of charge. Although there is no specification that a private room must be granted, the employer must declare the type of accommodation and facilities to be provided to the DH in the Standard Employment Contract before signing.[206] Furthermore, food must either be provided during employment or an allowance must be given in lieu. If food is in kind, then it must be free of charge. If an allowance is given, it should be no less than $995HKD per month (as of 1 October 2015).[207] Further, the contract does not provide for fixed hours of work or provide means to redress grievances concerning long working hours. Clause 12(b) provides reasons, namely, dishonesty, neglect of duties, amongst others, under which an employer can terminate without notice or salary in lieu.[208] The reasons are vague, which allow for a wide degree of interpretation, allowing unscrupulous employers to arbitrarily terminate employment. Clause 12(c) provides reasons for the DH to terminate, namely, physical danger or ill treatment, but the definitions are again quite vague and puts the onus of proof on the DH.

The second legislation is the Immigration Ordinance. This Ordinance pertains to the visa application process, duration of stay and deportation procedures for foreign DHs. The Immigration Ordinance (Cap 115) is particularly pertinent for the purposes of this dissertation, as it spells out the exclusion of foreign DHs from permanent residency, which is described as an exception to the rule.[209] The general rule is provided in Article 24(4) of

[206] Justice Centre, *Coming Clean*, 22.
[207] Ibid. Also note that this does not apply to local DHs.
[208] Santos, *Human Rights*, 124-127; Constable, *Maid to Order*, 125-126.
[209] Santos, *Human Rights*, 127; Basic Law Drafting Committee. *Basic Law of Hong Kong Special Administrative Region of the People's Republic of China, 1996*. Hong Kong: Joint Publishing (H.K.) Company, Ltd., 2006.

the Basic Law, which states that the following are entitled to permanent residence and the right of abode in Hong Kong:

> "…[Persons] not of Chinese nationality who have entered Hong Kong with valid travel documents, have ordinarily resided in Hong Kong for a continuous period of not less than seven years and have taken Hong Kong as their place of permanent residence before or after the establishment of the Hong Kong Special Administrative Region."[210]

However, Section 2(4)(a)(vi) of the Immigration Ordinance (Cap 115) states the following:

> "[A] person shall not be treated as ordinarily resident during any period in which he or she remains in Hong Kong while employed as a domestic helper and who is from outside Hong Kong."[211]

There is another proviso in sub-paragraph (iv) of the same section distinguishing DHs from other migrant workers. To be specific, DHs, together with contract workers, illegal immigrants, refugees, consular officials, members of the Hong Kong Garrison and prisoners are all in the same category to the extent that their stays in Hong Kong are not to be treated as ordinarily resident.[212] It goes without saying that foreign contract workers are treated differently from foreign DHs. In an annual report submitted by the Hong Kong Director of Immigration in 1998-1999, the objectives of immigration control were identified as follows: a) to regulate the entry of immigrants into Hong Kong so as to keep the population within acceptable limits; b) to control the entry of foreign workers, balancing demand for special skills with the need to protect the local labour force from unfair competition; and c) to facilitate the mobility of tourists and business people to make Hong Kong an attractive tourist and business destination. On the surface it seems as if that the objective for the difference in treatment is to keep the population in check so that undue pressure would not be put on the already burdened housing, education and social welfare systems. However, it is clear that this difference in treatment is based on the

[210] Chan, "Immigration Policies," 166; Ibid., 127; *Basic Law of Hong Kong.*
[211] Santos, *Human Rights*, 127; *Basic Law of Hong Kong.*
[212] *Basic Law of Hong Kong.*

assumption that foreign DHs are a 'liability' to Hong Kong and will compete with local workers, whereas other foreign migrant workers are considered 'assets' that would further benefit and develop Hong Kong's economy.

The Immigration Ordinance also includes the New Conditions of Stay (NCS) policy, which was implemented in 21 April 1987.[213] To be brief, the NCS stipulates that: a) foreign DHs must abide by the 'two-week rule' whereby they have up to two weeks to find a new employer upon the expiry or termination of their contract, as opposed to the one-year limit that they had prior to the introduction of the NCS; b) change of employment will not be allowed in the first two years of the employment contract; c) those who break their contract will not be allowed to submit a new and valid contract without repatriation; d) DHs cannot change employers without the approval of the Immigration Department; e) DHs cannot switch to non-domestic employment; and f) foreign DHs cannot gain permanent residence. If the DH is unable to do so, s/he will have to repatriate or risk severe financial penalties, imprisonment or deportation for overstaying.[214] According to the then Secretary for Security, David Jeaffreson, the NCS was implemented to, "eliminate the abuses caused by the present casual approach to employment by some employers and employees [and to] provide greater stability of employment."[215] Specifically, the NCS goals were to combat the allegedly prevalent "job-hopping and moonlighting," of DHs and to, "protect the local labour force."[216] Some examples that Jeaffreson referred to were the number of helpers who were working for employers who were not the same as the ones listed on their contracts. Further, because helpers were allowed to change jobs after the first year of their contracts, employers could dismiss their helpers over minor differences given the ease with which they are able to find a replacement.[217] At the same time, DHs could resign from their jobs without hesitation, as they would feel confident that they would be able to find an employer easily.

The NCS went under fire from multiple fronts, as it was a policy that was unilaterally implemented by the then Governor and applied by the Immigration Department. Unlike other legislations, it was not passed through the normal legislative

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213 Constable, *Maid to Order*, 145-146.
214 Ibid.; Wui, "Worlding Activism," 103; Santos, *Human Rights*, 125.
215 United Filipinos in Hong Kong (UNIFL), "No to the New Conditions of Stay (NCS), Abolish the Two Week Rule!", *UNIFIL*, April 2001, http://www.migrants.net/wp-content/uploads/NCS_2WkRule_Primer-2.pdf (last accessed: 14 September 2015).
216 *Asiaweek*, "Hong Kong's Maid's Debate," 10 May 1987, 72. See also: UNIFIL (2001), and Santos, *Human Rights*, 124-127.
217 UNIFIL (2001).

process, namely through the Legislative Council.[218] Further, the NCS only applied to foreign DHs and are not imposed on foreign professionals working in Hong Kong. Finally, the 'two-week rule' enforceable under the NCS has done nothing but exacerbated the harsh conditions under which foreign DHs work. In a statement submitted to the United Nations Commission on Human Rights in 2003, a group of non-governmental organisations stated:

> "In effect, the Two-Week Rule [what the New Conditions of Stay are commonly referred as] restricts the rights of MDWs (migrant domestic workers) to demand fair working conditions, to change employers, and to terminate work contracts in cases of abuse."[219]

This issue received so much attention in one year that employers, DHs, and the Immigration Department were continuously engaged in dialogue through the *SCMP*'s Letters to the Editor (LTE) in that period. Employers who have lived in Hong Kong for a number of years, who are avid readers of the English-language newspapers, and who may have had prior experience in the employment of Filipino DHs, were generally the first, and most active, in voicing their opinions in the columns. One correspondent, Mrs Elsie Elliott, wrote, "The law is entirely on the side of the defaulting employer and the agency, which makes the racket very profitable for the agency."[220] The reason behind Mrs Elliott's statement is the aforementioned stipulation of the NCS that once a DH's contract is terminated, the individual must repatriate and reapply in order to return to Hong Kong. It is not rare for some to pay the HKD3500 required of them to try their luck again.[221] Recruitment agencies, therefore, "have much to gain and nothing to lose by sending out untrained maids."[222] Andrew Hicks, a lawyer and avid spokesperson for Hong Kong Filipino DHs in the late 1980s to early 1990s, echoed Elliott's sentiments in a similar

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[218] For a full overview of the position of NGOs towards the New Conditions of Stay, Right of Abode and all other regulatory policies of Hong Kong, please refer to: Peggy WY Lee, et al. *Submission From Migrant Domestic Worker Organizations: Hong Kong CEDAW Shadow Report 2006* (2006). Available at: http://www.apmigrants.org/articles/papers/HK_Migrant_Worker_Cedaw_Shadow_Report_2006.pdf (last accessed: 14 September 2015).

[219] Santos, *Human Rights*, 126; (UN Doc. E/CN.4/2003/NGO/122) (12 March 2003) submitted to the Fifty-ninth Session of the Commission on Human Rights by the Asia Pacific Forum on Women, Law and Development (APWLD) in consultation with its Hong Kong partner organisations Asia Pacific Mission for Migrants (APMM), United Filipinos in Hong Kong (UNIFIL-HK), Asian Migrants Coordinating Body (AMCB), Mission for Filipino Migrant Workers (MFMW), and Bethune House Migrant Women's Refuge.

[220] Elsie Elliott, letter to the editor, *SCMP*, 19 November 1981.

[221] Ibid.

[222] Ibid.

statement: "The present system, I agree, is stacked against the helper, but the existing bureaucratic triangle is also a nightmare for employers. Meanwhile the [recruitment] agencies laugh all the way to the bank."[223] Another submission by Mary Eddis summed it up best: "The Filipina would be very wrong to try to seek redress in the Labour Tribunal, if the session I once sat through was at all representative- a badly-acted pseudo-legal Fawlty Towers show. The Filipina should accept this rigid rule, and be grateful for a free air ticket back to Manila, where she can mortgage her other grandmother and apply to come to Hong Kong."[224]

The Immigration Department's defence was in fact quite remarkable, albeit unsatisfactory from the point of view of the regular correspondents. John Yeung, speaking on behalf of the Immigration Department, acknowledged the difficulties faced by the DHs, but shifted the blame to the government of the Philippines. He wrote, "... [the] standard contract imposes transport costs on the employer and statutory regulations forbid overcharging of the employee by an agency. However, the great difference between wage rates in Hongkong and the Philippines put agencies in a very strong position if they want to levy unfair fees and charges on employees in the Philippines."[36]This is further supported by a submission from Ron Bridge, the Director of Immigration, less than a month later.

> "[...] wage differences between the Philippines and Hongkong are so great that there is a big incentive for people from the Philippines to come and work in Hongkong [sic.]. We therefore only allow them to come for a specific employment, which is clearly defined in the terms of contract and tightly controlled. I believe that to do otherwise would undermine [sic.]. It would also be politically embarrassing because our policy in relation to entry for employment from the Philippines might then appear more liberal than our similar policies in relation to other countries."[225]

Although the Hong Kong government said that it did its best to prevent abuses, legally or otherwise, of DHs, it is clear that their interests came first. In their refusal answer some of the concerns of correspondents and yet to repeatedly state its case, for example, the Immigration Department was passing the blame to the government of the Philippines for

[223] Andrew Hicks, letter to the editor*, SCMP*, 18 May 1982.
[224] Mary Eddis, letter to the editor, *SCMP*, 19 May 1982.
[225] Ron Bridge (Director of Immigration), letter to the editor, *SCMP*, 2 June 1982.

not imposing tighter controls over agencies, and to employers for not exercising better judgment when selecting employees or drawing up contracts.[226]

In the early period of negotiations between migrant organisations and the government of Hong Kong to abolish, or relax, the NCS, various employers' groups and government agencies began to submit proposals that included policies that would freeze wages, impose wage deductions, relax maternity protections and impose a 'service tax' for the use of public facilities and services by foreign DHs. The proposition of these policies in Hong Kong from the late 1980s to mid-1990s, and Marcos's imposition of Executive Order 857 (EO-857) in 1983, instigated a period of heightened political mobilisation of migrant organisations around the world, but particularly in Hong Kong, during this period as it was discussed in Chapter Two.

The third piece of legislation is the Employers Retraining Ordinance. This Ordinance imposes a compulsory monthly 400HKD Employees Retraining Levy per foreign DH on employers hiring DHs from 1 June 2003 onwards. Under the Employees Retraining Ordinance (Cap 423), the revenue collected from this levy goes into the Employees Retraining Scheme for the purposes of equipping and reintegrating local unemployed people into the workforce. The logic is that should employers feel that local workers do not have the skills necessary resulting in their hiring foreign workers, then they should contribute to the equipping of local workers with the skills that would allow them to find employment.

Finally, the Hong Kong Bill of Rights Ordinance (BORO) that took effect on 8 June 1991 as a model to the International Covenant on Civil and Political Rights (ICCPR) as well as the International Covenant on Economic, Social and Cultural Rights (ICESCR), later amended to suit the needs of HKSAR is also of particular relevance.[227] Indeed, article 22 of the BORO (Cap 383) reflects article 26 of the ICCPR to the extent that it provides that all persons are equal before the law, therefore discrimination against DHs would be covered. Further, s11 of the BORO would seem to preclude its application in respect to immigration matters. The section states:

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[226] Elsie Elliot, letter to the editor *SCMP*, 7 October 1981.
[227] Johannes M.M. Chan, "A Search for Identity: Legal Development since 1 July 1997," in *Hong Kong China: The Challenges of Transition*, eds. Wang Gungwu and John Wong (Singapore: Times Academic Press, 1999), 253-254.

> "As regards persons not having the right to enter and remain in Hong Kong, this Ordinance does not affect any immigration legislation governing entry into, stay in and departure from Hong Kong, or the application of any such legislation."

The Basic Law of Hong Kong officially supports this semi-contradictory application of the BORO. According to the HKSAR's official website:

> "The BORO incorporates into the law of Hong Kong the provisions of the ICCPR as applied to Hong Kong. It was drawn up with full regard to the Joint Declaration, the Basic Law and the experience of other jurisdictions that had or were contemplating on such a law. It is a law to meet the particular circumstances of Hong Kong."

On 23 February 1997 the Standing Committee of the National People's Congress decided that certain aspects of the BORO, specifically those that related to the interpretation and application of the BORO, were not to be adopted as the laws of HKSAR from 1 July 1997 so that the Ordinance would be compatible with article thirty-nine of the Basic Law such that the BORO only applies to the public authorities in Hong Kong, but does not cover actions in the private sector.[228] In particular, some judgments of the High Court in HKSAR express the opinion that the ICESCR is merely "promotional" or "aspirational" in nature.[229] Further, the HKSAR has refused attempts to introduce and form a human rights commission for both public and private sectors and has no plans to promote human rights education with a specific focus on race.[230] The HKSAR has justified these claims because fulfilling its obligations towards ICERD or ICCPR, "would not be supported by [Hong Kong] society as a whole."[231] Hong Kong's autonomy under the "one country, two

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[228] Chan, "Immigration Policies," 171-172; Santos, *Human Rights*, 119.
[229] Santos, *Human Rights*, 118-119. See also: *Mok Chi Hung v Director of Immigration* 5 January 2001) High Court, HKSAR; *Chan To Foon v Director of Immigration* (11 April 2001) High Court, HKSAR.
[230] "Push to Set Up Rights Tribunal," *SCMP*, 13 February 1994, 1; "All of Us Will Benefit from Bill," *SCMP*, 1 October 1994, 14. See also, Carole Petersen, "Equality as a Human Right: The Development of Anti-Discrimination Law in Hong Kong," *Columbia Journal of Transnational Law* 34, (1996), 335-388; "Fight Against Racism Needs Legal Teeth," *SCMP* 24 June 1998, 18; Human Rights Committee, *Report of the Human Rights Committee*, New York: General Assembly Official Records, 55th Session Supp. No. 40 (2000); Emily Lau, "Slap on Wrist for Hong Kong," *The Statesman* (India), 17 November 1999; "On the Wrong Side of Human Rights," *SCMP* 9 November 1999, 19; "Hong Kong Conducts Survey on Racial Discrimination," *Deutsche Presse-Agentur*, 12 December 1999.
[231] Santos, *Human Rights*, 118-120.

systems" agreement, stipulated in article 73 of the Basic Law, provides HKSAR the authority to legislate the territory on almost every aspect of society, including racial discrimination.

Given that two-thirds of all Filipino DHs in Hong Kong were hired through one of the several hundred employment agencies in Hong Kong that have been established since the 1970s, the nature of their business, and their management by the Philippine and Hong Kong governments, warrants discussion. Ideally, the role of the recruitment agency is to expedite the selection process for the prospective employer, so that he, or she, may, "have the pick of the bunch," as one correspondent from the *SCMP* was quoted writing.[232] From the LTEs collected from the *SCMP* and several employers' manuals analysed, many a prospective employer were under the impression that recruitment agencies were only responsible for the selection and even the repatriation of DHs if he, or she, is dissatisfied with the service of the latter.[233] Indeed, there is a remarkable market for DHs in Hong Kong—a point that recruitment agents do not easily miss, which is also something that the employers and DHs are keenly aware of.

Unscrupulous recruitment agencies continue to exist, and multiply, in Hong Kong. Whether this is due to the negligence of the HKSAR, or the nature of the *laissez-faire* economy of the city, will be the subject of discussion in the fourth chapter of this dissertation. Before that, however, it is necessary to discuss the various legislation and policies that govern the several hundreds of recruitment agencies that exist in Hong Kong. For example, the licensing and operation of recruitment agencies are governed by the Employment Agency Regulations, 1973 (Cap. 57A). Provisions include the licensing of agencies, collection of license fees (500HKD), renewal of licenses, submission of quarterly returns, and maintenance of register. Further, an employment agency can only charge job seekers, including foreign DHs, a commission of not more than 10 percent of the first month's salary received on successful placement. If an employment agency is caught contravening the regulations, it will not only be fined up to 50,000HKD, but the Commissioner for Labour may refuse to issue or renew its license. However, given that Hong Kong's labour laws have no extra-territorial jurisdiction, it cannot regulate any malpractices of employment agencies abroad, such as those that are in the countries from which the foreign DHs originate. In 1991, the government of Hong Kong issued Memo

[232] Another Employer, letter to the editor, *SCMP*, 23 October 1981.
[233] Elsie Elliot (Mrs), letter to the editor, *SCMP*, 19 November 1981.

Circular No. 30 to take over the recruitment and deployment of DHs, in order to protect the DHs being exploited with exorbitant fees by agencies both in Hong Kong and the Philippines. This decision was later dropped due to resistance from the agencies of both countries. As such, the regulation of agencies through the accreditation of the Philippines Embassy continues to remain to this day.

There are a whole host of issues that remain unaddressed. It is clear that DHs are considered as temporary workers and therefore in no way meant to integrate into Hong Kong society. Legal unskilled or semi-skilled workers are issued temporary work visas that are good for two years and renewable on a case-by-case basis. However, DHs can renew indefinitely. At the same time, as stated above, there is no provision for family reunification or for temporary workers to acquire permanent residency or citizenship.[234] The only way that DHs can gain citizenship is if they decide to marry a Hong Kong citizen, notwithstanding the cultural and social challenges therein.

Legal DHs are covered by domestic labour laws, such as the BORO, the Employment Agency Regulations, 1973 (Cap. 57A), the Immigration Ordinance (Cap 115) the Employment Ordinance and the Standard Employment Contract. However, in actuality, these policies do not protect the DHs as well as they were designed to given that if a DH makes a claim or seeks payment of unpaid wages, she risks getting fired, which in turn would make her illegal. This is the case given that most DHs lack the legal capacity to complain when government authorities, employers and most of all, recruitment agencies, are uninterested. Historically, government policies have ineffectively focused on controlling the entry of undocumented labour and have focused very little attention on the situation of people that they have deemed as outsiders, like those of the DHs. Thus, the challenges of entering the city disguise a more serious form of racism that Filipina DHs suffer in public. The Hong Kong government is the foundation upon which racial discrimination laws and policies are based, and so they are also the ultimate arbitrators what is, and is not, an act of racism. Two of the most obvious examples are the "two-week rule" and the "live-in rule" wherein both clearly illustrate the ways in which the government actively endorses the current less-than--ideal living and working conditions for foreign DHs.

As mentioned in previous chapters, the two-week rule requires all foreign DHs to repatriate back to their countries of origin within two weeks of the termination of their contract unless they are able to secure another employment during that time frame. Since

[234] The possibility of which was famously shot down by the Court of Final Appeal on 25 March 2013.

direct hires are illegal, most DHs have to go through an employment agency to be re-employed, which is obviously a time-consuming process. Thus, it should be no surprise that most DHs are not able to find a new employer immediately upon the termination of their contracts. This is a double-edged sword: By going back home, they will be eligible to be re-employed as a DH in Hong Kong, but this same law renders them ineligible for permanent citizenship, or more commonly known in HK as right of abode, since they would not be able to stay in Hong Kong for seven years without interruption. Despite the fact that the United Nations Committee on the Elimination of Discrimination against Women as well as the United Nations Committee on Economic, Social and Cultural Rights have both condemned this rule in 2006 and 2013 respectively, the two-week rule still continues to apply to the employment of DHs in Hong Kong. The Hong Kong government has yet to take decisive measures to counter the discrimination and abuse that migrant workers receive as a result of this.

Then there is the mandatory live-in rule that effectively makes working part-time for employers illegal as it requires all foreign DHs to live in their employer's home. The Standard Employment Contract stipulates:

> "While the average flat size in HK is relatively small and the availability of separate servant room is not common, the Employer should provide the Helper suitable accommodation and with reasonable privacy. Examples of unsuitable accommodation are: The Helper having to sleep on made-do beds in the corridor with little privacy and sharing a room with an adult/teenager of the opposite sex."[235]

Despite this regulation, and others that are meant to ensure the safety and wellbeing of DHs, the reality is that what is deemed "suitable" or "private" is left to the discretion and will of the employer.[236] Thus, it is no surprise that a 2012 survey conducted by the Mission for Migrant Workers (MFMW) found that 30% of foreign DHs sleep in kitchens, corridors, storage rooms, or with employers or their children. The same survey reported that 25%

[235] Hong Kong Labour Department, "Employment Contract," in Practical Guide For Employment of Foreign Domestic Helpers—What Foreign Domestic Helpers and Their Employers Should Know, (Hong Kong: Labour Department, 2009), 26.

[236] Interview participants have talked about women they knew who slept in storage rooms. In our interview, Doris Lee brought up the high profile case of Purple Lee who constructed a 'bedroom' in her toilet for her DH to live in.

stated that they felt that they have no privacy. An equal percentage complained that they felt "unsafe" with 20% reporting that their employers have installed CCTV cameras and 35% of DHs would rather "live out" if they had the choice to do so. Further, the Hong Kong Privacy Commissioner told employers in Hong Kong that they may use hidden cameras if they suspect wrongdoing by their DHs.[237] Effectively what this law does is to restrict the freedom of movement of DHs, restricting their choice of abode to that of their employers. Incidentally, Amnesty International has been condemned as one of the main causes of the exploitation of DHs.

Origins of State Management of Domestic Service: The Philippines

Despite the impressive economic growth of the Philippines in recent years, unemployment remains a persistent problem for this country of more than 100 million people. The unemployment rate has been falling since 2010, and the latest figures indicate that it has further decreased to 6.4% from 7% a year earlier. However, progress has not been steady and, indeed, the country still has one of the highest unemployment rates in the ASEAN region. There are several reasons for this, one points to lack of new jobs that can satiate the rapidly increasing population. For example, in three of the past five years, the number of people entering the job market has been greater than the number of jobs created. Furthermore, participation in the labour force remains comparatively lower than other countries in this region. Only about 65% of the population aged 15 and above is looking for work, which is lower compared to 78% in Vietnam, 72% in Thailand and 68% in Indonesia. This, of course, can be explained partially by the value given to education in the Philippines, where Filipinos generally enrol into university or college before entering the labour market.[238]

Before looking at overseas work, it is worth mentioning that there are at least 1.9 million workers in the Philippines, aged 15 years old and above, who are engaged in domestic work as their primary occupation.[239] Paid domestic work is an important source

[237] "Employers in Hong Kong Given Okay to Spy on Maids," *Deutsche Presse-Agentur*, 15 June 2000.
[238] Felipa Salvosa, "Philippine Struggles With Unemployment Despite Economic Growth," *CNBC*, 1 September 2015, http://www.cnbc.com/2015/09/01/unemployment-in-philippines-an-issue-despite-rapid-economic-growth.html (last accessed 16 March 2016).
[239] ILO: Conditions of Work and Employment Branch (TRAVAIL), *Domestic Workers in the Philippines: Profile and Working Conditions*, Geneva: International Labour Office, 2.
N.B. There are many more domestic workers who are not recorded in the Labor Force Survey, specifically children who are less than 15 years old who work as house maids or "boys".

of income, especially for women who make up 84% of domestic workers in the Philippines, whereas they comprise only 38% of national total employment. Paid domestic work was a primary occupation for 9.2% of employed women in 2001, which has since risen to 11.5% in 2010. The average age of domestic workers are relatively young: 34% of female domestic workers and 29% of male domestic workers are between 15 to 24 years old. In comparison, only 19% of employed workers nationwide are in the same age range. However, they are also better schooled than the average worker. Whereas just 30% of employed workers nationwide have graduated from high school, 44% of women and 54% of men in domestic work have reached this educational level. The biggest concentration of domestic workers is in the National Capital Region (20%) followed by CALABARZON (14%), Region VI (10%) and Region VII (9%). Interestingly enough, if we look at live-in workers, their concentration in the National Capital Region is even bigger: 35%.[240] Not surprisingly, the small number of households that do employ domestic workers (5.8% of all households, live-in or live-out) are mostly concentrated in the top tenth percentile with an average annual household income of Php 755,700, followed by 20% working for the ninth decile with an annual household income of Php 354,600.[241] In 2010, the average daily pay received by domestic workers was as follows: P132.6 per day for the whole country, P176.2 in the National Capital Region and P158.3 per day in CALABARZON. In comparison to other waged employees, domestic workers receive the lowest average basic hourly pay (almost half of what other waged employees receive), especially when we consider the long working hours for live-in workers.[242]

It is estimated that currently around seven million people—10 per cent of the Philippine population, 20 per cent of the country's labour force—work overseas, a number that does not include 'undocumented' workers. Further, the Philippines sends abroad about 600,000 workers annually.[243] The majority of the DHs who work abroad are from CALABARZON (14.6%), Central Luzon (12.2%), the Ilocos Region (10.2%) and followed by the National Capital Region (8.6%).[244] More than half of the Overseas Contract Workers

[240] ILO, "Domestic Workers in the Philippines," 3.
[241] Ibid., 4.
[242] Ibid., 10-11.
[243] Philip L. Martin, "Migration and Trade: The Case of the Philippines," *International Migration Review* 27, no. 3 (1993): 639.
[244] Philippine Statistics Authority, "Table 2.1 Distribution of Overseas Contract Workers by Sex and Region: 2014," *2014 Survey on Overseas Filipinos*, 29 May 2015, http://www.census.gov.ph/content/statistical-tables-overseas-contract-workers-ocw-2014 (last accessed 16 March 2016).

(OCWs) are between 25 to 39 years old (25-29 accounts for 29.8 per cent, 30-34 accounts for 25% and 35-39 accounts for 15.4%).[245]

Remittances are considered the most visible and straightforward index by which to measure migrant's contribution to their countries of origin. On the whole, remittances represent the second largest external source of funding to developing countries, like the Philippines, and in many of these countries, their overall volume exceeds that of foreign direct investment.[246] Remittances can improve economic growth, especially if it is used for children's education, investment, entrepreneurial activities and savings. When used for consumption, they can have multiplier effects which can ease local unemployment and boosting local economies. Whatever their use, remittances stimulate demand for other goods and services from local providers.[247] Studies have confirmed that most remittances from the Philippines are allocated for daily expenditure, with large sums going to education, debt repayment and housing.[248]

Despite the high remittances, Filipino DHs in Hong Kong are still subjected to various structural challenges within the institution. Although the allocation of their wages fall under minimum wage legislation, such as the MAW, their individual wages are generally determined by national stereotypes and not individual qualification and skills.[249] Notwithstanding is their exclusion from labour protection, which can aggravate the income vulnerability of domestic workers. For example, a widespread myth about the wages of domestic workers is that an increase of their wages will result in a decrease in demand for

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[245] Philippine Statistics Authority, "Table 2.2 Distribution of Overseas Contract Workers by Age Group, Sex and Area: 2014," *2014 Survey on Overseas Filipinos*, 29 May 2015, http://www.census.gov.ph/content/statistical-tables-overseas-contract-workers-ocw-2014 (last accessed 16 March 2016).

[246] UN Women, *Contributions of Migrant Domestic Workers to Sustainable Development: Policy Paper for the Pre-GFMD VI High-Level Regional Meeting on Migrant Domestic Workers at the Interface of Migration and Development* (Bangkok: UN Women, 2013), 14 http://asiapacific.unwomen.org/~/media/7148BD87A4F7412D8CBD10482146276F.ashx (last accessed 16 March 2016); International Organization for Migration, *Gender, Migration and Remittances* (Geneva: International Organisation for Migration, 2010).

[247] UN Women, *Contributions*, 14; International Organization for Migration, *World Migration Report 2005: Costs and Benefits of International Migration* (Geneva: International Organization for Migration, 2006); United Nations International Research and Training Institute for the Advancement of Women, "Remittances," *Gender, Remittances and Development Working Paper 4* (Santo Domingo: UN INSTRAW, 2007).

[248] UN Women, *Contributions*, 14; Aurora Javate de Dios, et al., "III. Patterns, Trends and Challenges of Labour Migration in the Philippines: Focus on Families and Children Left Behind," *Valuing the Social Cost of Migration: An Exploratory Study* (Bangkok: UN Women, 2013), 72-116, http://www2.unwomen.org/~/media/field%20office%20eseasia/docs/publications/2013/valuing%20the%20social%20cost%20of%20migration.ashx?v=1&d=20141202T120230 (last accessed 16 March 2016).

[249] UN Women, *Contributions*, 17; Graziano Battistella and Maruia M.B.Asis, "Protecting Filipino Transnational Domestic Workers: Government Regulations and Their Outcomes," *Discussion Paper Series No. 2011-12* (Makati City, Philippines: Philippine Institute for Development Studies, 2011).

domestic work and subsequent increase in unemployment. However, cases like South Africa, where a legal minimum wage has been set in 2002, clearly indicates that the increase of average wages have not resulted in any significant employment loss.[250]

In addition to the widespread exclusion of DHs from minimum wage provisions, they are also affected by the common occurrence of wage deductions. For example, workers have to pay off debts incurred in relation to their job placements and departure.[251] This not only affects the well-being of newly-arrived DHs, they are also unable to send their remittances home. In the Philippines, for example, these deductions are widely practised through unofficial channels even though the government explicitly bans charging domestic migrants the incurred placement and travel costs. Battistella and Asis report that half of their respondents in their study who were in pre-departure training admitted that they would have their salaries deducted upon arrival.[252] The vulnerabilities that DHs are exposed to, even if they are working under legal status, are manifold. Some examples include: unlawful departure, departure with an inappropriate visa, departure without traiing, and reprocessing at destination countries.[253]

Currently, the scholarship on Filipino migration is plentiful. For example, there are studies of flows and patterns of migration and its impact on the economy, proposals for changes to regulations, discussions on its social impact, and of course studies on the working and living conditions of those who work abroad.[254] The consensus, summed up succinctly by Graziano Battistella is as follows: 1) overseas labour migration has had a positive impact on the development on the country, but it is not evenly spread and has led to great rifts in the Philippine economy; 2) individual migrants benefit from work abroad but this elevated position is not sustained when the return; 3) working and living conditions abroad are still unfavourable; 4) it is relatively hard to assess the social impact of migration

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[250] UN Women, *Contributions*, 17; Tom Hertz, "The Effect of Minimum Wages on the Employment and Earnings of South Africa's Domestic Service Workers," *Working Paper Series No. 2005-04, Department of Economics* (Washington, D.C.: American University, 2005); Martin Oelz, "Remuneration in Domestic Work," *Domestic Work Policy Brief 1* (Geneva: ILO, 2011).
[251] UN Women, *Contributions*, 18; Battistella and Asis (2011); de Dios, et al. (2013).
[252] UN Women, *Contributions*, 18; Battistella and Asis (2011).
[253] UN Women, *Contributions*, 20; Battistella and Asis (2011).
[254] Manolo Abella, "International Migration and Development," in *Philippine Labour Migration: Impact and Policy*, eds. Graziano Battistella and Anthony Paganoni (Quezon City: Scalabrini Migration Center, 1992); Florian Alburo and Danilo Abella, "The Impact of Informal Remittances of Overseas Contract Workers' Earnings on the Philippine Economy," Asian Regional Program on International Labour Migration Working Paper (Bangkok: ILO, 1992); Maruja Asis, "Overseas Employment and Social Transformation in Source Communities: Findings from the Philippines," *Asian Pacific Migration Journal* 4, no. 2-3 (1995); Asis, "The Overseas Employment Program Policy," in *Philippine Labour Migration: Impact and Policy*, ed. Graziano Battistella and Anthony Paganoni (Quezon City: Scalabrini Migration Center, 1992), 68-112.

on the cultural, social and familial aspects of Philippine society (although one may have their suspicions); and 5) there is no real alternative as yet.[255] However, what is known is that the Philippine government has played an instrumental role in the intensification of overseas labour migration that have systemically promoted the phenomenon since its inception.[256]

Prior to 1974, there was minimal government supervision of overseas workers and recruitment was exclusively handled by the private sector. The only piece of legislation that was in place from 1915 to 1974 to regulate the movement of labour abroad was Act 2486. This act required recruiters to pay a tax to the national government and to the authorities in provinces where they operated. This changed with the Labor Code (Presidential Decree 442) issued by President Marcos in 1974, which was aimed at promoting overseas employment and to "ensure the best possible terms of employment" for the workers and also set up the Department of Labour and Employment (DOLE) for managing all affairs related to the "overseas labour export industry".[257] However, both Forman and Santos have noted the complications that have arisen due to this division of labour within the government, especially given the fact that aside from the DOLE's regulatory jurisdiction, there are several other attached agencies that deals with migrant workers in the Philippines. This includes the Philippine Overseas Employment Administration (POEA), the Overseas Welfare Association (OWWA) and the Commission on Filipinos Overseas (CFO). [258] However, due to the fact that the CFO main jurisdiction is over those who have become permanent residents abroad, this study will only look at the former two agencies.

By the late 1960s and early 1970s, the Philippines was beginning to face a number of serious economic issues emerged as a result of weak public policies and the implementation of the structural adjustment policies funded by the World Bank and the International Monetary Fund (IMF).[259] Some of these economic issues include an extremely

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[255] Graziano Battistella, "Philippine Overseas Labour: From Export to Management," *ASEAN Economic Bulletin* 12, no. 2, Labour Migration in Asia (1995): 257.
[256] Kristel Acacio, "Managing Labour Migration: Philippine State Policy and International Migration Flows, 1969-2000," *Asian Pacific Migration Journal* 17 (2008): 103-132; Asis, "Caring for the World: Domestic Workers Gone Global," in *Asian Women as Transnational Domestic Workers*, eds. Shirlena Huang, Brenda Yeoh and Noor Abdul Rahman (Singapore: Marshall and Cavendish Academic, 2005), 21-53.
[257] Battistella, "Philippine Migration Policy: Dilemmas of a Crisis," *Sojourn* 14, no. 1 (1999): 229-248; Nana Oishi, *Women in Motion: Globalization, State Policies and Labor Migration* (Stanford, CA: Stanford University Press, 2005), 64; Santos, *Human Rights*, 27; Presidential Decree No. 442 (Manila, Philippines, May 1974).
[258] D.M. Forman, "Protecting Philippine Overseas Contract Workers," *Comparative Labour Law Journal* no. 16 (1994): 26; Maria Deanna P. Santos, *Human Rights and Migrant Domestic Work: A Comparative Analysis of the Socio-Legal Status of Filipina Migrant Domestic Workers in Canada and Hong Kong* (Leiden; Boston: Martinus Nijhoff Publishers, 2005), 28.
[259] Battistella, "Philippine Migration Policy," 258.

high population growth rate, low labour force absorption rate, high unemployment and inflation rates, rising underemployment and income disparity, low savings and investment rates, heavy reliance on foreign aid and increased external debts, unfavourable resource balance and poor GNP growth and government budget deficits. The combination of these problems, catalysed by the disastrous oil crisis in the 1970s, led the Philippine government to vigorously promote its migrant workforce with the help of the Overseas Development Board (OEDB) and the National Seamen Board (NSB) under the guise of the so-called labour export policy, otherwise known as the Overseas Employment Programme, in the form of the Overseas Contract Workers (OCWs).[260] It also created a Welfare and Training Fund, which became the Welfare Fund for Overseas Workers (WelFund) in 1977. This strategy fitted the notion of an international division of labour in which poorer countries supply natural resources, including human labour, to wealthier ones.[261] The number of workers processed increased dramatically from 36, 035 in 1975 to 88, 241 in 1978. Battistella notes that while seafarers dominated the numbers in the beginning (65 per cent in 1975), their numbers did not increase as rapidly as land-based workers. As such, by 1978 seafarers were only 42 per cent of total migrants.[262]

By 1978, the Philippines began to witness a second phase of activity, which is reflected in the ways it began to manage its labour migration. In March 1978, the Ministry of Labour adopted the "corporate export strategy" which increased the participation and responsibility of the recruitment agencies in the labour export programme.[263] And in 1982 the Philippine Overseas Employment Agency (POEA) was created and became one of the regulatory bodies of migrant workers.[264] Its main functions are to facilitate immigration processing, regulate the operations of recruitment agencies, and set standards for wage rates and placement/recruitment fees.[265] This was reflected in the policy measures taken at the time as the WelFund was renamed the Overseas Workers Welfare Association (OWWA) in 1987. At the same time, institutions and governing bodies were shuffled around. As a result, the functions of the POEA were expanded in the same year to include

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[260] Ibid., 259.
[261] Ibid., 258.
[262] Battistella, "Philippine Overseas Labour," 259.
[263] Arnel de Guzman, "Critical Assessment of the Government's Welfare Program," in the *5th Annual Regional Conference of Overseas Filipinos in Asia and the Pacific Region*, 86. See also: Asis (1992); Presidential Letter of Instruction 852 (Manila, Philippines, 1978).
[264] Executive Order 797, "Reorganizing the Ministry of Labour and Employment, Creating the Philippine Overseas Employment Administration and For Other Purposes," (Manila, Philippines, 1982).
[265] Santos, *Human Rights*, 28.

market development, employment, welfare, licensing, regulation and adjudication.[266] At the same time EO No. 450 lifted the ban on the issuance of licenses to new recruiting agencies, a measure which was in effect since 1982.[267] Put simply, this facilitated the opening of employment agencies, which further increased the deployment of migrants abroad. Much debate has since taken place with the consequences of these measures put in place in the early 1980s, with many (including NGOs like UNIFIL and MI) to term the government programme a 'labour export programme'.[268]

As Santos details in her comprehensive study on Philippine migrant workers, one of the ways in which the Philippine government protects migrant workers is by requiring a common procedure for registering with both the POEA and OWWA. In doing so, Philippine migrant workers can avail themselves of different services and privileges, such as exemption from the payment of travel taxes and custom tariffs, amongst other services.[269] The government also guarantees some sort of protection for migrant workers through a procedure called the 'certification of employment contracts'.[270] In doing so, employment contracts are ensured to conform to the Philippine labour standards, and allowing the Philippine government to intervene on behalf of workers should contractual disputes arise.[271]

As the number of migrants continued to soar, the Philippine government recognised that the millions of dollars in remittances that OCWs send through the Philippine banking system and monitored by the Philippine Central Bank helped earn the necessary foreign exchange to balance the nation's financial accounts. Just to highlight how astonishing that figure is, between 1990 to 2000 the total amount of remittances of overseas Filipinos reached USD 41.86 billion[272] Thus, it was no surprise that Marcos issued Executive Order (EO-857) in 13 December 1982, which made it mandatory for overseas workers to remit 50 to 70 per cent of their earnings through the Central Bank of the

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[266] Battistella, "Philippine Migration Policy," 231; Battistella, "Philippine Overseas Labour," 260; Martin, "Migration and Trade," 643. This is an intricate system that is still in place today, which was originally designed to examine foreign employer contracts. What actually happens is that Filipino workers are screened and then they go abroad with special contract worker passports. Private recruiters go abroad to find jobs for Filipinas to fill, get the government to approve the contract and then get the Filipina to go abroad. However, this comes at a high cost, most of which (to the surprise of the employers) are borne by the worker.
[267] Ibid.
[268] Battistella, "Philippine Migration Policy," 231; Forman (1994).
[269] Santos, *Human Rights*, 28.
[270] Mary Angela Villalba, "Legal Protection of Filipino Migrant in Hong Kong," in *Legal Protection for Asian Women Migrant Workers—Strategies for Action* (Ateneo Human Rights Center, LAWASIA and Canadian Human Rights Foundation, Manila, 1997), 145; Santos, *Human Rights*, 29.
[271] Santos, *Human Rights*, 29.
[272] Ibid., 25.

Philippines ('Central Bank' hereafter).[273] In other words, they were no longer allowed to use other 'informal channels', such as door-to-door enterprises, couriers, and other fly-by-night remittance handlers. Government agencies subsequently checked on the performance of OCWs, requiring them to produce a confirmed bank remittance form, an authenticated certificate of payment from the employer or from a bank, or an official receipt from the Central Bank or the post office.[274] Further, the Central Bank and the Foreign Ministry were to establish mechanisms for this enforcement with penalties, such as non-renewal/non-extension of passports for non-compliance with the ruling. The rates that the banks and other money transfer firms offer for remittances are already considered 'oppressive' and 'burdensome' by many, and with the implementation of EO-857 it means that they will not only be forced to accept these exorbitant fees, but they would also be giving undue control to the government to oversee how much they earn abroad.[275] The worldwide outrage provoked by EO-857 forced Marcos to repeal the punitive measures of EO-857 on 1 May 1985 when he issued a new Executive Order (1020), which basically tamed EO-857 but allowed it to retain its mandatory remittance provisions.[276]

As Corazon Aquino replaced Marcos as president in 1986, the government's line towards migrant work continued unabated, with the only difference being that migrant workers were hailed by Aquino as the country's "new heroes and heroines". In 1988 she proclaimed December as "the Month of Overseas Filipinos" in recognition of the role in the economy.[277] However, as emigration from the Philippines became increasingly feminised, with the percentage of female migrants doubling between 1980 and 1987, the Aquino administration faced renewed issues of abuse and exploitation in the media.[278]

In the wake of the Flor Contemplacion case, the Philippines witnessed the biggest policy change in the span of the twenty years since the start of the labour export programme in the enactment of The Migrant Workers and Overseas Filipinos Act of 1995 (Republic Act 8042).[279] Santos has noted that it was curiously passed the same year that the

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[273] Executive Order 857, "Governing the Remittance to the Philippines of Foreign Exchange Earnings of Filipino Workers Abroad and For Other Purposes," (Manila, Philippines, 1982); Constable (2007); Wui (2015).
[274] Lindio-McGovern, *Globalization, Export, Resistance*, 46.
[275] Ibid; Constable, *Maid to Order*, 160.
[276] Lindio-McGovern, *Globalization, Export, Resistance*, 46; Constable, *Maid to Order*, 160.
[277] Nana Oishi, *Women in Motion*, 64.
[278] Despite the fact that the Philippine government subsequently banned the deployment of DHs in 1987 due to the welfare issues brought up by the Flor Contemplacion and Sara Balabagan cases, deployments of Filipino migrant workers rose 4 per cent a year between 1985 and 1990 and increased by 9 per cent a year between 1990 and 1995 and continued rising by 6 per cent a year between 1995 and 2000.
[279] Battistella, "Philippine Migration Policy," 231; Santos, *Human Rights*, 24.

government ratified the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families.[280] It states that it shall "afford full protection to labour, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all."[281] And, indeed, taken as a whole, this piece of legislation considered migration within the framework of development and that overseas labour should not be taken as a tool for development, which is to say that the Philippine government will not, and does not, export labour.[282] The act provides several policy measures to ensure the protection of the Filipino workers abroad. However, given the continued and sustained reporting of abuse and violations in the media since the enactment of this law, in retrospect this seemed to have been an act of lip service that was mostly declaratory with little intention for implementation.[283] This is also attested in the historical anthology *The Great Filipino Dream*:

> "The wealth of the Japanese therefore started in their brains. These manufactured products are what are called 'Made in Japan'. With us, tragically, it is 'Maids from the Philippines'. To learn from them, we must therefore be exporters and not importers; manufacturers and not mere consumers; to earn dollars and not to drain our funds."[284]

Since Marcos, not only has no government made an effort to come up with alternatives to reduce the number of migrants each year, but the continuation of this strategy has also been actively encouraged. This is reflected in a number of ways, first in the marked increase in the number of applicants processed for migrant work under Aquino. For example, between 1982 and 1985 under Marcos, an average of just over 440, 500 workers were processed a year. Between 1986 and 1989 the average increased to 637,000. Second, the role of migrant workers in the Philippine economy have not gone unnoticed by the government as they have, on separate occasions, been called 'new heroes', 'modern-day heroes', 'martyrs of the nation', 'internationally shared resources', and even 'overseas

[280] Santos, *Human Rights*, 24; Republic Act 8042, signed into law on 7 June 1995 in Manila, Philippines by President Ramos.
[281] Santos, *Human Rights*, 24.
[282] Battistella, "Philippine Migration Policy," 232.
[283] Ibid., 232.
[284] Immanoel J. DePedro, *The Great Filipino Dream* (Manila: Rex Bookstore, 1999), 94.

Filipino investors'.[285] Despite the fact that there is no evidence to suggest that overseas migration and remittances are able to solve domestic economic problems or make any significant contribution to national development, it is clear that the Philippines continues to rely heavily on remittances.

The Expanded Livelihood Development Programme (ELDP) was established in the late 1980s to provide credit services to OCWs. Between 1990 and 1996, 3,522 OCWs (45% of whom were women) reportedly used these loan services.[286] Most of the livelihood projects by women were in trading; many in sari-sari shops. Since then the ELDP has been revised to the Expanded Livelihood Programme (ELP) that provides larger loans with lower interest rates and stricter credit policies and regulations. However, there is still a lot of debate as to its effectiveness, especially in areas of access, control and regulation.[287] In 2003 a project was implemented by the International Labour Office, the POEA and the Commission of the European Communities, which sought to enable Filipino migrant workers and their families to develop entrepreneurship and self-employment from remittances.[288] The project revealed a significant number of limitations within entrepreneurship education, including the need for structural adjustments, amongst other things. The evaluation revealed that returning migrants are not necessarily more entrepreneurial than other people, and that successful small businesses are only possible under a favourable economic, political and social climate created by appropriate macro-level policy instruments and social infrastructure. Access to financing is essential, and a financial education o sustainable management of loans and financing should be offered, and complemented by other professional skills, contacts and experiences.

Twenty years later, a UN INSTRAW Working Paper states that as long as the structural context remains unchanged, remittance-based individual entrepreneurship will have little possibility of success, as investors face constraints that cannot be overcome simply by individual efforts.[289] In Hong Kong, the Migrant Return Saving Programmes and Migrant Credit Unions have been implemented in Hong Kong.[290] They constitute great models for mobilising migrant savings, and turning them into viable projects, but so far the

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[285] 'New heroes' is a term that has been translated from Tagalog, *mga bagong bayani*. *See also*: Vicente Rafael,"'Your Grief is Our Gossip': Overseas Filipinos and Other Spectral Presences." *Public Culture* 9 (1997): 267-291; Parrenas, *Children of Global Migration*, 109.
[286] UN Women, *Contributions*, 28.
[287] Ibid.
[288] Ibid.
[289] Ibid.
[290] UN Women, *Contributions*, 28-29.

success has been questionable. There is a lot of focus on setting up sari-sari shops in small communities without any macro-economic strategy to expand markets and employment chances beyond small-scale ventures. A UN study suggests that Asian governments could learn from the Mexican *Tres por Uno* (three for one) policy, i.e. the counter-provision by local and national governments of one dollar per each (to add up to three) saved and remitted by migrants through local Hometown Associations to strengthen the impact of migrants' investments.[291]

In 2007 the Philippine government passed a reform known as the "Household Service Workers (HSW) Reform Package". However, it has received mixed reviews. Some organisations support it, which includes waiving placement fees, setting a minimum wage to 23 years old, mandatory country-specific training requirements and the minimum salary of 400USD. Others feel uncomfortable with the boldness of the reform and believe that the measures are unrealistic, especially when they did not consult with many female migrant workers. Following the reform, the number of domestic workers deployed in 2007 and 2008 saw a steep drop. However, some of argued that the drop was artificial as many domestic workers departed under alternative categories and were reprocessed in destination countries. From this it can be argued that strict enforcement of such measures without understanding the fundamental reasons why domestic workers leave their countries in the first place is bound to backfire, which can lead to further violations of the rights of migrant domestic workers.

Concluding Remarks

Whether intentionally or otherwise, both the two-week and live-in rule make it extremely challenging for DHs to leave, or even report, these situations, especially when there is family to take care of back home or debts to repay. For the majority of cases, the only way for DHs to escape is to go to escape to a shelter. Interestingly enough, the HK government does not fund shelters for DHs. As such, NGOs and churches have taken this in their own hands and have established a handful of shelters that are dedicated to migrant workers. Shelters like Bethune House, operated by the Mission for Migrant Workers handle cases of illegal firing, false accusations of stealing, physical abuse including denial of food, as well as rape and beatings. While these cases are in the extreme and are quite rare, the majority of

[291] UN Women, *Contributions*, 29.

DHs still have to face the fact that there is no private space for them within the flat to relax in. Thus, on their day off, which is usually on Sunday, DHs are literally forced to make their private lives public.

-4-

Seeing Double: Visions of Domestic Service

Voices of Middle-Class Employers

Why do they stay put in Statue Square? It is a nice place, isn't it? When they want to send photos back home, all they have to do is pose right there and such landmarks as the Bank of China Tower, Exchange Square, etc. are captured as background. These glamorous poses are well-received by kinsmen in the Philippines and somewhat rub-off the stigma attached to being a domestic helper. They likewise stay in Statue Square because that is where they can relax after sending remittances or door-to-door deliveries from the shops in Worldwide. They usually bring along sandwiches with them to further save for their languishing relatives back home. That is where they can buy Filipino food and delicacies prepared by their follow domestic helpers wanting to augment their meagre income. Incidentally, why don't the authorities make this legal? Filipino restaurants do not offer all the foods their palates have been long for, or else, the prices are unaffordable.[292]

Introduction

[292] "Why Statue Square?," *Tinig Filipino* (ca.1990), 16.

The expansion of domestic service employment agencies witnessed in Southeast and East Asia in recent years has attracted a heightened degree of interdisciplinary inquiry that places particular emphasis on the roles that these organisations play in the global phenomenon of the commodification of domestic helpers and the intersections of cultural and economic activities.[293] To this end, historians have made significant efforts to reconcile differences between cultural, social and literary history. Daniel Rabuzzi, for example, has examined the formation of early modern German mercantile society and its mores from sources typically studied for their technical content, such as lexica, correspondence and travel/topographical accounts.[294] Similarly, this chapter will demonstrate comparable ways in which other bodies of sources from completely different spatial and temporal modes-- in this case, employment manuals created by employment agencies for employers and, on occasion, domestic helpers (DHs) in the 1990s-- can be utilised to add to current understandings of the expansion of transnational domestic service.

In 2005 one of the last of these manuals, generously entitled *Quanfangwei zhangkong waiyong*《全方位掌控外傭》 (literally, Comprehensive Management of Foreign DHs, hereafter '*QZW*'), was published by an author who wrote under the pseudonym of Irene Ho Ah Wing 何雅詠.[295] Like most of the contemporary manuals for employers, the preface of *QZW* begins with a short paragraph reminding local employers of their indebtedness to foreign DHs. And like most of its counterparts it does not fail to slip in an attack on the existing guidebook literature, and including a clear reference to its intended audience. The author writes: "This book breaks out of the traditional mould by providing perspectives of both employers and domestic workers to understand potential misunderstandings and come up with solutions for a harmonious existence."[296] The preface further states that *QZW* is different because it "provides a great deal of practical information on employment regulations, multicultural recipes, as well as tips on healthy living and household maintenance, amongst other things."[297] The emphasis it places on breaking from tradition is seen highlighting the various reasons why it is important to 'manage' one's foreign DHs. Examples include: maintaining a healthy balance between

[293] Bakan and Stasiulis (1995); Cheng (2006).
[294] Rabuzzi, Daniel A., "Eighteenth-Century Commercial Mentalities as Reflected and Projected in Business Handbooks," *Eighteenth-Century Studies* 29, no. 2 (Winter 1995/1996), 169-189.
[295] Ho Ah Wing, *Comprehensive Management of Foreign Domestic Helpers* [*Quanfangwei zhangkong waiyong*, 全方位掌控外傭, hereafter *QZW*] (Hong Kong: Singtao, 2005).
[296] Ho, "Preface," [*Xu*, 序], *QZW*, 6.
[297] Ibid.

being too sympathetic of foreign domestic workers and seeming too harsh, judiciously including anecdotes from 'real' employers, and choosing pithy newspaper articles on foreign DH-related horror stories.[298] Finally, this book is marketed to be comprehensive, as it is intended to:

> "Give you quick and reliable advice to allow you to make the right choice, whether you are thinking of employing a foreign DH, or hoping to 'self-hire', or facing difficulties regarding renewal or termination of contracts."[299]

QZW is a representative example of a type of publication that was, and continues to be, popular among certain middle-class Hong Kong readers who are readers of self-help and DIY guides. However, in recent years handbooks that are specifically targeted at employers are no longer available in the market, nor can they be found in any online bookshop in Hong Kong, China or Taiwan. Despite that being the case, almost any Hong Kong Chinese local who has been an employer has used or at least heard of these manuals. Similarly, s/he has visited employment agencies, solicited advice from housewives who employ foreign DHs through online forums, took cooking lessons from The Hong Kong and China Gas Company Limited (commonly known referred to as 'Towngas'). The above are indicative of a middle-class-centred infrastructure of domestic life that began to grow in unprecedented and unexpected ways in the 1980s before reaching its height in the 1990s in Hong Kong.[300]

However, these manuals have an inexplicably negative reputation among scholars, despite the fact that there is little to no analysis of their circulation and influence within, or without, the Chinese-speaking world. Regarded by many as mass-produced, middlebrow and formulaic, their assessment seems to stem from a broader socio-cultural critique that links modern transnational domestic service with transforming patterns of capitalist consumption. To the extent that a relatively well-documented global history of domestic labour has evolved since the early twentieth century exists, most scholars have seen transnational domestic service, especially the kind that exists in Hong Kong, as a hang-up of sorts from its early colonial predecessors and a crude hijacking of the traditional gendered division of labour fuelled by mindless consumerism borne in the age of

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[298] Ibid. For the manual's collection of newspaper articles, please refer to: Ho, *QZW,*12-18, and 216-220.
[299] Ibid., 6.
[300] Lui (1993, 2003); Lau and Kuan (1988); So (1993).

globalisation and neo-liberal capitalism.[301] In the same way globalisation is seen by many to as an intruder into the domestic sphere, the capitalist marketplace is arguably a catalyst in reifying this process. As such it is no surprise that many in the field have argued for the complete destruction of transnational domestic service, or at least the most damaging and discriminatory aspects of it.[302]

It goes without saying that transnational domestic service is related to both conflict, and the exercise, of power. However, going beyond the research of Romero and those of the same opinion, this chapter posits that the quest for knowledge, to quest to maintain a stable identity that exists beyond the forces of the market economy, characterises some of the most interesting aspects of Chinese Hong Kong employer behaviour. In addition, I suggest that the ways in which the players involved in transnational domestic service promote—whether actively or tacitly—middle-class Chinese Hong Kong identity together are an example of the employers' aforementioned search for meaning beyond the market economy. Finally, the discussion is extended here to look at the role of employers through the examination of employment manuals in an attempt to explore the ways in which these books sustain this phenomenon. Finally, this chapter also examines the connections between the local, national and global levels by analysing how transnational domestic service and nationalistic sentiments are both grounded in the historical context of Hong Kong. This is not to deny the culpability of government bodies and employment agencies/agents, nor is it meant to render any party as passive victims, but rather it is to address a more significant issue, namely the process through which middle-class Chinese Hong Kong attitudes came to be inscribed on the bodies of Filipino DHs.

In addressing these questions, I remain deliberately critical of the discourses surrounding FDHs articulated both in the manuals and the newspaper articles that some of them choose to include as evidence to support their claims: all of the authorities responsible for these publications claim to disseminate the 'truth' about household management and foreign domestic workers. For the purposes of the discussion to follow, it is not entirely necessary to delineate all the problems concerned with such proclamations of 'truth', simply that there is no one universal definition of truth (i.e. ontological truth) regarding domestic workers, their employers and their relationships. Thus, what this chapter is concerned with is the contestations that exist between the different

[301] Chen and Szeto (2015); Constable (2007); Lindio-McGovern (2012).
[302] Cheng, Constable, UNIFIL, MI,

interpretations of truths and non-truths, specifically that articulated by Chinese Hong Kong employers through the medium of manuals and guidebooks.

Employment manuals offer a glimpse into the mentalities of local employers, or at least what is deemed to be appropriate behaviour for them, since they were marketed to employers, and occasionally written by one. These mentalities are shown in two major ways. The first is expressed explicitly in the form of recycled stereotypes of DHs and/or hired help scattered throughout the text. Some are couched in colonial ideologies and some in modern conceptions of race and ethnicity. The second is expressed implicitly via appendices containing so-called case studies which are basically collections of snappy articles from local newspapers that obviously are not there to fill up otherwise empty pages, and thus they can be assumed to have been chosen with a specific purpose in mind. In turn, one of the many functions of these case studies is to reinforce what has already been stated explicitly in the main text of these manuals.

As mentioned before, this chapter looks closely at *QZW*—a fairly representative manual that was written by an independent author and published in Hong Kong in 2004. While it is a relatively recent publication, *QZW* is suffused with a local Hong Kong sensibility that has its roots in the late 1970s with the birth of the 'Hong Kong Dream'. Despite the fact that the eventual mysterious disappearance of these manuals from the shelves of bookshops in the mid-2000s, the attitudes of potential employers and employment agencies alike have changed little.[303] By considering *QZW* and other employment handbooks as literary artefacts, one is able to discern a characterisation of a particular mentality towards domestic service employment particularly in the 1980s-'90s, and possibly even earlier.

As the chapter progresses, letters-to-the-editor submitted to English-language newspapers like *South China Morning Post* and the *HK Standard* in the 1980s will be analysed side-by-side with the Chinese employment manuals. In doing so, moments are captured when employers, DHs, the colonial government and the media are in dialogue with one another. These moments not only add to an existing dialogue of shared experiences for different state and non-state actors, but they also serve as vehicles in understanding the responses and reactions towards some of the most prejudiced representations of Filipino DHs and their work in Hong Kong. These documents also reveal certain characteristics of

[303] For more information on the popular imagination of the "Hong Kong Dream", please refer to Chapter Two.

the colonial mind-set, if not the politically dominant British attitudes, regarding Filipino DHs. Further, the sources will also be useful in this research in comparing the political development of the colonial, and postcolonial, government in the management of foreign migrant workers in Hong Kong. Although Carolyn French and Nicole Constable have both written on Filipino DHs and their representations in the Hong Kong media, this research expands the discussion by not only drawing on the historical themes that arise out of the sources, but also making the connection between Hong Kong print media of different languages. This chapter will demonstrate that the attitudes found in these employment manuals are also echoed in English letters-to-the-editor (LTE) submitted to local newspapers in the 1980s. What is interesting here are the patterns that emerge in the language and rhetoric used by both the local Chinese and the predominantly British readerships of Chinese employment manuals and the *South China Morning Post* and *HK Standard*. What remains unexplored is how these attitudes from these various communities sustain each other, and how they do so.

Finally, this characterisation is also deeper and more nuanced than the image conveyed solely by newspaper clippings, letters to the editor, and even quotes from interviews. This chapter will explore the way that handbooks highlight the ambivalences and contradictions of local employers, such as the schizophrenic see-saw between perceived acts of exploitation and restraint, and the personal struggle of passions and interests. Attention to rhetorical detail reveals that the virtuous rationality and mutual understanding which the manuals profess to convey was often belied by the inclusion of large amounts of opaque, contradictory, and sometimes discriminatory, material. As mentioned, this is most evident in the manuals' iconisation of local employers of DHs as benevolent guardians and caretakers by way of the manuals' frequent presentation of documents in their appendices intended to facilitate the termination of an employment contract and inclusion of sensationalist case studies from local news outlets.

Content, Audience and Response

Manuals

At least twenty of these employment manuals were published in Hong Kong and Taiwan between 1980 and 2005. They were written for potential employers of foreign DHs—then

mainly of Philippine nationality—seeking management advice. Designed for use in homes, much like coffee table books, these books are closely related to do-it-yourself (or, more popularly known as 'DIY') manuals written for housewives looking for objective practical advice with which to better manage the household. Employer manuals are a supply-side phenomenon that arose in response to new forms of consumer demand. The "average Hong Kong citizen" that the author of *QZW* refers to in the preface is presumed to share a collective memory with others of Cantonese *amahs* who worked in Chinese and, later, British colonial households.[304] This new generation of employers, nourished in part by the rapid industrialisation of the 1960s and 1970s, were by no means aristocratic but certainly were able to afford hiring a DH to take care of the day-to-day duties in the household.

Between the 1980s and 1990s, Hong Kong saw an unprecedented increase in the number of wealthy local Chinese professionals and entrepreneurs becoming first-time employers of DHs. These individuals being the main audience of these manuals had some vague notion of what to expect of hired help, but most have not had the first-hand experience of dealing with live-in DHs in the past. Given this, employment agencies fashioned guides for employers by eliminating unnecessary detail, streamlining information and focusing on practical advice that *needs* to be known, rather than what *may be* known. It was not before long that independent authors who are/were employers caught up with this phenomenon and followed suit as well. For example, in the first chapter of *QZW*, after outlining four general reasons for the maintenance of good management practices in the household, in a very obvious attempt to drive the point further, the author refers to a news report and includes a number of newspaper articles to further emphasize that, "even though these [cases reported] are isolated incidents, they demonstrate that disputes between employers and domestic workers can have horrific consequences—the DH can be pushed over the edge and end up taking out her anger on the children, or even perform black magic against her employer—and it is even possible that the employer can get in trouble with the authorities due to unfamiliarity with policies and regulations."[305]

With the proliferation of handbooks published by employment agencies for their clients, and the gradual commodification of domestic service in countries like Taiwan and Singapore, independent authors unaffiliated with employment agencies began to publish their own guides and manuals, which frames the discussion to follow. Completely in a

[304] Ho, "Preface" [*Xu*, 序], *QZW*, 6.
[305] Ho, *QZW*, 12.

league of their own, these handbooks range from employment tips (e.g., recipes, phrases, instructions) to 'how-to' guides, as well as anecdata from 'real' employers about their experiences. Above all, these books were designed to be transparent and accessible. The idea was not to confuse the reader, who was most probably a housewife, or to introduce the potential for a multiplicity of interpretations while trying to handle problematic DHs. The author's clarity, precision, and experience are meant to address the uncertainties of household management and the possibility of employing a 'problematic' underling.[306] *QZW*'s two hundred and twenty one pages, besides a seven-page section dedicated to a selection of Hong Kong news article clippings concerning domestic helpers, and a list of local employment agencies in the appendix, comprise of sections on: the risky business of coming into crossfires with one's FDH, 10 ppg; pre-employment preparation, 26 ppg; employers' do's and don'ts, 26 ppg; tips to get along happily, 15 ppg; case analysis: the experienced and the amateur, 56 ppg; FDH household guide, 38 ppg; knowing more about FDH policies, 11 ppg; selection of news on Hong Kong's foreign DHs, 8 ppg; Hong Kong's employment agencies at-a-glance, 11 ppg.[307] More than containing content simply designed to transmit practical advice, these manuals are also prescriptive, instructing the reader on show to comport him-/herself as the ideal employer, for example. These qualities supposedly possessed by the ideal employer are not only differentiated from other skills, but they are also deemed necessary in order for one to be a successful head of the household.

Enumerating the knowledge and norms appropriate for a specific position, whether in the public or private sphere, is, obviously, not a new phenomenon. Manuals of all sorts, ranging from tips for newlyweds and cookbooks to DIY texts that attempt to infuse their readers with values and a rationale to go along with the techniques required by various tasks have been in existence in Hong Kong for decades. Indeed, guidebooks and DIY handbooks have always been a popular genre. For example, in many bookstores across East Asia, there are a large number of published materials on self-help and DIY, including *taichi* [*taijiquan*, 太極拳], nutritional regimes and medicinal meals, bedcraft, gardening, pet culture, disease prevention, amongst others. These materials are very accessible and widely consumed across the region. More often than not, they are interspersed with indigenous theories on these subjects, for example, mixing in 'classical' or 'traditional' Chinese

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306 Wang De, *All About Foreign Domestic Helpers* [*Lunjin waiyong,* 論盡外傭] (Hong Kong: Hong Kong Home Economic Association, 2011), 18.
307 Ho, "Table of Contents," [*Mulu*, 目錄], *QZW*, 2-5.

information. It is also common for materials gathered in these books, and the arguments they make, to make their way to popular media outlets, such as television shows, magazine articles, newspaper editorials, and radio talk shows. Sometimes the authors and advisors of these self-help guides are asked by local associations and committees to give public lectures for advice on their subject areas. Thus, it is fair to say that a considerable amount of information is shared to the public via the manuals and these channels.[308] The effort at civilising and creating sensibilities is often imparted with elevated prose. Although the texts are in standard written Chinese, most of these manuals, like *QZW* for example, were also sprinkled with local slang and colloquialisms that reflect the desire of employment agencies to seem relatable to local, *viz.* Hong Kong, Cantonese-speaking and reading employers. The organisation of these manuals was often clear, with sections clearly marked in the table of contents in pithy titles drawing the attention of potential employers to the dangers of DHs and "tactics" that one can use to "control" the latter, for example.[309]

'Handbook' [*Sau²caak³*, *shouce*, 手冊] is the preferred title for these go-to guides or handbooks for quick and reliable advice. Other synonymous variations include: 'encyclopaedia' [*tin1syu¹, tianshu*, 天書], alternatively [*daai⁶cyun⁴, daquan*, 大全], 'cipher' *cyun⁴syu⁴* [*quanshu*, 全書] and 'guide' [*sau²zak¹, shouze*, 守則]. The authoritative tone of these titles suggest that the authors, or the organisations involved in the publication, were trying to promote themselves as having created the ultimate 'decoder', or 'solution' to the 'problem' that is managing foreign DHs in the household. Indeed, the cover of *QZW* is even more telling in this regard, which features a Rubik's Cube with a face of a caramel-skinned woman, presumably a DH given her attire, which decorates each face of the individual miniature 'cubelets'. The Rubik's Cube, in turn, is held by a disembodied woman's hand whose pigmentation is significantly lighter than that of the featured DH, while the latter is depicted wearing a uniform and apron while vacuuming is separated from that of the disembodied hand and the Rubik's Cube.[310] The message of *QZW*'s cover

[308] For more discussions on guides and manuals, as well as the ways in which political agendas can inhabit practices of space, time, and embodiment see: Michel de Certeau, *The Practice of Everyday* Life, Steven F. Randall, trans. (Berkeley: University of California Press, 1984); Ben Highmore, "Introduction" in *The Everyday Life Reader*, ed. Ben Highmore (New York: Routledge, 2002), 1-34; Henri Lefebvre, *Critique of Everyday Life*, John Moore, trans. (New York: Verso, 1991); Andrew Parker, *Nationalities and Sexualities* (New York: Routledge, 1992); Richard Lufrano, *Honorable Merchants: Commerce and Self-Cultivation in Late Imperial China* (Honolulu, HI: University of Hawai'i Press, 1997).

[309] The only instance in which an explicit reference to "control" [*zhangkong* 掌控] appears is on the cover. For evidence of other terms, *see*: Ho, *QZW*, 8, 20, and 55-59.

[310] Ho (2005).

illustration is clear: We will help any employer control the DH like one can with a Rubik's Cube—it is in your hands.

Most authors of the Chinese-language handbooks and manuals remain under the guise of the employment agency or media company for which they work. In other words, they generally remain anonymous, or operate under pseudonyms at most. Therefore it is almost impossible to find out the identity of the authors of these particular handbooks, much less finding out their specific competence and intentions. For the authors who have included their names in a couple of the handbooks, their identities are equally obscure. The majority of the authors of the handbooks are not known in their field as they are employers or have been employers in the past, with little to no publishing background. The handbooks published by media companies will be discussed later in this chapter. Given that these media companies also publish widely-read magazines on current events, social issues, business news, and celebrity gossip, the function of these magazines as articulators, or publicists, of a certain middle-class Hong Kong ideology is highly relevant as well. By the late 1990s to early 2000s, the handbooks were becoming part of the institutionalisation of the domestic service industry, turning tips from housewives and journalists into 'guides' and 'readers' written by employers and anonymous writers replete with 'theories' and 'methods'. Like many of its kind, *QZW* addresses, first and foremost, the first-time employer, or potential ones rather. The substantive matters in the handbook have to do with generalities and contractual matters, such as termination, statutory holidays and so forth. *QZW* was aimed at a second group of readers as well: existing employers dealing with "tricky situations" who needed quick advice.[311]

As this research stands, there are two major areas that require further investigation. Firstly, it remains unknown how these handbooks and guides were marketed, except that they were remarkably popular among housewives, to the extent that they were widely discussed in local online forums for new mothers, such as "Baby Kingdom".[312] At some point in the period of 2005 to 2010, the manuals and guidebooks promoted by employment agencies have all mysteriously disappeared from the shelves of local bookshops. Further, they do not appear in the catalogues of Hong Kong and Taiwan annual book fairs. Unfortunately, because most of these books are out of print no record

311 Ho, "Preface" [*Xu*, 序], *QZW*, 6.

312 "Foreign domestic helper vs. Employer," [*Waiyong vs guzhu*, 外傭 vs 雇主], Baby Kingdom, Baby Kingdom, revised 22 August 2009, http://www.baby-kingdom.com/forum.php?mod=viewthread&tid=2534137 (last accessed 26 October 2013).

of *QZW*'s readership is available to confirm the basis of its target audience. Although the prefaces and other remarks of these manuals refer to their intended audience, deducing readership solely on the basis of text is problematic. Therefore, the analysis derived from these employment manuals is focused on the 1990s middle-class Hong Kong mentalities reflected and/or projected in the manuals and guidebooks, not embodied, confirmed or exclusively voiced. Therefore, while reflections and projections of this research may be distorted, the sheer number of manuals and guidebooks available today in public libraries around Hong Kong and their generic similarity indicate some correlation between text and mentality that is worth further exploration.

Secondly, it remains unclear whether the reception of *QZW* was successful or not. In fact, without confirmation from the organisation and/or publishing house responsible for its publication, the sales of *QZW* could have failed miserably with the organisers trying to unload their stock by adding a new preface and announcing a new edition every year. Lacking data on readership for *QZW* or its counterparts, any discussion of reader response is, ultimately, circumstantial and based on general knowledge of the circulation of similar manuals both in Hong Kong and the surrounding region. Similarly, there are other handbooks and guides produced by relatively small publishing houses licensed under multinational media companies, such as NextMedia and Mingao, whose popularity presumably could have boosted the sales and credibility of these manuals. However, without further data to confirm press runs and sales of each, it is unclear whether any of these publications were successful at all.

The Chinese-language guides and manuals were exclusively marketed to Chinese employers, which immediately excludes foreign expat employers and the DHs from their readership, unlike the English-language manuals. This exclusion is important to note in understanding the role these guides played in fostering and justifying local Hong Kong middle-class mentality, especially at the sub-conscious level. This is not to say that the Chinese-language guides and manuals were explicitly excluding the aforementioned groups from its readership. However the fact remains that even if isolated members of the expat community or foreign DHs can speak Cantonese, whether they are able to read standard written Chinese is an entirely different matter.

Indeed, the established local Chinese elite, of course, had no practical need of these Chinese-language manuals and guidebooks, as most would have had years of experience managing DHs and, if ever in need of guides, would have bought English-language ones as education tools for new DHs in the household. However, most of the burgeoning middle

class housewives, the real audience for *QZW*, would have been more comfortable reading Chinese than English. This group, above all, hungered for knowledge that provided some semblance of security and reassurance at a time when domestic service began to be considered as a necessity, and part and parcel of what it takes to maintain a comfortable middle-class lifestyle in Hong Kong. Thus, local Chinese housewives with little to no experience of managing DHs who they will have to know in rather intimate surroundings for the next two years were usually forced to seek advice wherever they could. It is hard to know whether housewives recommended these books to one another, or if employment agencies provided them to new employers of every contract, or sold them as 'aids'. In any event, these handbooks, as noted in some of the preface of *Jia you waiyong shouce*《家有外傭手册》 [Handbook for Keeping a Foreign Domestic Helper in the Home, hereafter *JYWS*], for example, were sometimes written as a direct result of the personal experience of the authors as employers.[313]

Acquiring factual knowledge was certainly the main reason for reading a handbook, but it was not the only one. The organisations and individuals responsible for these publications claim to disseminate some 'truth' about household management and foreign DHs. What is worth exploring, however, is the contestations that exist between the different interpretations of 'truth' or 'non-truth', specifically articulated by Chinese Hong Kong employers through the medium of these manuals, and not necessarily the problems concerned with proclamations of ontological truth, or lack thereof.

Indeed, readers, whether hopeful employers, or long-standing members of an employers' association, desired to adopt and confirm the language and styling of that group. The handbooks were an expression and source of group identity. To this end, the language and rhetoric of these manuals can be explored. For example, one of these books, *Pingqing waiyong bidu tianshu*《聘請外傭必讀天書》 (hereafter *PWBT*) is sprinkled with slang and 'buzzwords' linked to a mentality shared by local Chinese employers: smart [*xingmu,* 醒目], management [*guanli*, 管理], hard-working [*keku neilao*, 刻苦內勞], auto-pilot [*zhidongbo*, 自動波], sneaky [*guhuo*, 古惑], and acting intentionally against the wishes of the

313 Anon., "Words from the editor," [*Bianzhe yu*, 編者語], *Handbook for Having a Domestic Helper at Home* [*Jiayou waiyong shoce*, 家有外傭手冊] (Hong Kong: Xianggang yi chuban youxiangongsi, 2008), 2.

employer in order to get fired [*bochao* 博抄], amongst others.[314] While these terms local Hong Kong colloquialisms and thus commonplace, they carry a different meaning when applied in the context of domestic service and household labour. Negotiating the terms of employment and employing a stranger to work and live in one's home can be fraught with complications, yet these are often the terms that are used to describe the foreign DHs—and these are terms that carry power.

It would have been comforting for experienced employers to have affirmation and find resonance in the rhetoric and the contents of their proprietary knowledge. It may not matter if the specific information, like specificities regarding employment contracts, is out-dated if one is reading to confirm what one knows rather than to discover what one does not know. It gives one access to archetypes or tropes of, in this case, DHs, which facilitates bonding and in-group feeling among the readers. In this sense, a stock of motifs and plot-devices is adhered to, novelty is introduced only within the traditional agreed-upon framework, and a large part of the reader's satisfaction stems from knowing the 'code'. This, in turn, explains the regularity, not only of general topics, but also of the average manual's format and style, as well as the longevity of much specific detail. The opportunism of authors and publishers alone seems insufficient as an explanation. Some of the format and content of *QZW* and other guides resemble that of other housekeeping DIY handbooks that have been in existence for decades. For example, some of the contract samples used by the guides were out of date by the time they were published. On the one hand, this mattered because an employer bought the handbook primarily to gain technical knowledge or to seek advice. On the other, however, it did not matter because the manuals were also vehicles of identity. Indeed, an employer's main source of information would always be the employment agency, or conversations around the apartment complex in which s/he lived, or letters to the editor to local English-language newspapers, whereas knowledge of management techniques, for the sole reason of practicality alone, could not be acquired until the DH actually starts work in the household when hand-on training for both the employer and DH begins. Thus, it is fair to say that the

[314] For instances of: smart [*xingmu,* 醒目], refer to Eugene Editing Committee, *Essential Reader for the Employment of Foreign Domestic Helpers* [*Pingqing waiyong bidu tianshu*, 聘請外傭必讀天書] (Hong Kong: Eugene Group, 2004), 6; Ho, *QZW*, 2; management [*guanli*, 管理]refer to Ho, *QZW*, 10; hard-working [*keku neilao*, 刻苦內勞]refer to Anon., *JYWS*, 90; auto-pilot [*zhidongbo*, 自動波] refer to Yu, *PWBT* 95, sneaky [*guhuo*, 古惑] refer to Anon., *JYWS*, 122; Yu, *PWBT* 7; and, acting intentionally against the wishes of the employer in order to get fired [*bochao* 博抄]refer to Anon, *JYWS*, 126; Yu, *PWBT*, 7.

employer's willingness to buy handbooks and manuals that included material of little practical value was driven by other desires and needs of that lifestyle.

Letters-to-the-Editor

A survey was carried out on nine publications in Hong Kong, the *South China Morning Post* (*SCMP*), *Hong Kong Standard* (*HKS*), *Asiaweek* (*ASW*), *Tinig Filipino* (*TF*), *Bulletin Today* (*BT*), and *Weekly Guardian* (*WG*), which yielded the existing sample size of 195 articles. The total distribution of articles analysed is summarised in Table 1, which shows that the *SCMP* yielded the highest number of articles and letters to the editors, followed by *TF* with 40. In contrast, *ASW*, and *WG* had only one article each.

Language	Newspaper	Number of Editorials
English	***South China Morning Post***	**142**
	HK Standard	15
	Asiaweek	1
English/Tagalog	***Tinig Filipino***	**40**
	Bulletin Today	6
	Weekly Guardian	1
		N=205

Table 4.1. Distribution of articles analysed, 1969- 1993

While the articles and letters yielded from *HKS* and *TF* were extremely useful, it was only possible to focus on those that were found in the *SCMP* for this research. Before discussing the rationale behind the usage of sources, a few words must be said here about *TF*. A monthly publication produced in Hong Kong, *TF* was widely read and circulated amongst Filipinos in Hong Kong in the 1990s. Contributors included Filipino nationals who worked in Hong Kong, as well as domestic helpers who saw *TF* not only as an outlet to air their frustrations, but also as a support system wherein advice can be found for a range of concerns, including immigration regulations, employer-employee relations, legal issues, as well as beauty tips, and marriage counselling.

The research sample selected for analysis consists of articles and LTEs from the aforementioned publications with headlines or leading paragraph(s) containing the keywords 'Filipino', 'Filipina', 'domestic worker', 'domestic/helper', '*amah*', or 'nanny' during the period 1 January 1969 to May 1993.

The reasoning that guided the selection of keywords was meant to cover as much ground as possible in terms of the ethnic and social categories under which the Filipino DHs were classified. Regardless of the original intent of the different ethnic and social terms that were originally used collectively by the publications to reference Filipino DHs, it is clear the keywords drawn from the publications themselves reveal the logic that was used to demarcate the boundaries and identities of these new arrivals often resulted in over-lapping race names and categories.

Whereas the term 'Filipino' may refer to any person who is of the Filipino nationality without any reference to the person's gender, identity or social status, the label 'Filipina' definitely refers to a woman who either self-identifies as a Filipino, or holds Filipino nationality. Due to the history of Spanish colonisation, much of Pilipino, also known as Tagalog, the official national language of the Philippines, reflects that period of transformation in, as well. One example is the differentiation of gender in some Spanish loanwords by way of the suffixes –o (masculine) and –a (feminine), seen here with: Filipino /Pilipino and Filipina/Pilipina. 'Amah' and 'nanny', both of which have been mentioned above, can easily be brushed off as social categories, but if examined more closely, they are best described as social categories with ethnic undertones.

As discussed extensively in Chapter Two, 'amah' is a term that has evolved through history, picking up different nuances and shedding different meanings along the way, representing the wide ethnic and social backgrounds of DHs, as well as the varied ideas that they had about domestic work. The etymology of the term 'amah' has been widely debated amongst scholars.[315] While there are different approaches to understanding the term, one common feature to these interpretations is their relation to the act of mothering. From the Portuguese word *ama* to the Chinese term *nai mah* (literally, milk mother), all of the words connect the person in that role to childcare, or specifically, wet nursing.[316] Generally, this term is not used in Chinese conversation, but instead is used in English conversation by both Chinese and English speakers who reside in Hong Kong and Southeast Asia.

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[315] *See* Constable for an excellent summary of the arguments behind the terms "*muijai*", and "amah". I must add here that I have some qualms about the applicability of her argument of the "*muijai*" mentality in the mindset of Hong Kong Chinese locals when viewing domestic work. For works on the role of the amah in Southeast Asian and Chinese societies, see: Kenneth Gaw's *Superior Servants: The Legendary Amahs of the Far East* (Oxford: Oxford University Press, 1991); Ooi's "Black and White Amahs," 69-84; and R. Watson (1991).
[316] This issue was also discussed in Constable's book; but the research here is independent of that.

'Nanny' is one of those terms that scholars have used quite loosely and often in conjunction with "domestic worker" and even "*amah*" without explaining the interchangeability or significance behind the various terms. 'Nanny' must be understood in the historical context of Victorian England when some women who were employed as mother surrogates were at once both the nurse and foster mother in middle-class families. As Lee Drummond cogently argues in his article, the nanny, as an institutionalised mother surrogate responsible for rearing several generations of middle- and upper-class English citizens, problematises the image of the traditional kinship system.[317] The nanny also represents a further erosion of the concept of a universal, bioculturally-based family unit, a problem that is certainly applicable to Filipino DHs.

Understanding Employers: Popular Themes

	English News (*SCMP/ HK Standard*)	Tagalog/English News (*Tinig Filipino*)
1. Philippine nationals in HK	3	--
2. The Philippine economy & nation	28	--
3. Immigration and employment issues	**47**	**15**
4. Work conditions/employer-employee relations	**30**	**2**
5. Accusations: Fraud, Theft, Assault, etc.	**26**	**--**
6. Use of public space	4	--
7. Identity, dislocation, belonging	7	13
8. Extraordinary people	30	--
9. Information and resources	11	6
10. Coming to and living in HK	14	3

Table 4.2. Frequency of articles appearing under category headings generated for each Hong Kong editorial, 1969-1993

[317] Lee Drummond. "The Transatlantic Nanny: Notes on a Comparative Semiotics of the Family in English-Speaking Societies." *American Ethnologist* 5, no. 1 (Feb 1973): 30-43.

Table 2 above summarises the results of a keyword-based search that was carried out from November to December 2012. Several conclusions were drawn: firstly, that immigration and employment issues, work conditions/employer-employee relations, and theft/abuse accusations were the three most popular topics, which coincidentally mirrored that of the employment manuals; secondly, English-language newspapers had the most comprehensive coverage of all the news outlets, which speaks to its wide readership; and finally, *TF*, being a magazine marketed predominantly to DHs, covered immigration and employment issues the most extensively, which is closely followed by articles that touched upon identity, dislocation and belonging.

Based on the conclusions above, the three most popular topics boldfaced in Table 2 were further extrapolated into the three main overarching themes that will be the focus of the rest of the chapter. The first looks at idealisation of domestic service, the second examines preconceptions of domestic workers and the final one looks at the both the obsession over exploitation from both sides and the resultant preoccupation of security.

Whither Lady Bountiful?

Assuming that these handbooks are, on some level, a way of reaffirming local employer identity, they were most explicit in seeking to foster and impart appropriate qualities suitable for employers in their readers. A central purpose of the *QZW* and similar Chinese-language manuals was instruction in maintaining appropriate relationships with DHs and achieving success by grasping specific management tactics. The employer to whom the *QZW* was marketed thus had more practical, experience-based, advice than those who solely relied on the good graces of employment agencies in providing satisfactory after-care services, which many submissions to the *SCMP* have pointed out is a losing battle.[318] A Mrs. Elliott who frequently writes to the editorial columns of *SCMP*, accurately describes the issue as such: "The present system, I agree, is stacked against the helper, but the existing bureaucratic triangle is also a nightmare for employers. Meanwhile the agencies

[318] For the types of costs the employer can incur, see: "Getting maids issue into perspective," *SCMP*, 20 September 1981; An Employer, letter to the editor, *SCMP*, 7 October 1981; MF Strickland-Fleming (Ms.), letter to the editor, *SCMP*, 12 October 1981; Another Employer, letter to the editor, *SCMP*, 23 October 1981; Andrew Hicks, letter to the editor, *SCMP*, 18 May 1982; Subha, letter to the editor, *SCMP*, 14 June 1982; W. Williams, letter to the editor, *SCMP*, 19 June 1982; Victim, letter to the editor, *HKS*, June 1982; Victor Chu, letter to the editor, *HKS*, 17 June 1982; Andrew Hicks, letter to the editor, *SCMP*, 9 July 1982; E. Lim, letter to the editor, *SCMP*, 28 December 1982; Roy Edmonds, "Overcrowded Haven for Unhappy Maids," *SCMP*, 17 April 1983; and Lorna Dumo, letter to the editor, *SCMP*, 15 May 1983.

laugh all the way to the bank."[319] Thus, it is no surprise that the potential reader would rather forego the ill-advised route of asking for help from the agency who would probably refer her to their over-priced, in-house services and rely on her own mettle instead. In other words, the reader was by necessity a savvy consumer whose outlook fitted a broadly upper-middle-/middle-class Chinese Hong Kong desire for maximum help around the household in the most cost efficient way possible. This approach constitutes the general critique of transnational domestic worker and the expanding market economy from which it emerged. While the *QZW* chastises its predecessors for failing to approach issues from the perspectives of both the employer and the domestic worker, its emphasis on efficient uses of management tools, as well as space and resources, worked as a mechanism with which to affirm a middle-class Hong Kong Chinese identity.[320]

Never explicitly discriminatory or racist, these handbooks marketed at local employers nevertheless relied on traditional tropes and stereotypes to describe and justify the attitudes and behaviours of employers towards domestic service and DHs. Further, these tropes now served the ends of employers. There emerged a tendency to rely on these tropes, but also stressing the benevolence of employers by giving these "unfortunate foreign workers who are forced from their countries of origin" a chance to make a living and to support their families.[321] For anyone who reads through these passages, it cannot escape their attention that the attitudes embraced by both expats and locals are vaguely reminiscent of those nineteenth-century patriarchal and patronising 'civilising missions' but, in this twenty- and twenty-first century occurrence, devoid of any explicit colonial context. But thankfully, editorials being a platform where open debate is encouraged and problematic ideas are generally quickly put down, much of the discrimination that was already fomenting caught the attention of numerous writers who responded in different ways Tim Hamlett, for example, chose to describe some of the most jarring, and yet widely-embraced attitudes of expatriates toward their Filipino DHs in his article. In one passage the employer transforms into a maternal figure of modernisation who extends her hand to the Filipino DH through her employment, as well as via the introduction of the Western conception of domestic service: ""The maid is much better off here than she would be back home.' Mrs Expat will say, happily transforming herself from mediaeval

[319] E. Elliott (Mrs), letter to the editor, *SCMP*, 12 May 1982.
[320] Ho, "Guju Do & Don't [sic.]" (Do's and Dont's of employers) *QZW*, 49- 76.
[321] Lau Siu Ching, "Qianyan" [Foreword] *PWBT*, 3.

serf-owner to 20th century Lady Bountiful doing her bit for the impoverished masses in the Third World by providing them with employment."[322]

It is worth noting here that the archetype of the Benevolent Employer, or 'the Lady Bountiful' according to Tim Hamlett is not only responsible for the modernisation of these comparatively uncivilized women, but she is also responsible for their re-education. In representing the employment of DHs as a feminized project of modernising backward peoples by inculcating in them a set of habits, in the form of cleanliness, respectability, schedule, industriousness and docility, as well as a consciousness associated with middle-class domesticity, these conceptions of employer-employee relations not only hearken back to nineteenth-century projects instigated by missionary women, but they also put forth the means to establish their superiority over that of the DHs who are, in this relationship, dependent on their employers. Indeed, one does wonder whether the seemingly benevolent intentions of local employers, in the forms of shelter, employment and monetary remuneration, were far from the naive, yet unmistakably colonialist, sentiments harboured by the Victorian gentlefolk who lived back in "the days of the British Raj."[323]

Of Simple-Mindedness and Domesticity

One trope that gets recycled over and over again in both the employment manuals and the LTEs is the Chinese *amah*. It is often invoked when discussing appropriate techniques in managing DHs where the author comes across as sympathetic towards the need of Chinese employers to find 'savvy', but 'docile' DHs to work in their homes.[324] A quote from another Chinese-language manual, *All about Foreign Domestic Helpers* [*Lunjin Waiyong*, 論盡外傭] (hereafter *LW*), illustrates this point:

> "The domestic servants who used to work in the fifties and sixties far exceed in their professionalism, loyalty, honesty, reliability, and work-specific skills compared to present-day DHs. This, in large part, has to do with the changes in living conditions that occurred since then. […]

[322] Tim Hamlett, "The Peakites and their Filipina Maids," *HKS*, 2 October 1981.
[323] Helen Evans, letter to the editor, *SCMP*, 29 October 1981.
[324] Again, this is seen in the comparisons of the different nationalities of DHs in *QZW* where, for example, Filipinas are praised for being "savvy" but "sneaky", and Indonesians are praised for being "docile" even though they may be "uneducated".

> After the Second World War, foreign expats began to hire Filipino DHs, which instigated the first wave of foreign DH employment. […] Indeed, given that in traditional Chinese thinking, domestic workers are still related to 'servants,' 'menial help,' and other negative connotations, why would educated women want to submit themselves to this line of work?"[325]

This comment not only highlights the pervasiveness of the comparison between the Chinese *amah* and the Filipino DH, but the latter part of the quote is also quite clear in its justification of domestic service as a line of work that only uneducated, Southeast Asian women will choose willingly. Authors assert the poor conditions that the DHs come from, urging employers to remember that the difficulty in training them not only stems from cultural, religious, linguistic, and social differences, but also possessing the proper attitude.[326] This is also documented in the *SCMP* editorial columns where one employer helpfully suggested the Hong Kong government stop allowing the Filipinos working in the city and turn to China for domestic helpers for "[not] only is it beneficial that they speak the language already, but it will also facilitate relations with the Mainland".[327] She further argued that "[although] Chinese maids do not make good companions for expatriates in bars and restaurants in Central [...], but it is the story of the industrious Chinese that Hongkong is what it is today."[328]

The nostalgia for the historic Chinese *amah* character, often expressed alongside laments of finding the perfect DH, appears at least once in each of the manuals and guidebooks, either in the preface or in the actual body of the books. As illustrated in previous chapters, the Chinese *amah* trope can be traced back at least to the colonial period, which in turn is recycled in the context of present-day Hong Kong in the guidebooks and manuals explored in this chapter. Some of these manuals also sought justification for these attitudes in their random presentation of an assortment of articles, often sensationalistic, taken from local newspapers on foreign DHs.

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[325] Wang De, *All about Foreign Domestic Helpers* [*Lunjin waiyong,* 論盡外傭] (Hong Kong: Hong Kong Home Economic Association, 2011).
[326] See, for example, Yu, *PWBT*, 3; Wang, *LW*, 19.
[327] Victim, *HKS*, June 1982.
[328] Ibid.

On 17 October 1983 Roy Edmonds discussed the obstacles that Filipino DHs are confronted with even before their arrival in Hong Kong in his article.[329] Referring to the oft-referenced hierarchy between the Filipino DH and Chinese *amah*, the spokesperson for the MFMW interviewed by Edmonds reported that there are particular problems for Filipina DHs going to Hong Kong because of the attitudes harboured by local Chinese employers. The interviewee also said the following: "[There exists] a historical conflict between Filipinos and Chinese arising from the Chinese taking over many businesses in the Philippines but retaining their own culture. There is also a communication gap. The expatriate employers are unused to servants and often regard them as properties."[330] This is not only seen in the mandatory health checks to determine whether the DH is physically fit enough or not, but also the ceaselessly uncompromising attitude presented in the guides as manuals that seem to be touted as a key pillar of any employer's guiding philosophy, with a specific emphasis on efficiency and usefulness that are seen as paramount, which is especially telling in their comparisons of different nationalities.[331] These manuals from the 1980s to early 2000s agreed with nineteenth-century tropes in viewing some ethnicities as a better fit for domestic service/menial labour, and their emphasis on the 'simple-mindedness', or naïveté, [*chunpu* 純樸] of these ethnicities as well.[332]

If these manuals affirmed processes of commodification and homogenisation, then it also reintroduced notions of irreducibility and differentiation. A blend of reverence for history, the nostalgic embrace of industrial progress, is mixed with an equal measure of a specific sense of ethnic/national difference on the part of the employers themselves. These notions, along with the proliferation of stereotypes of different nationalities and their relative suitability as DHs, are also used to justify or glorify the continuation of domestic service. Generally, the prefaces of the Chinese-language manuals begin by briefly explaining the emergence of foreign DHs in Hong Kong, and that the popularity of transnational domestic service in Hong Kong is due to the lack of local labour, which in turn provides an opportunity for women of less fortunate backgrounds from surrounding regions to earn a living by working as DHs in the homes of middle-class families in Hong Kong.[333] In one telling example, a section of the preface of *PWBT* reads:

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[329] Roy Edmonds, "Overcrowded Haven for Unhappy Maids," *SCMP*, 17 April 1983.
[330] Ibid.
[331] Interview with Doris Lee, 17 December 2013; Ho, "Geguo waiyong youlie dabiping" [Pros and Cons of DHs of Different Nationalities] *QZW*, 20-24.
[332] Ibid., 22.
[333] See the prefaces of *JYWS*, *PWBT*, and *QZW* for examples.

> "The employment of FDHs in Hong Kong is no longer a trend, but a necessity. […] Hong Kong people favour FDHs mainly because of some notable differences compared to local domestic helpers: 1) FDHs are bound contractually, which means that any given DH can only work for the employer who contracted her and cannot switch employers halfway through the contract period; 2) FDHs are legally required to live with their employers—a requirement for which the employer and FDH must both bear responsibility; 3) since the FDH is 'on-call' 24 hours of the day, she will develop a certain sense of belonging to her employer; 4) at the end of the day since the employer and FDH speaks two different languages, the employer can retain a bit of privacy."[334]

Building Security without Trust

One of the main concerns for main employers who wrote to the *SCMP* or who frantically flipped through of the employment manuals for tips is what is generally found under 'good management' section in the manuals, which roughly approximates to tips to tackle the exploitation of loopholes by DHs.

Although *QZW*'s advice on management and behaviour is spread throughout the book, it is most pronounced in two chapters: the twenty-six-paged discussion on the do's and don'ts of an employer, and the twenty-two-paged section on maintaining friendly relations with DHs, the latter of which ends with a questionnaire designed the reader to find out what type of 'employer" s/he is. A quote from the manual reveals the underlying attitude of some local employers:

> "Indeed, Filipino DHs have been finding work in Hong Kong for an extended period of time and, consequently, are familiar with the grey areas that exist within Hong Kong's employment and immigration laws. They take advantage of these grey areas to pick employers and

[334] Zhang Jiemin, "Preface: Foreign Domestic Helpers are crucial for Hong Kong Households" [Xu: Waiji yonggong dui Xianggang jiating henzhongyao, 序：外籍傭工對香港家庭很重要] *PWBT*, 4.

> to negotiate contract details without any consideration of the employer's position. In more severe scenarios, some Filipino DHs have taken advantage of the legal system to make false accusations against their employers for monetary compensation or other demands, in turn, bringing much grief to their employers! (Of course it goes without saying that the majority of cases heard by the court against employers of foreign DHs are valid, and that Filipino DHs are not the only ones who are responsible for these horrible occurrences, but local media outlets have indeed reported on the existence of certain Filipino DHs who specialise in helping their fellow country people in Hong Kong to sue their employers for their own economic gains, so employers have to be very careful [in this regard as well]."[335]

One major bone of contention between employers and DHs is the Standard Employment Contract which contractually binds the two together. Notwithstanding the otherwise legitimate argument put forth by NGOs that the Standard Employment Contract and other regulations surrounding the employment of DHs are clearly biased towards employers, the main reason why this debate is still on-going is twofold: 1) both parties are generally unfamiliar with the legal terms outlined in the contract and, 2) like any piece of legislation, the Standard Employment Contract shifts and evolves when put in practice as well.[336] The author of *QZW*, as others have done, dutifully reminds the reader that "justice is blind" and that the legal system is often long-winded and ineffective.[337] Therefore, the author urges employers to "arm" themselves appropriately against conniving DHs.[338]

Indeed, the existence of these grey areas has been obvious to readers of the *SCMP* some twenty years before the *PWBT* was published. Steve Aylward writing for the *SCMP* opined: "There's no better topic of conversation in Hongkong than 'the servant'. [...] There are often grey areas to the allegations of exploitation as the word in itself is relative, and

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[335] Ho, "Filipino DHs: Smart and quick on their feet" [Feilubin yonggong: Xingmu Kuaishou, 非律賓傭工：醒目快手], *QWZ*, 21.
[336] Hong Kong Immigration Department, Employment Contract for a Domestic Helper Recruited from Outside Hong Kong (ID 407). Hong Kong: Immigration Department, 2013.
[337] Ho, "Breaking the Law Due to Ignorance," [*Bushou tiaoli wuzhi fanfa*, 不熟條例無知犯法], 9-10.
[338] Ibid.

sometimes not tangible."[339] Another disgruntled employer wrote: "[I] once misguidedly thought that the fulltime domestic help was essential to the existence in this materialistic and pressure ridden society of ours. [...] I am for a fair and honest day's work [...] in return for a fair day's pay."[340]

Twenty years later, this attitude that was once expressed by foreign expats in English newspapers rears its head in local Chinese manuals' discussions of efficient security measures for employers. Expressed as a self-interested drive to protect one's private property, sometimes at unknowingly at the expense of the DHs' basic human rights, it is one of the main preoccupations of the manuals. Although never explicitly accusing FDHs of being thieves, the tone clearly implied that it is a risk that is valid and very real. Although other sections of the manual paid lip service to the positions of FDHs, the lengthy explications on self-protection seemed are sprinkled throughout. The manuals begin their vaguely titled "management technique" sections by giving general advice, such as emphasising that vigilant record-keeping, such as keeping track of receipts from weekly supermarket visits, monthly wages, holidays, as well as the careful storing of valuables are crucial habits that a 'good' employer should foster.[341] However, this is also the section where some manuals also offer other, arguably, more insidious pieces of advice.

Without a doubt, the potential of hiring a 'nightmare' DH has always been one of the top concerns of employers, and such attitudes found expression in manuals like *QZW* and *PWBT*, especially in their extensive description—and endorsement of advertisements—of CCTV systems, brands and vendors.[342] To this end, *PWBT* dedicates ten pages to techniques on observation and monitoring, wherein recording the telephone logs and excuses for the installation of CCTV cameras are discussed extensively.[343] Further, Joseph Law, the chair of the Hong Kong Employer's Association, is quoted in the section on security measures in the manual saying:

> "In some of the talks that I have given in the past, I have advised employers to install safes in their homes to lock away their valuables, but it seems as if even this is not adequate, maybe the safest thing to do

[339] Steve Aylward, "Laying it on the Line," *SCMP*, 4 October 1981.
[340] MF Strickland-Fleming (Ms.), letter to the editor, *SCMP*, 12 October 1981.
[341] See, for example: Yu, *PWBT*, 29, 37, 95-96, 110-113; Ho, *QZW*, 49-71.
[342] Ho, *QZW*, 55-58.
[343] Yu, *PWBT*, 72-82.

is to lock them away in a bank vault. Also remember not to treat your FDH like one of the family; you can never be too sure after all."[344]

To this end, it must be stated clearly that accusations of fraud and theft against Filipino DHs are not uncommon. And indeed, the grey areas that exist within the system make DHs more vulnerable to these accusations, examples include: loopholes in the repatriation policy, recruitment agencies turning a blind eye to the process, and also the economic benefits of moonlighting.[345] There are also factors that are less tangible. In particular, the 'victimhood' discourse perpetuated by the media, the Philippines government, and the media outlets, contribute to a vicious cycle that result in these women working in less-than-desirable conditions, unable to voice their opinions lest they risk their jobs or their lives, to discipline themselves for their own dignity and pride, which in turn makes them more vulnerable to blame. Sometimes, accusations are made as acts of intimidation or to create grounds of termination without notice. However, these cases stand out because the accusations all speak to the nature of the accused. Even if the person is acquitted of the crime in the end, being publicly labelled as untrustworthy and unreliable not only brings shame to one's identity, but it also reflects upon the whole community as well.

One exemplary case concerns a Filipino DH, Brenda Valdivia, who was prosecuted on 25 January 1983 for forging her release papers from her employer, according to the *SCMP*.[346] Although her employer, Mrs Ngan Kam-Luen testified that she wrote to the Immigration on 2 July 1982 to terminate Valdivia's employment, the defendant applied to the Immigration Department for an extension of stay and change of employment with her forged papers that she had asked Ngan's nineteen-year-old daughter to sign, two months after the termination.[347] Valdivia alleged that she left Ngan because of Ngan's husband who made unwelcome advances towards her. The case took a dramatic turn when Valdivia approached the Legal Aid Department in February 1983 and was provided with proper representation to successfully appeal against her conviction for forging her release papers one month later.[348] Although Valdivia did not steal Ngan's property, the idea that she was

[344] Anon, *JYWS*, 17.
[345] *See also*: "Legal Issues," HK Helpers' Campaign, 2016, http://hkhelperscampaign.com/en/legal-issues/ (last accessed: 15 March 2016).
[346] Anon. "Filipina maid jailed for forgery," *SCMP*, 25 January 1983.
[347] Ibid.
[348] Anon., "Legal aid for jailed Filipina," *SCMP*, 2 February 1983.

stealing her employer's identity to stay in Hong Kong for some unknown reason was expressed in the reports. These accusations of fraud and theft all contribute to myth of the economically inferior servant perpetuated by recruitment agencies and the media, which is then recycled by employers, as seen in some of the LTEs.[349]

The normalisation of Filipino DHs not only as foreign, but also untrustworthy and simple-minded authenticates the supremacy of Hong Kong employers and their collective identity as modern, middle-class citizens as a whole. Similar to many cases around the world, employing domestic workers is not simply a matter of satisfying the necessity of childcare, but also the necessity of marking one's status. Thus, accusations of theft and/or forgery also demarcate class difference, providing employers with "psychological validation of class differences" between the employers and the DHs.[350]

Scholars such as Pei-Chia Lan and, more recently, Shu-Ju Ada Cheng, writing about Filipino domestic workers in Taiwan, used the term "boundary work" to refer to the ways in which employers demarcate boundaries of exclusion and distance to maintain and reproduce interpersonal and structural inequality within households.[351] Along similar lines, one can discern from the manuals and the accounts recorded therein that for employers there also exist strategies of representation whereby they seek to secure their innocence at the same moment they perceive of the power that they have over their foreign DH counterparts. This is also obvious in the employers' letters that they submit to the newspapers who write, on the one hand, that: "Most of the maids coming to Hongkong are from villages, knowing very little about domestic work when they arrive and have to be taught gradually."[352] Which is always, almost by force of habit, immediately balanced by warnings of the wily, selfish and greedy foreign DH serving as reminders to fellow employers not to become too benevolent-- almost as if wilfully ignorant to the fact that their own DHs probably also read the same newspaper that they are writing to, as suggested in this correspondence: "Many of these maids are spoiled and pampered. Indeed, they become very much a part of the family, and end up travelling to the far corners of the globe on vacation with their employers."[353]

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[349] For some of these attitudes, see: Tim Hamlett, "The Peakites and their Filipina Maids," *HKS*, 2 October 1981; A Reader, letter to the editor, *SCMP*, 29 January 1982; Victor Chu, letter to the editor, *SCMP*, 17 June 1982; and E. Lim, letter to the editor, *SCMP*, 28 December 1982.
[350] Rollins, *Between Women*, 181; Cheng, "Contextual Politics of Difference," 56.
[351] Cheng, *Household and Nation*, 104.
[352] A Reader, letter to the editor, *SCMP*, 29 January 1982.
[353] Anon., "Getting maids issue into perspective," *SCMP*, 20 September 1981.

Hong Kong Chinese employers are one of the most prolific of those in East and Southeast Asia in their employment of foreign DHs, but many of these manuals, like the *QZW* and *PWBT*, appealed to their sense of humanity and compassion, usually stating that they should not only appreciate the dedication, as well as the cultural differences, of foreign DHs, but also shake off any feelings of animosity and distrust. On the one hand, one should not be too cynical about this strategy because it is possible that this attitude does lead employers to view their DHs, who often have come from vastly different cultures, in a more sympathetic, if not positive, light. It hints at the possibility of communication between the Self and Other and the idea of relative equality between various national cultures.

The first of the five tips enumerated under the section titled, "The Art of Getting Along", *PWBT* told its readers, "The employer should be guided by the principle that everyone is equal in her relationship with the DH. All relationships need time to foster."[354] On the other, however, it bears repeating that the openness of Hong Kong employers to other cultures, especially in the context of domestic service, is shaped by some highly unbalanced power relationships. For example, while advising employers to treat their DHs as equals, the manuals are also careful not to subsume the nature of the employer-DH relationship under the language of family. This position corresponds to Anderson's deconstruction of the family, which Cheng has also borrowed in her discussion.[355] To sum up briefly, at the end of the day the DH is a worker in the employer's household. To ignore the contractual nature of the employer-DH relationship would obfuscate the rights and obligations of the two and make it that much harder down the road for them to maintain each of their positions in negotiations—a point that the manuals put some effort to reiterate to their readers multiple times. Further, one could not escape from the fact that the views of Hong Kong employers of Filipino DHs, or the authors who wrote the manuals, at the very least, were based on a dynamic of cultural superiority and supremacy.

The ways in which national identity and racial characteristics are exploited to maintain and reaffirm household hierarchies becomes clearer when we consider that the hiring of DH enables both male and female employers to redistribute the physical labour, or dirty work, to other women. This is something that is not only found in academic books

[354] Yu, *PWBT*, 72-82.
[355] Anderson, *Dirty Work*, 123.

buried under layers of theory and inaccessible language, but in 1980s newspapers as well, as evidenced here:

> "The fact that younger Chinese women prefer to work in factories, shops or restaurants than as *amahs* suggests […] that Chinese women are simply demonstrating what has already been shown in other industrial societies- where there exists an alternative to domestic work, this alternative will be taken. [...] Filipina maids are [also] much less expensive to hire than Chinese *amahs*."[356]

In turn, the management of these other women constitutes a social process through which people form their own sense of Self, and learn their respective social roles, often contrasted against that of the Other. This also recalls Palmer's argument that alongside the meanings that are assigned to housework, the tasks and roles therein, notions of womanhood, cultural difference, racial characteristics, national identities and middle-class sensibilities are also constantly being redefined, reimagined and reinforced.[357]

Concluding Remarks

The prevalent misunderstandings of the legal system by both parties, but most of all of employers who completely missing the mark as to why DHs need to be in Hong Kong in the first place, and their constant lamentations of the glory days in the past is indicative of a lack of awareness and perhaps even wilful ignorance on how domestic service functions as an industry. This is the most obvious in the numerous LTEs from aggrieved employers who try to argue that they are the ones who are being exploited. Generally, the solutions provided by these "aggrieved employers" fall under two camps: that all Filipinas should be sent home if they feel so dissatisfied with the working conditions in Hong Kong, or that the Immigration Department and/or recruitment agencies should impose stricter measures to ensure that employers are adequately "protected."

Besides pointing out the exploitation of employers by Filipina maids, the correspondents who fell into the first camp were quick to attest to the unscrupulous

[356] Lynne Humpherson, letter to the editor, *SCMP*, 9 September 1983.
[357] Palmer, *Domesticity and Dirt*, 14.

behaviour of foreigners. The foreigners who defended the DHs were either guilty of "[poaching] on maids in Hongkong because although those multi-national employers pay huge salaries for maids, they do not pay the extras such as agencies fees and air fares" or portrayed as innocent white knights with ulterior motives lured in by beautiful but wily Filipinas.[358] These correspondents insisted that the ideal solution would be to "send the girls home if they want to change employers here [and blacklist] applicants who have not fulfilled their contracts legally" and turn to China for domestic helpers.[359] The blame was also directed towards the then President Marcos for his failure to "control" them and for having ignored the eye-sore that these "girls" have been to Filipinos abroad and shutting an eye to the problem on account of "the huge amounts of money they [remitted] every month."[360]

Letters that argued for the "protection" of employers expressed discontent at the repatriation procedure and the lax controls of recruitment agencies. Returning briefly to the letter that was sent by Fung and Escaler regarding repatriation, the women also argued that when the contract is signed, both the employee and employer agreed on the terms in good faith. Therefore, they did not see it unfair that the girl be repatriated immediately, as she is free to apply again with other employers after they return home.[361] Others seemed more concerned with the recruitment process. Not only did one correspondent found it hard to "employ a responsible, experienced and reliable maid who can work sensibly without supervision and without destroying all in her path," she found the hefty agency fee ridiculous considering that her DH's references proved false and that the latter had not intended on staying, which resulted in her having left halfway into the contract.[362] Many of the writers who seem to think that abuse and exploitation are grossly over-exaggerated also do not seem to understand the fees incurred by the DHs when they travel to, and from, Hong Kong to the Philippines as they often helpfully suggest the Filipinas return home. For example, Steve Aylward who pointed out the grey areas that exist in allegations of exploitation also asked rhetorically: "Why do they put up with it [domestic work] if things are really that bad?"[363] Assuming that Aylward put forth the question as a rhetorical one, some employers did actually, and seriously, wonder about this as the LTEs can attest. One

[358] Victim, letter to the editor, *HKS*, June 1982.
[359] Victor Chu, letter to the editor, *HKS*, 17 June 1982.
[360] Ibid.
[361] Fung and Escaler, *SCMP*, 10 November 1981.
[362] Another Employer, letter to the editor, *SCMP*, 23 October 1981.
[363] Ibid.

employer suggest that: "If Filipina maids are really getting such a rotten deal as claimed by Mrs Cruz [a social worker], that they are victims of prejudice, sexually assault [sic.], over-work [sic.], etc., then the best solution is to put a ban on allowing Filipina maids from working overseas at all."[364]

Using a combination of in-depth analysis of employment manuals and LTEs, this chapter has highlighted and discussed the predominant of attitudes of local and expat employers in a span of twenty years. The association of "foreign-ness," victimhood and economic necessity with domestic work in Hong Kong has engendered a particular construct of the foreign domestic worker that not only pits the individual who is characterised as such against the "familiar" figure of the Chinese *amah*; but also restricts, and distorts, one's social status and identity. It can be seen how the usage of LTEs and employment manuals together can successfully document the various responses and reactions of some of the most prejudiced representations of Filipino DHs. The first section of the chapter considered the attitudes that employers have towards domestic service and their employees, and points to the roots of some of the more problematic attitudes harboured by employers. The second section discussed how employers consider employer-employee relations should be maintained. The final section looked at the problem of employers trying to maintain their own security vis-a-vis their DHs within an already unequal power relationship. The examples in this section illustrated the fraught relationship between employers and their employees and points to some theories as to why this may be the case.

While employment manuals give first-time employers a rough guide of what to expect, an idea of how to comport oneself, and reaffirming pre-existing ideas, LTEs are an appropriate and powerful channel through which to comment on an experience, or to add to an existing dialogue of shared experiences. For employers and Filipino DHs the experience of hiring, or working as, domestic workers in Hong Kong can be a scary and daunting experience, which manuals can be helpful in guiding the employer through some of the more challenging interactions, and LTEs can be an outlet for expressing one's frustration and exasperation. This chapter has elucidated the ways in which manuals and LTEs can play a useful role in an employer's toolbox in navigating the murky waters of domestic service, but the perspective of the DHs remains unexamined. How do the DHs cope with being in a foreign environment and the difficulties of working and living in the

[364] A Reader, *SCMP*, 29 January 1982.

same place? What tools do they have on hand to manage these challenges? Who, and what, can they turn to when things get difficult? These are some of the questions that will be explored in the next two chapters.

-5-

Little Manila in Hong Kong:

The Story of an Enclave

The new arrival won't stay lonely for long because on Sundays she can sit in Statue Square and feel right at home because the air will be filled with merry shrieks and will buzz with gossip in Tagalog, Cebuano, Waray, Kapampangan, Ilocano and other Filipino dialects. She can make many friends there. And then there is the fact that she may be lucky in that her employer turns out to be American or British or Australian, most of whom treat servants like members of the family. Of course a girl can be unlucky and end up with an employer, of any nationality, who treats her like a slave. But it's all in the stars. As we say in our language: bahala na, which roughly translates as "come what may. Isabel Taylor Escoda

Introduction

The frequency with which Central, or the Central District as it is officially known, has been cropping up in this dissertation, as well as the general scholarship regardless of academic discipline on Filipino DHs, necessitates a discussion into the centrality of its location to this entire subject. Central District's name is in many respects a truism. The Central District—more specifically Chater Road and Statue Square—is significant not only because it is a convenient location for most Filipina DHs after attending Sunday service in the churches nearby, but also because it is right in the heart of Hong Kong's financial district. Although the Chater Road Pedestrian Precinct was opened up in 1980, most Hong

Kongers remember a long and protracted struggle between DHs and locals over the so-called "occupation" (or "pollution" to some of the more intolerant members of the public) of Chater Road and Statue Square in by foreign DHs for several years after the opening.

Hong Kong's situation, in this respect, is neither singular nor isolated. Central's Filipino community on Sundays forms a specific case study looking into the formation of migrant enclaves, a global phenomenon of which the Chinatowns, Japan Towns, Little Italys or Jewish quarters around the world are a part of as well.[365] Filipino migrants have also formed their own enclaves around the world where they also have to live a nomadic existence on their days off as well (often not on Sundays, but on a pre-arranged date set by the employer) in cities such as Rome, Dubai, Vancouver, Los Angeles.[366] Central's Filipino community is not isolated because it is one of the many places in which DHs have come to gather in. Others include, in no specific order: Victoria Park and its surrounding areas in Causeway Bay and Tin Hau by Indonesians during the week but mostly on Saturdays; the gradual but noteworthy expansion of the Thai community in Kowloon City by way of the upsurge of Thai restaurants in the past couple of decades (the way to a Hong Konger's heart) and the gathering of Filipinos on Sunday around North Point[367], amongst others. To many outsiders and even local Hong Kongers it seems as if membership to these various communities is loosely based religious and ethnic lines, at least on the surface. However, the larger groups belie a more complex organisational logic that speaks to ethnic, class, gender, religious and cultural differences as well. The Central community is not isolated occurrence as it is centred near pre-existing clusters that were already located at the time

[365] John R. Logan and Wenquan Zhang and Richard D. Alba, "Immigrant Enclaves and Ethnic Communities in New York and Los Angeles," *American Sociological Review* 67, no. 2 (2002): 299-322; Lourdes Arguelles, "Cuban Miami: The Roots, Development and Everyday Life of an Emigré Enclave in the U.S. National Security State," *Contemporary Marxism*, No. 5, The New Nomads (1982): 27-43; Helen Siu, "Grounding Displacement: Uncivil Urban Spaces in Post-reform South China," *American Ethnologist* 34, no. 2 (2007): 329-350; Alba, Logan and Brian Stults, "The Changing Neighbourhood Contexts of the Immigrant Metropolis," *Social Forces* 79 (2000): 587-621; Lawrence Bobo, Melvin Oliver, James Johnson Jr., *Pragmatic Metropolis: Inequality in Los Angeles* (New York: Russell Sage Foundation, 2000); George Galster, Kurt Metzger and Ruth Waite, "Neighbourhood Opportunity Structures of Immigrant Populations, 1980 and 1990," *Housing Policy Debate* 10 (1999): 395-442; Peter Marcuse, "The Enclave, the Citadel, and the Ghetto: What Has Changed in the Post-Fordist U.S. City," *Urban Affairs Review* 33 (1997): 228-264; Alejandro Portes and Leif Jensen, "What's an Ethnic Enclave: The Case for Conceptual Clarity," *American Sociological Review* 52 (1987): 768-771; Zhou Min, *Chinatown: The Socioeconomic Potential of an Urban Enclave* (Philadelphia, PA: Temple University Press, 1992); George Sanchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford University Press, 1993).

[366] Cha-Ly Koh, "The Use of Public Space by Foreign Female Domestic Workers in Hong Kong, Singapore, and Kuala Lumpur," MA Thesis, Department of Urban Studies and Planning, MIT, 2009; Lisa Law, "Defying Disappearance: Cosmopolitan Public Spaces in Hong Kong," *Urban Studies* 39, no. 9: 1624-1645.

[367] My own observations have led me to believe that those who gather in North Point are generally less politically involved than those who are in Central, either by choice or otherwise. However, more rigorous and standardized observations have to be conducted to prove this.

around Edinburgh Square, Statue Garden and the Hongkong Shanghai Banking Corporation (HSBC) headquarters in the late 1970s to early 1980s. The difference being that now it connects it to larger public spaces in Central into a web-like organisational form, thereby making the flow of people and activities much more fluid and multifarious. Thus, by extension, it would only be logical to understand Central not as an anomaly in Hong Kong's hyper-capitalistic existence but as a node in an intricate socio-economic web that needs to be understood as a part of the city's historical development.

Little Manila: The Making of a Migrant Enclave

One striking example of this network is the Worldwide House, a business plaza that now houses one of the main marketplaces catered to the Filipino community. On the second floor of the shopping centre, there is a packed indoor food market and at least five banks that provide remittance services. Boxing and delivery services are available on the ground floor for anyone who needs to send items back home. Within the shopping centre and the alleys around it are mobile phone providers, prepaid phone card sellers, Filipino-foodstuff stores, hawkers and other informal economies that are run by DHs who are working part-time during their days off. Though most of the businesses are formally registered with the government, business is carried out in a way that can only be categorized as informal. Most employees are hired through personal contacts and, unless they are working for established companies, no formalised hiring or firing systems are followed. No standard salary or compensation structures exist. Holiday, leave or benefits are not formally offered outside of the goodwill of the employer. It is understood that the goods and services being offered have no fixed prices and consumers are expected to haggle and negotiate. In addition, DHs, as it has been established already, are technically not allowed to work part-time outside of their employers' home. And yet the small businesses at Worldwide House, like those in Chungking Mansion are thriving. Thus, one can conclude that much like other migrant enclaves, the Central District Filipino enclave sustains an extension of an informal economy within a formal one upon which the majority of Filipino DHs depend.

Migrant enclaves, which Central is a part of, are places of opportunity: for work, trade, networking, socialisation, information and empowerment. But the ways in which they negotiate and manipulate official definitions of (il-)legality, they also function as places of shelter for anyone who needs to be incorporated, or disappear, rather, into a microcosm

that is only easily navigable for those who know its rules.[368] By speaking in their own language and dialects, opening shops that cater to their compatriots, reading their national newspapers, engaging in local politics and adopting the city's own rules to their own conventions, DHs and international migrants around the world are reclaiming their space and identity in their community-making activities. The primary areas within this enclave which I conducted my study include the Catholic Centre right down the road from the Worldwide House, Statue Square, Chater Road and at a cafe in one of the many shopping centres around the area.

In addition to facilitating the formation of these migrant enclaves, like other modern, cosmopolitan cities one of the most common complaints from locals is that there is simply not enough public space in Hong Kong. Most of the seemingly public spaces are either privately owned, which means that any organisational activity that takes place on those grounds would be deemed "loitering" risking legal action, or serve some specific symbolic purpose which, once again, discourages so-called loitering. Esther Lorenz discusses this in a conference proceeding looking at the use of urban space where she identifies two types of public space in Hong Kong.[369]

The first blends in with the local streetscape and also reflects a Chinese version of "public space" that mostly grew out of necessity. Examples of this includes hawker bazaars and store fronts. The second type is representative and has mainly been established by the British government and viewed as symbolic.[370] I would also hazard to put religious spaces, Christian or otherwise, in this category as well. While these public spaces still exist, they have lost some of their power as Hong Kong's transformed into an urbanised city in the past three decades. For example, on the one hand, major thoroughfares tend to get "cleaned up" in the course of new development, so occupation of these spaces can only take place under strict supervision and with severe limitations. On the other hand, the importance of the representational character of squares and plazas been traded in favour of a modern skyline that translates to its rising economic power. The domination of the economic sector is also reflected in the ways in which the people of the city are also becoming more economically-driven. Hong Kong citizens are more likely to spend their

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368 Esther Lorenz, "Service Space," Paper presented at the 4th International Conference of the International Forum on Urbanism (IFoU): The New Urban Question- Urbanism beyond Neo-Liberalism, Amsterdam/Delft, 2009, 246-247.
369 Ibid.
370 Ibid. See also: Lisa Law, "Defying Disappearance: Cosmopolitan Public Spaces in Hong Kong," *Urban Studies* 29, no. 9 (2002): 1630.

spare time in shopping malls rather than in parks. Indeed, public space in city planning has become more of an recently, but the precedents set in the previous decades have led to disconnections within the city fabric and hindered the provision of civic, open space. Like local employers, DHs also feel that there is not enough public space in Hong Kong, but for very different reasons. Whereas the majority of Chinese and foreign-born locals have made a choice to escape the city's unrelenting heat and spend their weekends in shopping malls instead of open public spaces, the DHs are forced to spend their only day off to relax, by default, in parks and town squares. In doing so, they are taking otherwise private activities, such as grooming, socialising, napping, and eating to public spaces.

While Filipina DHs have been documented gathering in Central since the 1980s, the Central District has been the economic powerhouse of Hong Kong, if not the South China region, since the British set foot on the island's soil. Along with what is now called Admiralty, it was known as Victoria City during the early colonial period. This area has since transformed, housing the Hong Kong Stock Exchange, hundreds of international firms, literally becoming a centre in every sense of the word. It held a certain significance having been one of the last vestiges of the British Empire. And yet Filipina DHs choose to gather there without fail every Sunday (or, alternatively, on Saturdays).

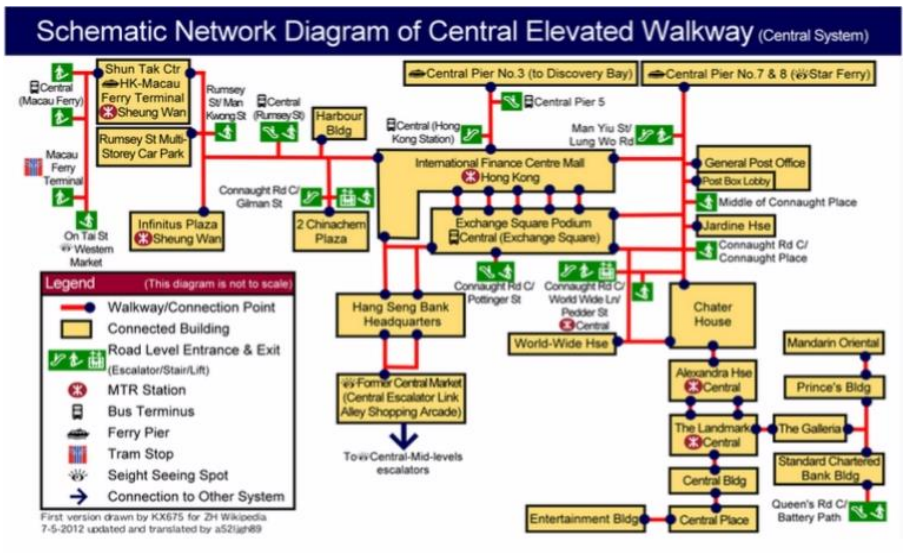

Figure 5.1 Central District Elevated Walkway System

The locations of these gatherings can be traced from St. John's Cathedral and its surrounding parks situated on the foothills of Victoria Peak, down to the coffee shops in

the Landmark Chater, Alexandra House and The Prince's Building, then spreading out from the nexus of the Worldwide House whose shopping arcade is one of the most popular amongst Filipinos to the roads around Chater Garden, Statue Square and the ground floor plaza of the headquarters of HSBC. Others gather around the old City Hall, or on the footbridges linking the Star Ferry Pier to the IFC buildings, what is left of the demolished site of the Queen's Pier and the Central Post Office (see figure 5.1). Other smaller groups gather in Admiralty. Many have called their reclamation of the public spaces in Central on Sundays as a "little Manila" or "Filipino Town".[371] This is confirmed by the manner in which the participants of this research have remarked affectionately on the their compatriots' use of this space, saying that one could map the Philippines in the Central District by the ways in which the people gather based on their language/dialect affiliations. This humorous anecdote was quickly followed by a recollection of the struggles that the community had to go through since the 1980s in order to earn the right to use this space. Their use of this space is considered by some on one extreme as an occupation. At the other end of the debate, some see it as reclamation. Without a doubt, however, it is a hard-won victory.

The Occupation of Central: Reclaiming Chater Road

How the Filipino community came to choose this space over others merits some discussion. While the phenomenon can be partially accounted for by the emptying out of the financial district during the weekends, as well as the close proximity of churches and pastoral services, it is not the full picture. The alleged occupation of the Central District by DHs officially dates back to 1982 when the government approved Hong Kong Land's proposal to set up the Chater Road Part-time Pedestrian Precinct (referred to hereafter as 'Pedestrian Zone').[372] This effectively turned Chater Road, and the elevated network of footpaths connecting office buildings and luxury boutiques, into a unified pedestrian-only space on Sundays and public holidays from 7am to midnight. An extension of this was built with the completion of the HSBC headquarters in 1985. The open, but sheltered, space underneath the building that currently still sits directly north of State Square is a prime location to escape from the sweltering heat of the city's midday sun. One must not confuse

[371] Lisa Law, 2001, "Defying Disappearance: Cosmopolitan Public Space in Hong Kong," *Urban Studies* 39, no. 9: 1624-1645; Constable (2007); Escoda, *Letters to Hong Kong*, 33.
[372] Constable (2007) and Law (2001) also discuss this episode in their studies.

the opening of the Pedestrian Zone as some gesture of goodwill on the government's part to encourage a healthier lifestyle for its people or to minimise air pollution. Rather, Hong Kong Land—the biggest landlord in the Central District—submitted this proposal after the February 1980 opening of Chater Station for the Mass Transit Railway (MTR) to attract more customers to the luxury shopping centres in the area that are abandoned on the weekends. However, what happened as a result of this was the opposite of what Hong Kong Land had desired. Due to the lack of alternative open and public spaces, but also its convenience and location, soon after the opening of the Pedestrian Zone, DHs began to organise their leisure and political activities in, and around, the immediate area.

Figure 5.2 Statue Square, Central

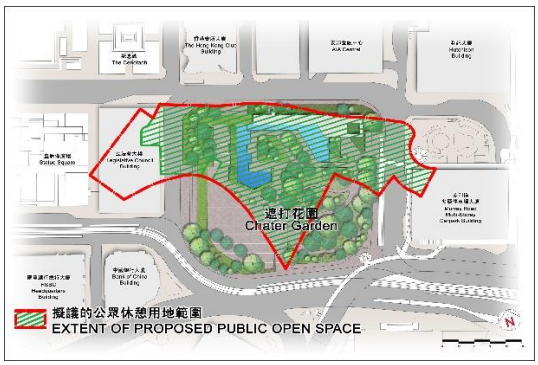

Figure 5.3 Chater Garden, Central

As the numbers of DHs grew in the city, so did the number of people who started to seek out the refuge of the shade, bathrooms and occasional air-conditioning in the areas surrounding the convenient pedestrian zone. And of course with any influx comes the inevitable backlash. Predictably, it was not long until complaints started to surface in local newspapers. Documented in both Chinese and English media outlets were countless complaints about the crowds of DHs being a nuisance and basically squatting and hawking illegally, with the crowds especially concentrated in the area immediately surrounding Statue Square and Chater Garden (see figures 5.2 and 5.3).[373] A notable outcome of this was the establishment of the Hong Kong Employers of Overseas Domestic Helpers Association in 1986.[374] This group of mainly local Chinese employers lobbied the government on DH policies, regulations and salary matters. The group sought to protect its members against the ever-increasing demands and growing problems associated with the

[373] See Constable (2007); Law (2001), Chen and Szeto (2015); Gemma Tuluz-Cruz, *An Intercultural Theology of Migration* (Leiden: Brill, 2010), 30.
[374] Santos, *Human Rights*, 116.

foreign helpers."[375] A lot of the focus was placed on the amount of waste and pollution generated by DHs and the damage it is causing to the city's reputation and appearance. Other commenters wrote to say that while, admittedly, the government has not been doing enough in providing adequate facilities for the DHs to use, the DHs should leave the most upscale part of the city to look for alternative solutions in the meantime. This is an example that clearly demonstrates the roundabout and backhanded ways in which otherwise well-meaning locals have simply failed to grasp their financial, racial, social and historical privilege relative to that of the DHs. Never actually coming out right to say that the groups of DHs are cheapening the aesthetic value of the city, these commenters are nonetheless ignorantly suggesting that the DHs have a choice in the matter who actually chose to torture themselves by hanging around shops that houses luxury items that can easily cost them four months of salary each whose retailers see them as pests.[376] Never mind that it an unsaid rule that DHs are expected to spend their days off outside of their employers' home, and that one could easily get a heat stroke by spending an entire day outdoors in one of Hong Kong's famous summer months. This may seem ridiculous, but risking a heat stroke by spending an entire afternoon was considered an actual legitimate alternative for DHs by Hong Kong Land who called it a "constructive" approach to dealing with the congestion problem in the Central District.

Before discussing the obvious elephant in the room, namely the thinly veiled insult of referring to the DHs' use of public space as a congestion problem, it would perhaps be useful to see how Hong Kong Land arrived at this description. Returning to the point earlier in the discussion when complaints from locals and expats started to pour into local media news outlets, the luxury hotelier, Mandarin Oriental, chimed in and pointed to the noise and disruption caused by the DHs hanging outside their ground floor boutiques as a deterrent for their business operations. They also complained about the large numbers of DHs using their bathrooms, an incident that participants of this study attested to during their interviews.[377] The pressure reached its tipping point in 1992 when Hong Kong Land submitted another proposal, but this time to the Transport Department and the Urban Council of Central and Western Hong Kong to re-open Chater Road for traffic on Sunday. This proposal was also where they shared their self-proclaimed "constructive approach" to solving congestion, which is that the open-air car parks in the area could be used instead of

[375] Constable, *Maid to Order*, 34-35; Santos, *Human Rights*, 116.
[376] See Law (2001).
[377] Interview with FMWU, 4 November 2012. Also discussed in Chen and Szeto (2015).

the Pedestrian Zone by the DHs. So not only were the literal backbones of Hong Kong's society collectively blamed for "congesting" local traffic, but now these human beings were about to be herded onto car parks for their only day off of their almost continuous, 24-hours-a-day, six-days-a-week work. The ridiculousness of this proposal was highlighted when people in the community had to state the obvious in order to push the government to look for alternatives. A member of the Rotary Club in Hong Kong who was working at finding alternative sites for DHs criticised this plan, declaring that the noise would disturb the neighbourhood and that the DHs would not be attracted to gathering in car parks. Many wrote to the newspapers and expressed their horror and disgust at the suggestion and called it inhumane. NGOs like MFMW and UNIFIL criticised the developer for its implicit and explicit discrimination and racism.

The issue was unresolved until late 1993 when the Central and Western District Board Council conducted a study to solve the issue and eventually proposed seven alternate locations to the government. However, all of these places were too isolated, not well-serviced by public transport and quite far from Central where most of their amenities and churches are. In response to the renewed pressure to keep them out-of-sight, many DHs refused to be ignored and started to pass around copies of the letters and editorials that were printed in local newspapers and expressed their feelings in more embodied ways. To this day, thousands of DHs continue to gather in Central on Sundays and continue to be seen and heard by locals. Their energy and passion has also filtered down to influence DHs of other nationalities to occupy spaces on their days off as well. While petty complaints about noise and disruption are still filed occasionally, and a higher number of security guards are being deployed on Sundays to monitor the crowds around the storefronts, many turn a blind eye to it. Today the Chater Pedestrian Zone is publically accepted as a multi-ethnic area, but the complaints serve as a reminder to DHs that this is an ongoing struggle not only about free and universal access to public space, but dignity as well. This section has alluded to the fact that Chater Road is not the only area in Hong Kong that DHs are 'reclaiming', however it perfectly highlights several issues that are being explored in this research: the overwhelming privilege of citizens, the (often wilful) ignorance of legislators, underlying racial tensions and the public-private divide.

As the scholarship stands, there are not that many works that analyse the intricate emotional structures of racial expressions in HK. Despite that being the case, what few works there are examine racial discrimination and anti-immigrant xenophobia, specifically analysing the discursive and ideological structures of racism invoked and implied in HK

journalism, public discourse, government generated public sentiments and educational environments.[378]

During one focus group meeting, one participant mentioned that everyday encounters of racism are rampant, especially in the wet market if they touch the sellers' goods since they think that they can get away with it because the Filipinas do not understand what they are saying. What she has learned is that, she has to use what she calls "the Chinese attitude" if she wants to stop this sort of behaviour: "you must show authority and not back down."[379] This sort of racism may seem temporary and negligible when understood in isolated cases, but their accumulative effects are nonetheless oppressive and lasting for those who are on the receiving end of these encounters. More importantly, given that these everyday forms of casual racism are non-verbal and subtle, it makes it difficult for victims to make formal complaints via the Racial Discrimination Ordinance, or at least to deal with the perpetrator directly. The latent racism and the inability to handle those encounters head-on manifests in a "fight or flight" scenario where the DH either becomes increasingly aloof or callous towards these behaviours or speak out, as Sara did in the example above. The next section will provide a closer look at some of the challenges that DHs face on a daily basis, the methods they use to tackle some of the more difficult encounters, as well as their sources of strength and support.

Between the Churches and the Streets: Interviews on Chater Road

The following section is based around the interviews and focus group meetings that I conducted during my fieldwork. As mentioned in the preface to this study, other than the organisers and spokespersons of NGOs, all the participants of this study are identified only by their pseudonyms. Three broad themes will be addressed in the following analysis: 1) empowerment, 2) discrimination, and 3) internalisation. While these themes seem contradictory, they are indicative of some of the dilemmas, and the 24/7 juggling act, that these women face on a day-to-day basis, a process that Anju Mary Paul discusses as a part of her research into the "negotiated migration model".[380]

[378] Chen and Szeto (2015); Wui (2015); Flowerdew et al 2002; Ku 2001; Lilley 2001.
[379] Focus group meeting with UNIFIL-Migrante, 1 June 2013.
[380] Paul (2015).

Empowerment

Gender and sexual ideologies in the Filipino society have continued to bind women to the domestic sphere even though Filipinas have been active in various socio-political movements, such as the national liberation movement, and played a significant role in the political arena. Nonetheless the family unit and the role of the housewife have been central to Filipina identity historically and culturally, and continue to impact the everyday lives of women even if they are separated by dozens of countries and time zones.[381] The entry of Filipino women to the labour market has reinforced rather than mitigated gender inequality. As Eviota states:

> "Men's primary right to work has meant that for the majority of women, the women who are compelled to sell their labour power, conditions have yet to improve. Their ever-increasing impoverishment is only held off by increased hours of poorly paid, labour-intensive and low-productivity work or by higher-paying but decidedly sexually oppressive work. They are burdened by the double shift of housework and paid work. The majority of women, relative to men and women of other ethnicities, are clearly worse off. Productive work, instead of providing the necessary conditions for women's emancipation, has reinforced gender inequalities."[382]

The necessity to fulfil ideal gender and sexual roles, e.g. obligations as mothers, wives, daughters, and sisters, as well as to ensure the welfare of their families, has precipitated the migration of millions of Filipinas as domestics, nurses, entertainers and sex workers. The

[381] Pamela A. Shulze, "Filipina Mothers' Beliefs about Parenting: A Question of Independence," *Contemporary Issues in Early Childhood* 5, no. 3 (2004): 392; Luz G. Palattao-Corpus, "The Philippines," in *International Handbook of Child Care Policies and Programs*, ed. Moncrieff Cochran (London: Greenwood Press, 1993), 431; Jerzy Smolicz and Illuminado Nical, "Exporting the European Ideal of a National Language: Some Education Implications of the Use of English and Indigenous Languages in the Philippines," *International Review of Education* 43, no. 5-6 (1997): 507-526.; Mirca Madianou and Daniel Miller, "Mobile Phone Parenting: Reconfiguring Relationships between Filipina Migrant Mothers and Their Left-Behind Children," *New Media and Society* 13, no. 3 (2011): 457-470; Asuncion Fresnoza-Flot, "Migration Status and Transnational Mothering: The Case of Filipino Migrants in France," *Global Networks* 9, no. 2 (2009): 252-270; Deirdre McKay, "'Sending Dollars Shows Feeling': Emotions and Economies in Filipino Migration," *Mobilities* 2, no. 2 (2007): 175-194. In particular: Parrenas (2000); Parrenas, "Mothering from A Distance: Emotions, Gender and Intergenerational Relations in Filipino Transnational Families," *Feminist Studies* 27, no. 2 (2001): 361-339; Hondagneu-Sotelo and Avila (1997).

[382] Eviota (1992).

sale of their reproductive, emotional and erotic labour abroad has further perpetuated the historical relegation of women to the domestic sphere and as sexual objects. Overseas employment thus does not necessarily signify liberation and emancipation. Instead, it represents an extension of women's traditional role from the local to the global context.

As elucidated in Chapter Two and still reflected upon by Filipina DHs in the present day, Filipina migrants have been officially praised as "modern heroes" (*bagong bayani*) by the then President Corazon Aquino in 1988 for sacrificing themselves for their families and the Philippine nation.[383] It is interesting to note that participants of this study are ambivalent about this label. Those who are affiliated with NGOs, like ATIS and MI, react coldly to this label. Some mentioned that this statement "keeps DHs as DHs."[384] Others point out that the obvious problem right now is that there are no jobs in the Philippines. Even though a stark number of Filipinas who work in Hong Kong are university degree holders, they are working in the city as DHs.[385] Given this scenario it is not surprising that many of them have remarked in separate discussions that the Philippine government has to create jobs so that they do not have to be in Hong Kong forever.[386] It is clear to these women that the treatment that they are receiving from the Philippines and Hong Kong do not befit heroes. One woman who was sitting on the side when the focus group was being held chimed in: "Even if the DH dies abroad, the government would not care because they cannot get money out of them anymore. There is no work in the Philippines, so they are selling us by sending us abroad. You know, the government can only guarantee the payments of the DHs, not [of] their protection."[387] On the other hand, those who are not actively involved politically with NGOs have brought up this label pointedly during their interviews almost as a source of pride, especially when asked if they feel that they are adequately protected by the Philippine government. One participant sat up straight and said to me in response, "Did you know that we are national heroes in the Philippines?"[388] Notably, this label relies on tropes of mothers, daughters and sisters having an obligation to their family. However, contradictory rhetoric about them has also emerged in popular

[383] See, for example: https://valeriefrancisco.wordpress.com/2012/01/31/whats-so-super-about-being-a-maid-the-philippines-supermaid-program-and-womens-false-empowerment/
[384] Focus group discussion with seven members of Abra Tingguian Ilocano Society-Hong Kong (ATIS), 4 November 2012.
[385] Ibid.
[386] ATIS interview, 4 November 2012; Focus group with members of the Foreign Migrant Workers Union (FMWU), 4 November 2012.
[387] ATIS interview, 4 November 2012.
[388] Focus group at DPCF, 8 October 2012.

discourse, which often centres around the role of women as mothers.[389] Migrant mothers are often condemned for breaking up their families and abandoning their children in the media. Married women are particularly caught in the double bind of being a good mother at home and being a good wife who helps her husband. Further, women working in the entertainment or sex industry are deemed to have brought shame upon the Philippine nation. However, it is also important to note that perceptions of female out-migration differ from region to region.

Overseas employment has reshaped women's self-identities, reconfigured power dynamics within their households, and affected gender and sexual relationships both interpersonally and socially.[390] Or as Parrenas puts it, the process of migration has led to the reconstitution of gender.[391] Further, it has blurred the conceptual dichotomy between caretaker and breadwinner roles in the public-private divide. Lan develops the concept of continuity of domestic labour, which refers to the affinity between unpaid household labour and waged domestic labour—both are feminised work attached wit moral merits and yet undervalued in cash.[392] This concept is particularly telling for migrant women DHs. In essence, while Filipina DHs have assumed the role of breadwinner to fulfil their traditional responsibility as caretakers, their overseas employment has also contradicted the very tenets of traditional gender roles dictated by the heterosexual patriarchal system. Their overseas work in a female-dominated occupation has thus subverted and reinforced culturally prescribed gender and sexual ideologies simultaneously. At the same time however, overseas employment has also changed their social location and their employment status as well. The ways in which the women find meaning in their jobs and negotiate their choices necessitates a more nuanced and contextualise understanding of how DHs and migrants understand their own experiences.[393]

Many participants felt that employment helped them discover their talents, learn new skills and become productive members of their society. Maria, who has been working in Hong Kong for twenty-six years, said: "Now I can talk directly to my employer. I feel that we are equal and I have more control over my work." When asked about the ways she has

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[389] Paul, "Negotiating Migration," 3.
[390] Parrenas (2000, 2001c, 2005, 2012); Macdonald (2010); Sobritchea (2007); Wong (1994); Madianou and Miller (2011); Fresnoza-Flot (2009); McKay (2007); and Jason Pribilsky, "'Aprendemos A Convivir': Conjugal Relations, Co-parenting, and Family Life Among Ecuadorian Transnational Migrants in New York and The Ecuadorian Andes," *Global Networks* 4, no. 3 (2004): 313-334.
[391] Parrenas, Transnational Mothering," 1826.
[392] Pei-Chia Lan, "Maid or Madam?: Filipina Migrants and the Continuity of Domestic Labor," *Gender & Society* 17, no. 2 (2003): 187-208.
[393] Constable (2007) McKay (2007) have also stressed this importance in their works.

changed since she first came to Hong Kong, she says, "I am more confident. I can communicate better. I have freedom here. There is also law in Hong Kong, people have equal opportunities here."[394] Lisa adds, "[Now that] my children have started working, it is time for myself. I now know that I have not failed my objective for my children. It feels good."[395] The process of self-actualisation also provides a sense of connection with other DHs who are in the same predicament, enabling the women to form connections and feel that they can better negotiate mainstream Hong Kong society, which was foreign to them when they first arrived. Maria sums it up succinctly:

> "The thing about Hong Kong is that you can make friends everywhere! It is not like other places like Canada where people are more afraid. Maybe it is because in Hong Kong it is like we know each other and we are all in the same situation. It is so easy to start a conversation. We can talk about the weather and you are friends!"[396]

Another significant emotion expressed by the women as a result of their employment status was a sense of pride and indispensability. The women felt that their income provided a sense of stability to their families, which McKay has touched upon in her research amongst the Ifugao in Northern Philippines.[397] The women also said that they felt that their families were doing better because of their income. Anna said, "I think I can now deal with new challenges. I have also learned to be more patient and understanding. I also know how to understand people's feelings. Once you feel like they [the employer's household] are your family, then you can cope."[398] According to Jackie:

> "I feel like I have a lot of power in my workplace. I am the longest working [sic.] employee in this household. There was a time when I had six people working under me. Until now I am still given the freedom to do what I want to do. […] I feel motivated. I used to be dependent on my mother, and came here because of some

[394] Focus group at DPCF, 21 October 2012.
[395] Focus group at DPCF, 28 October 2012.
[396] Focus group at DPCF, 21 October 2012.
[397] McKay 2007, 188. Research conducted by Jason Pribilsky in Ecuador yielded similar observations. See: Pribilsky (2004).
[398] Focus group at DPCF, 13 October 2012.

> disagreements. [But now] I feel a change in the way that I view my life and in who I am spiritually as well."[399]

Another empowering aspect of employment that was brought up was the formation of new social networks and friendships. Many of the women said that they were happy to meet different friends from different backgrounds either through church or in the apartment complexes within which they work. They learn a lot about the local society and its culture from each other. While one mentioned making "one-day friends", many of the women regard these new friends as confidants with whom they can share secrets and family troubles without feeling vulnerable that they will lose their jobs.[400] Donna, for example, said that, "Employers have their moods and there are problems to sort out back home. The church gives me a chance to forget these things temporarily. There are also friends here that they can trust to air their grievances to."[401] This sentiment is echoed by Celia (08) who said that, "It is our second home. We share our joy and sadness with each other."[402] The women also expressed that they felt safe talking to friends after work (occasionally even during work hours via messaging platforms like Line, Viber or Whatsapp) and thought of them as a support network.[403]

The women all reported that they felt that because they are contributing to their family's income that they now have more power, and that they have a bargaining chip within the household in aspects of childrearing, finances, household decision making and the distribution of household labour.[404] Maria said that working has enabled her to send money back home, which gives her an incredible sense of achievement:

> "I feel more confident because I have done something. I can do little things for my family to make life better and support myself. Maybe if I did not go abroad, then they cannot go to school. Of course, if I had a choice I would not want to become a domestic helper, but maybe the next generation will have a chance someday. I

[399] Focus group at DPCF, 13 October 2012.
[400] Focus group at DPCF, 13 October 2012.
[401] Focus group at DPCF, 13 October 2012.
[402] Focus group at DPCF, 21 October 2012.
[403] For more information on the use of mobile phones to maintain relationships with relatives and loved ones, see: Madianou and Miller (2011).
[404] Scholars such as Constable (2004, 2007), Pribilsky (2004) and Parrenas (2012, 2001c, 2005) have discussed the ways in which their increased income while abroad may give these women higher bargaining power; this tends to become a source of frustration and tension when they return home.

> don't want them to be like me. I have met many good people here, but maybe they won't be as lucky as me."[405]

Worth noting, as well, are my participants' ambitions in their lives after working in domestic service. Both Sally and Theresa had their eyes set on the prize despite both having had a bad start when both their contracts were terminated wrongfully by their respective employers. Sally said, "I like Hong Kong because I am interested in nice places. I can save some money and maybe open a business."[406] Theresa's aims, on the other hand, are reminiscent of the second-hand clothing traders in Lynne Milgram's study: "I do not feel like I belong in Hong Kong because this is an opportunity to make money. I am buying things here to sell back in the Philippines because I can get really nice things here for a good price."[407]

Discrimination and Disadvantage

While the majority of participants felt empowered by and benefited from their employed status, they also expressed an overwhelming sense of disadvantage. They referred to fatigue, homesickness, sadness, as well as fear of their employers, a sense of unfairness related to under-compensation, being undervalued and guilt for leaving their family behind. This sense of discrimination is not one that is obvious, or aggressive, but implicit and passive-aggressive. This is not to say that they are singled out, or suffer more (or less) than other ethnicities. But that this is something that has been expressed by my interviewees, and documented relentlessly by other scholars in the past.[408]

All the women I interviewed were on their day off (Sunday), but they expressed a sense of tiredness due to the fact that they are work extremely long hours in the week. Legally speaking they are only meant to work 'reasonable hours' but often times they are basically "on-call" twenty-four hours a day. Jackie, who has been in Hong Kong for eighteen years, said:

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[405] Focus group at DPCF, 21 October 2012.
[406] Focus group at DPCF, 8 October 2012.
[407] Focus group at DPCF, 8 October 2012. See: Lynne Milgram, "Refashioning Commodities: Women and the Sourcing of Secondhand Clothing in the Philippines," *Anthropologica* 46, no. 2 (2004): 189-202.
[408] *See* Constable (2007, 2008a, 2015); Lan (2003, 2006); Parrenas (2005, 2008).

> "Many of us are given work that is beyond our capacity. We have long working hours. When I was working for my previous employer, I complained to them before I left to go back to the Philippines about the amount of work I had to do. I was sleeping at 1am and getting up at 5am. I was asked to clean four houses in Cheung Kwan O, Old Peak Road, Sha Tin and Kwun Tong, respectively, and wash two cars every day. I think this was the reason why I was wrongfully terminated while I was on leave."[409]

Even for those who do not have to work inhumanely long hours, the emotional demands of the job still take a toll on them. Celia said, "It is hard to get used to different employers. Sometimes we make mistakes or get irritated or sad, especially when we are asked to work on the holidays because we cannot see our family. Christmas is very important to us Filipinos."[410] There is also an underlying hint of tension that is suggested by the participants between them and their female employers. For some the source of this unease or distrust is never clear, whereas others have to suffer its consequences, as it will be demonstrated later. Theresa adds, "We have no power. The woman in the house holds all the power even if we are close to the children or the man in the house."[411] Theresa's lament not only shows her sense of fatigue but also a sense of frustration that she has to juggle in her everyday life. This fatigue is felt by others who feel that they cannot work at their own pace or set their own schedules and have too many people to answer to at once. This sentiment is best illuminated in Donna's discussion of her experience:

> "I have more power to do more and can be more comfortable if I am free to set my own timetable instead of following one that is set up by my employer. If my employer insists on setting things up for me, then I am the one who suffers in the end. I do not have power to do more. Even though I technically only have one employer—you know, the lady boss—there are so many mouths that can speak to me. Which one should I follow the instructions of? Employers use their own power and do not care about the DH. They [the employers] will

[409] Focus group at DPCF, 13 October 2012.
[410] Focus group at DPCF, 21 October 2012.
[411] Focus group at DPCF, 8 October 2012.

> abuse her [the DH] especially if she does not fight back or seek help. She does not have the courage to do so because she is afraid about losing her money and her job. There is no choice for her."[412]

As the interviews progressed, I noted how the sense of pride and achievement that was described earlier is sometimes betrayed by a glimpse of helplessness that peeks through occasionally through the women's tough exteriors. This was the most obvious when we discussed about their future plans and if they had intentions to stay or return home. Several women talked about how they have to sacrifice for their families futures and be brave for them. Sally revealed that, "Even though I have to be brave, I am really traumatised by the experience. It really affects your sense of self."[413] Related to this is the feeling that some of them had that they are not good mothers in the traditional sense.[414] Despite knowing that their employment is important for their family and children's future, many expressed a sense of shame about not being able to be with their children and see them grow up. Theresa, who has been in Hong Kong for eleven months—a relatively shorter period of time than the other participants of this study—highlights one of the different underlying issues in this short, but telling, statement: "Women must share their tasks with their husbands. You can mould a child from inside the house. The mother is the light of the house."[415]

While most of the women agree with the deeply ingrained stereotype that they are best suited to be DHs because of their feminine qualities and adeptness in performing housework, they also feel that their husbands have to step up to the plate in helping out with household labour. These women have to perform some serious mental gymnastics in their head. The overall narrative suggests an internalisation of gendered expectations and patriarchal ideology. It also suggests that women conduct a degree of self-disciplining to keep in line with gender and social norms. However, it also indicates that migration might, or could, alter traditional forms of household labour if the husband is willing to renegotiate the division of labour within the household.

The main source of frustration for the participants largely stems from mainstream Hong Kong society and the mild-to-severe xenophobia that it tends to harbour. When

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[412] Focus group at DPCF, 13 October 2012.
[413] Focus group at DPCF, 8 October 2012.
[414] Orna Blumen, "Domestic Services and the Transnational Family: The Loneliness of Long-distance Filipina Mothers," *Horizons in Geography* 60, Contemporary Israel Geography (2004): 385-396.
[415] Focus group at DPCF, 8 October 2012.

asked what is the best way to handle the less-than-comfortable racist encounters in places like the local wet markets, a member of UNIFIL-Migrante confidently established that the best, and only, way to handle the "Chinese attitude is to "show authority and not back down."[416] This is also echoed by the members of the Filipino Migrant Workers' Union (FMWU): "Before I would not speak out against my employers or say 'no' but now I have learned how to. Now, if I feel that I am right, I will say what I feel and fight. I have learned my lesson. I will answer back."[417] But for most people it is not that simple. Maria said, "It was difficult before [when she first arrived at the city twenty six years ago]. People really discriminated against us. For example, it was difficult to get a taxi because they did not speak English. There was this other time when the security would not let me use the toilet at the City Hall. I will always remember that. It is so humiliating and painful."[418] Maria also nonchalantly described the ways in which locals would mistake her for being Chinese due to her lighter skin colour, but that their behaviour would change after finding out she is Filipino. For some of the participants, the Manila hostage crisis, also known as the Rizal Park hostage-taking incident, seems to be a watershed event in marking the changes and shifts in local-Filipino relations.

Selina said, "I feel a deep sense of patriotism when I read the news. A lot of things happen outside and on the news. I feel discriminated when I am outside [in the city], not in the place I am working in. I heard that some Filipinas got spat on after the Manila hostage crisis."[419] Donna echoed the backlash she felt from the Chinese community in Hong Kong in the aftermath of incident: "I get hurt when I hear people talking bad things about my country. I want to stand up for my country and my people. After the hostage incident, a friend with the surname Mendoza was fired because her employer was convinced that she was related to the Filipino who was responsible for the hostage incident."[420]

At the focus group with UNIFIL-Migrante, Dolores Balladares described an even more inflammatory experience. When the DHs and the NGOs were rallying for the Right of Abode of domestic workers, which reached its height between 2010-2011, Filipino DHs have been the subject of hateful online messages that labelled them as "cockroaches" and telling them to go back home.[421] Further, DHs were being depicted as "parasites" and were

[416] Focus group with UNIFIL-Migrante, 6 January 2013.
[417] Focus group with FMWU, 4 November 2012.
[418] Focus group at DPCF, 21 October 2012.
[419] Focus group at DPCF, 13 October 2012.
[420] Focus group at DPCF, 13 October 2012.
[421] Focus group discussion with FMWU members, 4 November 2012 and focus group discussion with UNIFIL-Migrante members, 6 January 2012.

deemed the cause of social chaos in Hong Kong. Adding fuel to the fire was Chip Tsao's article on the Spratly Islands debate that was published in the *HK Magazine* on 27 March 2009 stating that:

> "The Russians sank a Hong Kong freighter last month, killing the seven Chinese seamen on board. We can live with that—Lenin and Stalin were once the ideological mentors of all Chinese people. The Japanese planted a flag on Diàoyú Island. That's no big problem—we Hong Kong Chinese love Japanese cartoons, Hello Kitty, and shopping in Shinjuku, let alone our round-the-clock obsession with karaoke.
>
> But hold on—even the Filipinos? Manila has just claimed sovereignty over the scattered rocks in the South China Sea called the Spratly Islands, complete with a blatant threat from its congress to send gunboats to the South China Sea to defend the islands from China if necessary. This is beyond reproach. The reason: there are more than 130,000 Filipina maids working as $3,580-a-month cheap labor in Hong Kong. As a nation of servants, you don't flex your muscles at your master, from whom you earn most of your bread and butter."[422]

It was not until some 6000 people (mainly composed of Filipina DHs) protested that Chip Tsao kowtowed at the Philippine Consulate to apologise for writing the inflammatory article.[423]

Despite the positive outcome of this particular incident, the daily interactions of DHs with their employers are more complex and not something that is easily resolvable given that when issues arise they generally take place behind the doors of their employers' homes. Further, as it was established in Chapters Two and Four, the tension between the two parties is rooted in something that is deeply engrained in the culture and mind-set of

[422] Chip Tsao, "The War at Home," *HK Magazine*, 26 March 2009 http://hk-magazine.com/feature/war-home (last accessed 13 September 2015).
[423] Focus group with UNIFIL-Migrante, 6 January 2012; Mark Joseph Ubalde and Sophia Dedeace, "Chip Tsao says sorry before RP execs in HK," GMA News, 2 April 2009 http://www.gmanetwork.com/news/story/155242/news/chip-tsao-says-sorry-before-rp-execs-in-hk (last accessed 13 September 2015).

their employers. Theresa talked about her experience working with local Chinese employers brought up the fact that: "they are harder to work with and tend to treat domestic workers like property."[424] She added: "The people in the city are friendly. It is only difficult to get along with the employer and the household. People in the shops and supermarkets would say, '*Jo sun, peng yao*!' (literally translates to 'Good morning, my friend' in Cantonese) to me, which is really nice."[425] In a separate interview, Donna told me that her last employer asked her: "Why Filipinos like to complain and fight back against their employers so much? [Unlike the Indonesian DHs]"[426] In another awkward situation Donna's employer mentioned casually to her that she has noticed that there are Filipinas strolling around the Central District "dressed like prostitutes." Donna then said, "When I am faced with these situations, I focus on my decision to come [to Hong Kong] and not get derailed."[427]

In their own ways, the DHs have made it obvious that these cases of everyday, casual racism hit them hard. And to that end, their cynical responses are particularly telling. For example, in one focus group meeting Maria said, "We must adjust [to the ways in Hong Kong] because we are in a foreign country. We cannot be proud."[428] Celia immediately spoke up with a follow-up response, "Of course when people are saying bad things about the Philippines you feel pain or sad. But we cannot do anything because we are here. Only our feelings are hurt, you know?"[429]

On top of the difficulty of having to manage their relationship with their employers, an additional, but unexpected, source of tension is the mother-in-law of the employer. Hong Kong women and their husbands and children who, for various reasons, share their tiny Hong Kong apartment flat s with their in-laws generally face an uphill battle before being able to employ a DH. The most common reasons for this are jealousy, envy and distrust of not only the women for even thinking about employing someone to take care of the household, but also this stranger who is about to live their private space and threatening their "places" in the household. On the flip side, the housewife, who has to work in order to supplement the household income for the employment of a DH also feels a sense of shame, or guilt, for not being able to take care of her own household. Undoubtedly, the battle is usually far from over when the DH arrives into the house.

[424] Focus group at DPCF, 8 October 2012.
[425] Focus group at DPCF, 8 October 2012.
[426] Focus group at DPCF, 13 October 2012.
[427] Focus group at DPCF, 13 October 2012.
[428] Focus group at DPCF, 21 October 2012.
[429] Focus group at DPCF, 21 October 2012.

Theresa painfully recalled "the grandmother" of the household being particularly threatened of the relationship that she was forming with the daughter, and eventually became the force that drove her female employer against her.[430] The discussion above highlights the everyday realities of the participants in handling the discrimination they face in the city, but what is even harder is spending almost twenty-four hours a day in a house they cannot call their home.

Aside from the everyday racism that they have to deal with, another source of frustration for the participants is the deep and emotional connection that they form with their employers' children and feeling frustrated and shameful that they are neglecting their own children in the Philippines. Doubly insulting is the fact that some of them describe their employers resenting this bond and chastising, or even firing, them as a result of this bond (sometimes at the behest of their friends and relatives). Four participants, Sally, Theresa, Maria and Donna, on two separate occasions spoke to me about this.[431] Maria explained:

> "I took care of the children of my second employer. I really loved the kids, but I could not stay even though that experience is still in my mind. It really made me feel like a mother for the first time in my life. I could not stay because my employer was too dependent on me. I did not want her to feel jealous. It was clear that the family paid more attention to the son, so I was closest to the daughter. She shared her food with me and spent a lot of time with me. I told my employer to be careful because it is the daughter who will take care of them when they get old. Even though my employer agreed with me, she still continued to favour the son. I think that children are only like this [spoilt] because of their parents. It is not the child's fault."[432]

Relative to the rest of the participants in this study, both Theresa and Donna formed particularly close bonds with their employers' children. Theresa mentioned that: "We Filipinos give our hearts out when we work, but the employers can terminate us at any time without notice. There is also a problem with communication. There are language

[430] Focus group at DPCF, 8 October 2012.
[431] Focus group meetings at DPCF, 8 October 2012 and 13 October 2012.
[432] Focus group meeting at DPCF, 13 October 2012.

barriers, especially with older members of the family. I really loved the children and I wanted to show them I care, but the mother or grandmother sees this as a threat."[433] She continued, "The mother was jealous of the connection I had with her child and reminded me not to treat her [the daughter] like she is your child."[434] In a separate interview, Donna recounted a similar experience with her own employer, "I had problems with my lady boss. I think she became jealous of my connection with her daughter. I tried my best to let the child know that I am not her mother and that she should also love her mother and treat her with respect. I do not think that my employer saw this."[435] After a long pause Donna said between tears that she treated her employer's daughter like her own child. From these women's experiences, it is clear that their struggles are embedded in the oppressive working conditions that normalize the exploitation of women's emotional and physical labour alongside deeply ingrained patriarchy at home, both of which make housework and childcare the sole responsibility of women.

The women feel equally disadvantaged in their day-to-day work. Jackie, for example, has no desire to stay in Hong Kong because "life is easier there [in the Philippines] and there is also less pressure. You cannot sit, sleep and eat here [in Hong Kong with her employers]. Back home, you can sleep when you want, sit around for a bit and still eat. Here, you must work to [be able to] eat."[436] Donna, a single mother who has been in Hong Kong for seven years, pointed to another sense of disillusionment when she first arrived in Hong Kong, "I was pickpocketed in the first few hours of my first day in Hong Kong. Another time I was helping out an old woman who was stumbling on the street, but got yelled at by the woman afterwards."[437] Her situation as a new arrival was exacerbated by the fact that she was then unlawfully terminated by her employer before she even completed her very first contract. "After that I really had to think and focus on how to start again. I [was in] Shenzhen [at the time] on a one-month visa [*ed.* her first employer asked her to work there, which is technically illegal]. Luckily, I was able to find work. Now because of my previous experience of termination and breach of contract, I am a source of help for other Filipinas who call me with similar problems. It is in my nature to help people

[433] Focus group meeting at DPCF, 8 October 2012.
[434] Focus group meeting at DPCF, 8 October 2012.
[435] Focus group meeting at DPCF, 13 October 2012.
[436] Focus group meeting at DPCF, 13 October 2012.
[437] Focus group meeting at DPCF, 13 October 2012.

who are in need."[438] She concludes her segment of her interview with a self-empowering statement:

> "I could have been considered as one of those 1980s brats that people talked about. I used to think that it was hard to tell people that I work as a DH, but now that I am working as one, I do not think that it is a degrading job at all. In fact, I am proud of what I am doing. I also find that I can maintain a strong connection with my daughter and can even educate her despite the distance. I feel that I am a really different person from who I was before I came to Hong Kong. Now I really understand how hard it is to make a living."[439]

Donna's case highlights one of the most poignant paradoxes of the system. While she feels judged, discriminated and drained by the amount of work she has to do, she also feels empowered in knowing that she is able to provide financial support for her family all by herself. Her work also gives her allows her to be financially independent, and gives her the clout to decide what is best for her children despite the distance and restrictive circumstances, for example by paying for their mobile phone bills, education and other luxury items. This is one of the few themes that rang true across the experiences of most of the DHs I have interviewed for the study, a fact arising from the reality of living and working at the same time in the private sphere of an unfamiliar society.

Internalisation of the System

Filipinas being the most established nationality working in Hong Kong's domestic service industry have recently had to share their market with DHs of Indonesian, Sri Lankan, Malaysian, Thai and, more recently, Burmese descent. Whether doing so consciously or unconsciously, both the Hong Kong government and recruitment agencies have taken a divide-and-conquer approach with this change in the market. It is not uncommon for recruitment agencies to tell prospective employers that Indonesian DHs are more subservient and "malleable," thus making them better candidates. To this end, the

[438] Focus group meeting at DPCF, 13 October 2012.
[439] Focus group meeting at DPCF, 13 October 2012.

employment manuals explored in Chapter Four have also dedicated pages upon pages to the delineation of the characteristics of different nationalities of DHs, basically indicating the degree of "desirability" of each. During an interview, a member of MI described the changing landscape not only as a matter of demography, as in the preference of Indonesians over Filipinas, but the fact that the Indonesian government has made it so that the wages of Indonesian DHs are lower than the Minimum Allowable Wage (MAW). Thus, combined with their ability to speak Cantonese better than Filipinas, it is easy to see how they would be preferred over Filipinas. During a focus group meeting with UNIFIL-Migrante, a member described the changing landscape as such:

> "The number of Filipino DHs is actually now higher than Indonesians. This has to do with different factors in Hong Kong and in Indonesia. The different Indonesian [recruitment] agencies, along with the Indonesian government, are responsible for setting the requirements for wages, for example. Also, they tell DHs not to fight with their employers, to be subservient, and not talk to Filipinas. Hong Kong people are hiring more Indonesians not because they can speak Cantonese better, but because of the salary and holidays. For example, Thais can speak better Cantonese, but their numbers are still less than that of Indonesians. Indonesians are being paid the minimum allowable wage (1500HKD) with no holidays or days off. Furthermore, for the first seven months of their employment, they only get 200HKD or none because they have to 'pay off' their agency fees. On top of that, their employers can terminate their contracts at any time."[440]

When asked if this obvious imbalance in the way they are treated by recruitment agents and the government leads to any animosity between the different communities, the participant pointed to the importance of the NGOs. She says:

> "The Asian Migrants Coordinating Body (AMCB) brotherhood…sisterhood…forges a relationship with other

[440] Focus group with UNIFIL-Migrante, 6 January 2013.

> migrant organisations and in doing so they hope to ease the competition among migrant workers of other nationalities. Because of the strong relationship maintained with other migrant groups, there is no antagonism or envy amongst migrant workers."[441]

However, this paints a rosier picture than what happens for DHs who are not involved with local NGOs, which is the case for those participants that were recruited for this research with the help of the Diocesan Pastoral Centre for Filipinas. Celia mentioned that for many DHs the DPCF and the Mission for Migrant Workers are, realistically, the only channels through which they can get help. Unsurprisingly, this is among the biggest issues that newcomers face. Celia knowledgably pointed out that the majority of termination cases affect newcomers who do not know where to go and do not have any relatives or established networks in Hong Kong.[442] The majority of the participants indicated that their employers have expressed, in one form or another, their judgments towards Filipinas and Indonesians. For example, Donna has worked with four employers since arriving in the city seven years ago. She noticed that "employers tend to compare Filipinos with Indonesians. For example, they will talk about their friends and their experiences with their own DHs."[443] Similarly, Jackie's employer told her that she "did not like Indonesians because they are not as clean [as Filipinas]. Also, they do not work with love and care like Filipinos do."[444]

When asked about what and how they feel about their identity while in Hong Kong, most of them seem keenly aware of the stereotypes that they are judged by, but they all see value in using them to their own advantage as well. For example, Selina confidently pointed out that, "The main thing that distinguishes us [from Indonesians] is that we speak English. Employers often use this to compare us to Indonesians."[445] Theresa gravely noted that: "Abuse happens when you let them do it to you and keep quiet. But it also happens if you are doing a good job. That is why we must speak out. Indonesians are getting the worst of it because they are not like Filipinas. You know, they are not willing to stand up against it."[446] The participants of Abra Tingguian Ilocano Society (ATIS) notably pointed out that

[441] Focus group with UNIFIL-Migrante, 6 January 2013.
[442] Focus group at DPCF, 21 October 2012.
[443] Focus group at DPCF, 13 October 2012.
[444] Focus group at DPCF, 13 October 2012.
[445] Focus group at DPCF, 13 October 2012.
[446] Focus group at DPCF, 8 October 2012.

it is not just a simple matter of speaking out. "[Indonesian DHs] suffer more abuse at the hands of their employers because they do not speak English. This means that they cannot understand their contracts; they cannot fight back and can only comply. They are either afraid or they do not understand their rights, so that is why the Mission [the Mission for Filipino Migrant Workers] is here to help."[447] Donna added that, "The identity I take on depends on the person I am with. Filipinos are associated with 'prostitutes,' 'better working standards,' 'easier girlfriend,' 'religious' and 'music' or 'singing.' For example, even if a plane is being held hostage, the Filipinos will break into song."[448] Perhaps it is best to end this analysis with something that Maria said which I am continually reminded of in this study: "'Domestic helper' becomes a name for Filipinos. Even though I am easily mistaken for a Chinese, I want to be respected as a Filipina! I want to be respected as is!"[449]

Concluding Remarks

In many ways, Central has become a home-away-from-home for many Filipino DHs. Being in Central with their compatriots on Sundays serves as a very real reminder to many of them that they are mothers, sisters, spouses, and relatives. Not only is the area a place where a new arrival gets his/her first-day orientation from friends, but it is also a battleground. After thirty years of activism and occupation in Hong Kong, Filipinas have become the forerunners of the occupation movement. Their continued reclamation of Chater Road, as well as the initial occupation of the area, is an act of defiance and rebellion. It is a symbolic assertion of autonomy and resistance.[450] However, their use of the public spaces in Central is not just about symbolism or advocacy, it is also about making a community that is theirs as well. Working six (sometimes seven) days a week, Filipinas have come together with sustained strategies of reclaiming Central and turning it into a place where locals and foreigners have to come to terms with the images that they are seeing.

To this day, Filipinas gather at Central without fail, with groups of volunteers from NGOs organising tours for locals.[451] Meeting at start of Chater Road, one is led past throngs of people from Ice House Street, to the headquarters of HSBC, down to the

[447] Focus group with ATIS, 4 November 2012.
[448] Focus group at DPCF, 13 October 2012.
[449] Focus group at DPCF, 21 October 2012.
[450] Chen and Szeto, 70; Cruz (2004).
[451] I was taken on one of those tours during the initial phases of the fieldwork period.

previous site of the Queen's Pier, the City Hall, up on the elevated walkways and back to Chater Road. One is able to see the various ways in which spaces have been repurposed for different purposes: hawking, picnicking (with a portable rice cooker!), haircutting, threading, dancing, meeting and so on. One cannot help but feel overwhelmed at this sort of sight: at the closeness of the community, at the dedication that it takes to set up weekly rallies and pickets, at the simplicity of it all, but also the struggle behind all that is lying in front of Chater Road and WorldWide House.

Indeed, Chater Road is embedded with different meanings depending on where one sits in the community. Is it a reclamation, occupation or enclave? Whatever it may be, it is clear that the DHs who frequent Central are better connected with their peers and better equipped with the skills necessary to avoid exploitation and abuse. The roles played by UNIFIL, MIGRANTE and MFMW are instrumental in this regard. Behind the struggle for the Pedestrian Zone, the battle for the Right of Abode and calls for abolishing the two-week rule are the individuals who have fought tooth and nail to the right to exist in the city as equals.

-6-

Articulations of Agency and Resistance:

On the mobilisation of a community

"Beyond financial remittances, social remittances of migrant women (idea, skills, attitudes, knowledge, etc.) can also boost socio-economic development, and promote human rights and gender equality. Migrant women who send money transmit a new definition of what it means to be female. This can affect how families and communities view women. […] Women abroad also play a role when it comes to promoting the rights of their counterparts back home." UN Population Fund, *A Passage to Hope: Women and International Migration*, State of the World Population 2006

Introduction

Standing on a podium addressing hundreds of Filipinas on their day off, not to mention several hundreds of passers-by flitting in and out of the sprawl of small crowds littered down the street, via a carefully-arranged series of loudspeakers in the middle of Chater Road in the blistering heat of the sun is Dolores Balladares campaigning against PhilHealth—Philippines' national insurance scheme. This public rally is one of the many spearheaded by Mission for Migrant Workers (MFMW), United Filipinos in Hong Kong

(UNIFIL), Migrante International (MI), three major international grassroots non-governmental organisations operating in Hong Kong that are working to raise awareness of the struggle of migrant workers, but also to address the imbalance of power on the national level that tips egregiously in favour of the Philippine government.[452] By linking domestic service to a longer history of racial and colonial struggle, MI's public rallies, such as the one regarding PhilHealth, sought to address, and put a stop to, the manifold cultural and socio-economic structures that Filipino migrant workers experience in their everyday lives. MI also encourages and empowers migrants of all walks of life to take leadership roles in engaging in political activities, regardless of their social standing or nationality.

As UNIFIL's chairwoman, Balladares has been organising these rallies for numerous years. However, this today was particularly noteworthy for the organisation and its coalition members for it was the 14th founding anniversary of the Cordillera Alliance, a partner organisation of UNIFIL. Complementing MI's efforts, UNIFIL is a grassroots, community-based organisation aims at consolidating different migrant organisations in Hong Kong into an alliance to defend not only the rights and welfare of those who are working and living in the city, but their families as well. Given their shared mission and partnership, UNIFIL is the principal partner of MI in implementing its programmes in Hong Kong. And indeed their shared history can be traced back to 1996 when UNIFIL was part of the ad hoc committee that led to the creation of MI.[453] Along with the Asian Migrants Coordinating Body (AMCB) and MFMW, and working in conjunction with St. Joseph's Cathedral, UNIFIL provides a wide range of services to migrant workers, utilising the skills of their English, Filipino and Chinese staff. In addition to serving an opportunity for migrant workers to become more politically involved, these organisations also provide chances for migrant workers to cross-racial, ethnic, linguistic and religious boundaries and share their experiences. In doing so, any migrant worker regardless of their educational, political, religious, or cultural background can become involved in the leading positions of these organisations.

The public rally held in November 2012 embodied many of UNIFIL and MI's principles and organising philosophy: Balladares' involvement with UNIFIL started no differently. Eleven years ago Dolores Balladares initially travelled from the Philippines to Hong Kong to look for work as a DH and became involved with UNIFIL as a

[452] Participant observation carried out on 30 September 2012.
[453] UNIFIL website. Available at: http://www.unifil.org.hk/index.htm

consequence of her past work as a student activist in the Philippines. The organisation that she worked for became a partner of UNIFIL and in 1996 she became an officer of UNIFIL and has been a chairperson for UNIFIL since 2004.[454] Under the guidance of MI's five core programmes: 1) Rights and Welfare, 2) Campaigns and Advocacy, 3) Education and Research, 4) Network and Lobbying, and 5) International Solidarity, migrants, like Balladares, are guided to becoming their own agents of change.[455] Deepening her involvement with the organisation on multiple levels, Balladares, and others like Eman Villanueva (MFMW and AMCB) and Norman Uy Carnay (MFMW), soon rose through the ranks and became a public leader of the organisation in the media and in campaigns, as well as doing the behind-the-scenes work of recruiting, teaching, and developing strategy--activities which are usually reserved for paid staff members in other organisations. Such training has equipped members with the critical perspectives, specialized knowledge, and organising skills needed to challenge hostile employers, biased government officials, and ambivalent social service providers. MFMW and UNIFIL, for example, regularly holds workshops, rallies and campaigns to promote awareness, investment and engagement with activism by providing opportunities and motivations for individual and community empowerment and also new connections for people who are generally not involved in political and/or social work or were averse to the risks that these activities might pose to their jobs, families and reputations.[456]

Organisations like UNIFIL and MFMW make up an essential part of representing the Filipino community in Hong Kong and, thus, form a crucial juncture in any discussion of their history and community formation. And more importantly, the contributions of Filipina DHs to the development of their countries and homes are not solely via monetary remittances. They also bring home new ideas, which can otherwise be termed as social remittances, or political remittances.[457] This points to the ways in which migrants accumulate ideas, skills and practices during their stay in their destination countries, which are not necessarily turned into productive effects in economic terms. Political remittances are therefore specifically referring to further democratisation and promotion and protection of rights in their home countries.[458]

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[454] Interview with Dolores Balladares, Chairperson of UNIFIL, 6 January 2013.
[455] MI website. Available at: http://migranteinternational.org/about/. Other NGOs like MFMW and the APMM have similar approaches and guidelines to structure their services and organisation.
[456] Santos, *Human Rights*, 157.
[457] UN Women, *Contributions*, 23; Peggy Levitt, "Social Remittances: Migration-Driven Local-Level Forms of Cultural Diffusion," *International Migration Review* 32, no. 4 (1998): 926-948.
[458] UN Women, *Contributions*, 23; Piper (2010b).

In addressing the problems that Filipina DHs face in Hong Kong because of language/racial discrimination, anti-migrant initiatives in politics and education, and the failure of a significant portion of the local Chinese community and institutions to respect the right and meet the needs of a multinational and multilingual workforce, UNIFIL and its members organisations are part of a larger social movement. MFMW, UNIFIL and MI use their platforms to provide an opportunity for migrants to form responses, individual or otherwise, to the injustices and discrimination by framing their (often) private struggles as a public issue.[459] In doing so, individual problems turn into community concerns, and personal complaints can transform into a rallying cry. It also highlights the fact that the daily discriminatory behaviours that DHs experience are an extension of a longer history of imperialism, cultural animosity against Mainland Chinese and Vietnamese refugees and wilful ignorance about the problems within domestic service. By rejecting the second-class status attributed to their employment in a trade that requires a lot of physical work for not a lot of money, DHs are working to change the system from the bottom and within. The migrants who participate in these organisations transform from people who are looked down upon for their professions and their cultural background into well-informed critics against discrimination and oppression in all spheres of society, from their workplace to their own governments. By creating conditions where DHs are established as a source of authority about workplace abuse and experts in forming community networks, the programmes that UNIFIL and its members set up enable individuals to reconfigure themselves as subjects who are not only aware, but actively resistant.

The importance of participating in political organisations, especially those that are in Hong Kong, has been successfully demonstrated by Lindio-McGovern, Wui, Constable and Piper.[460] Their political capacity building via participation in political activism and the establishment of domestic worker unions and associations in their countries of origin are often seen when they return. As it will be discussed in this chapter, all nationalities of domestic workers in Hong Kong, except for Sri Lankans, have created their own unions and are part of a larger union together with local domestic workers led by the Hong Kong Federation of Trade Unions (HKFTU). This has had a huge effect on political empowerment. Given that the freedom of expression is well-protected and practised in

[459] Lindio-McGovern (2012), Wui, "Worlding Activism," 95.
[460] Lindio-McGovern (2012); Nicola Piper, "All Quiet on the Eastern Front? – Temporary contract migration in Asia revisited from a development perspective," *Policy and Society* 90 (2010): 1-13; Sim (2003); Wui (2015).

Hong Kong, many migrant DHs learn to communicate their ideas in public.[461] This is an important aspect of empowerment that should be fostered and harnessed. This chapter will also delineate the ways in which these organisations go beyond political activism and awareness-raising so as to reach other members of the community through skill training. For example, there are various IT and computer skill courses offered to DHs which can help to facilitate communication with families and friends in home countries.[462] Language classes are also offered to DHs which would improve the social capital of the countries of origin.[463]

UNIFIL, MI and MFMW are, of course, not the only DH-centred non-profit organisations that currently exist in Hong Kong. They are currently joined by at least a dozen others that often come together when there are common issues to rally behind, most prominent of those being the Right of Abode and, more recently, the horrifying abuse of the Indonesian DH Erwiana.[464] However, being three of the longest standing associations in Hong Kong dealing with migrant-related issues, the history and development of these three organisations, in particular needs to be understood, especially its impact after two decades of community organising. And as such, despite their being three separate organisations, and the few works that have looked at them do see them as distinct entities,[465] given the nature of their partnership it makes sense to examine them as a tripartite body (M-UN-MI) for the purposes of this dissertation. Below is a rough outline of the relationship that these three major actors share:

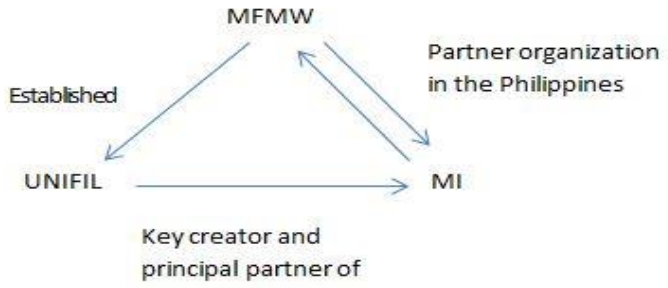

Fig. 6.1 The tripartite organisation of MI, UNIFIL and MFMW

461 KOMPAS. 'Hapus "Colonized Mind" (Eliminate colonized mind)', *KOMPAS*, Jakarta, May 29, 2012: 17.
462 KOMPAS. 'Hapus "Colonized Mind" (Eliminate colonized mind)', *KOMPAS*, Jakarta, May 29, 2012: 17.
463 UN Women, *Contributions*, 25.
464 Constable (2007); Wui (2015); Lindio-McGovern, *Globalization, Labor and Resistance*, 70.
465 Hsiao-Chuan Hsia, "The Making of a Transnational Grassroots Migrant Workers: A Case Study of Hong Kong's Asian Migrants' Coordinating Body," *Critical Asian Studies* 41, no. 1 (2009): 113-141.

Specifically, this chapter elucidates their respective roles, thereby delineating each of their responsibilities and functions, as well as their trajectory of development. Conducting an overview of their history with respect to the history of the Filipino DH community is not only important given that it will be the first of its kind, but it would also be useful in establishing patterns and trends of development that could be compared and contrasted with other groups, locally, nationally, and globally. Over the years, different NGOs rise and fall, but some, like MFMW and MI, have persisted. It is important to shed some light on the conditions that allow for the perpetuation of some groups over others. Of particular interest is the documentation of the ways through which these three organisations have facilitated more full and active participation of DHs from all walks of life in everyday civic and political life.

To begin this exploration of its history, transformation and connections, as well as the lessons that can be learned from all of this, correspondence was established with Norman Uy Carnay, a staff member of MFMW who is now a spokesperson of BAYAN (Hong Kong) as well and part of a unique group within the community who is raising a child in Hong Kong, Dolores Balladares, a longtime volunteer and staff member of UNIFIL who has witnessed the growth of new migrant organisations and whose activism and background reflect the organisation's commitment to social justice and migrant causes and Eman Villanueva who went to Hong Kong to work as a male DH—a position that is rare in a city that sees domestic service as a job for women-- and now plays an active role in local politics, not only becoming a spokesperson for the Asian Migrants Coordinating Body (AMCB), but also a Vice Chairperson of the Filipino Migrant Workers' Union (FMWU).[466] The research in this chapter draws primarily on four rounds of focus groups conducted with twenty members in 2012. They were held in different public areas in the Central District of Hong Kong. Each focus group lasted approximately two hours and all sessions were conducted in English. In addition to focus groups, this chapter also draws on the participant observation of their public rally against PhilHealth, MI's World Congress and their online archives, which includes monthly newsletters, programme reports, casework reports, annual reviews and newspaper coverage.

The research conducted for this chapter is guided by a spirit of collaboration and shared political commitments. Despite relying on sociological and anthropological methods

[466] Information here gathered from interviews with the individuals in 2012 and cross-checked in 2015 through publications of their respective organisations.

of research, this project is historical at its core. It follows the tradition of cultural and oral history using methods to examine their history through a trajectory that traces their past to their present undertakings and perhaps even positing some theories on their future developments. It relies on participatory research methods to equalise, as much as possible, the unequal power relations existing between the researcher and researched to form a project of collaboration and social justice. Research findings are shared, discussed and disseminated to the members, and as per the agreement with MFMW, the research will be used to initiate dialogue within the community, expanding the knowledge of their organisation's history and lessons that can be learned from it.

Supply and Demand

In many ways organisations like MI, UNIFIL and MFMW was borne before the Hong Kong government began recognising Filipino DHs as a part of its society's fabric. Like other rapidly developing commercial hubs in other countries at the time, few organisations existed in Hong Kong to address the concerns of: 1) women, 2) low-paid labours, 3) workplace abuse/discrimination, 4) immigrants. Given that the experiences of Filipino DHs fall either under several or all of those descriptors, it is no surprise that they were amongst the most neglected of all. In those early days, Filipino DHs came by themselves with no family connections based in Hong Kong and had no recourse other than the church to air their grievances. If those who came to Hong Kong were not able to find a job in the office despite whatever qualifications she may have acquired in the Philippines, she would need to be prepared to do one of two things: to either sing or become a DH. The former is a gross generalisation and misrepresentation, especially given the offensive, derogatory and misogynistic label that Filipinas were known by in Wanchai, the red light district of Hong Kong: LBFM, or "little brown fucking machines".[467] Even if they are not labelled in such an offensive way, the stereotype that, "they [Filipino DHs] just grab any job they can land at first sight to serve as their jumping boards to either fulfilling their ever popular fantasy of being 'accommodated' or better still married to a full-blooded Caucasian male," is one that continues to exist to this day.[468] As mentioned in previous chapters, Filipinas are the earliest and most visible population of DHs after *anah*s began to disappear

[467] Escoda, *Letters to Hong Kong*, 35; Tuluz-Cruz, *Intercultural Theology*, 31.
[468] E. Lim, letter to the editor, *SCMP*, 28 October, 1982. Also see: Victor Chu, letter to the editor, *HKS*, 17 June 1982

in Hong Kong. Given the colonial nature of Hong Kong, it is no surprise that it was a highly racialized and gendered space as well, with white expats sitting on top, followed by second or third-generation Indian and Jewish businessmen, local Chinese dominate the next few tiers of the hierarchy depending on their profession with white collar jobs being on top and coolie labourers being on the bottom, at the very bottom were the gurkhas, Mainland and Vietnamese refugees and other migrants of other ethnicities. Of course, like any hierarchy, the positioning of those who were at the bottom was often fluid and depends on a whole host of factors, ranging from education, appearance, employment status, residence status and so on.

The need for a DH, or at least migrant, focused non-profit NGO came from Hong Kong's Catholic community, which has historically been at the forefront of non-profit service and advocacy work for marginalized communities around the world.[469] In the early 1980s the increasing number of abuse cases of DHs, entertainers and careworkers created an impetus within the religious community to create a dedicated community-based organisation with the sole mission of improving the living and working conditions of low-income, limited-to-non-Chinese speaking, Filipina migrant women in Hong Kong. The dearth of attention, whether by either the Philippine or Hong Kong government, or even the local and expat community, to the actual needs and concerns of this population further accentuated the need for a separate community-based organisation that acknowledged the specific needs and interests of female Filipino migrant workers. This is notwithstanding the fact that for a lot of first-time DHs, government agencies and NGOs were not their main sources of information and support before they started their jobs.[470] For these DHs personal networks and families were the primary channels through which they receive information. This was problematic given that it becomes that much more difficult for these organisations to reach out to them, but it also meant that these women were also severely limited in their resource base. Consider that once a potential candidate is deployed abroad, the government—in this case, of the Philippines—loses effective control mechanisms for her protection, other than the assistance that is available at the Philippine Overseas Labour Office (POLO), Philippine consulate and the Overseas Workers Welfare Administration (OWWA) centre.[471] That the services provided by both governments on-the-ground for

[469] Wui, "Worlding Activism," 94-95.
[470] Participants of this study have attested to this. See Chapter Five.
[471] For more information on the kinds of assistance that DHs receive from the Philippine government, please refer to Chapter Two of this dissertation.

migrant workers and DHs were unsatisfactory, in turn necessitating the establishment of independent organisations, is indicative of larger issues borne in the colonial periods, especially from the 1950s to late 1970s, that continue to plague the city today. Specifically, this has to do with the fact that most of the citizens who identify as local Hong Kongers today actually arrived as transients who never intended on staying for long and rarely depended on the government for help, instead choosing to form their own self-help organisations built on linguistic, ethnic or village ties.[472] This is further coupled with local policymaking decisions that are centred on the business elite. The overall effect is such that when it comes to dealing with right of abode issues for DHs, or even legislating fairer policies for foreign migrant workers, the consensus is to continue importing foreign labour while minimising its effects on citizenship rights.[473] Therefore, the resulting environment has made it difficult for established organisations, let alone migrants themselves, to make their demands without instigating massive backlash from locals, or scapegoating by policymakers.[474]

The commodification of transnational domestic service has, on the one hand, created numerous economic opportunities not only for the DHs, but also for local women. On the other hand, however, it has undoubtedly intensified social inequalities within and across nation-states. As a collective group, some of the problems that they face include salaries below minimum wage (30HKD/hour), high debt repayments to moneylenders, relatives and occasionally their very own recruitment agencies, harsh working conditions are amplified by the fact that these are the conditions in which they live as well, constant surveillance by employers and physical and sexual abuse. As mentioned already, sending and receiving governments, as well as conventional labour organisations, have been slow, and even unwilling, to respond to these issues. Thus, it has been left to NGOs to campaign for the DHs' rights to better working conditions.

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[472] See Chapter Two for a contextualised discussion.

[473] This was addressed in Chapter Three. For a full discussion on the Right of Abode case fought by Vallejos and her lawyers from 2011-2013, see: Dinusha Panditaratne, "The Ordinary Residence of Domestic Helpers in Hong Kong: A Chronicle of Vallejos Evangeline Banao v Commissioner of Registration [2013] HKEC 429," HK Lawyer, 2013 http://www.hk-lawyer.org/en/article.asp?articleid=1008&c=132 (last accessed: 14 September 2015).

[474] Evangeline Banao Vallejos' court case in 2011 regarding the residency rights of foreign DHs in Hong Kong is one of the many examples of this. *See also* Anon. "HK Maid Wins High court Residency Battle," *Taipei Times*, 1 October 2011, http://www.taipeitimes.com/News/world/archives/2011/10/01/2003514666 (last accessed: 14 September 2015); Austin Chiu, "Domestic Helper in Abode Case has left Hong Kong 'in Fear for Her Safety'," *SCMP*, 22 December 2012, http://www.scmp.com/news/hong-kong/article/1110225/evangeline-vallejos-domestic-helper-abode-case-feared-safety-hong (last accessed: 14 September 2015).

Unlike trade unions, most NGOs are organisations *for*, rather than organisations *of* the workers they purport to represent. A very subtle, but clear, distinction exists between the two and one which will be illuminated in a few moments. DHs work in the employer's homes—an informal and non-regulated arrangement where the worker is isolated—with no immediate access to resources for mobilisation or organisation. This situation of vulnerability is exacerbated by the ambiguous status of being a migrant worker with no rights of citizenship or permanent residence, immobilised by physical or contractual restrictions, and with limited recourse in circumstances where violations occur. In this context, there is indeed a critical role for NGOs as advocates for fairer wages, decent working conditions, as well as guaranteeing the basic human rights of DHs. Moreover, NGO intervention has encouraged DHs to lead and represent themselves, which helps to reinforce the fact that DHs are agents of change, rather than passive victims of the system.[475]

According to informal estimates among NGOs themselves, there are thousands of NGOs in Hong Kong—some registered as charitable organisations, associations or non-profit businesses and others not officially registered at all.[476] As mentioned earlier, many of these began in the 1950s as voluntary and humanitarian groups that, like many grassroots associations, utilised pooled communal resources to aid the welfare needs of local communities and later, foreign groups. There is no available data in general on the contemporary sources of funding of NGOs in Hong Kong. However, the NGOs that I have come across in my research depended on a combination of sources such as local church groups, service contractors to the Hong Kong government for the provision of services to the local and migrant community in Hong Kong.

Founded in 1981 through the coordination of the National Council of Churches in the Philippines (NCCP), as well as the efforts of organisations in Hong Kong, namely: the Resource Centre for Philippine Concerns, the Holy Carpenter Church (Anglican) and an ad hoc committee of religious and lay persons from the Catholic and Protestant Churches in Hong Kong, MFMW was one of the first community-based, migrant-centred organisations established for Filipino migrants.[477] This collaboration between Filipino activists and the religious community paved the way for the other NGOs' founding. Consequently, MFMW assisted in the establishment of UNIFIL, which was officially launched in May 1995. It is

[475] Constable (2007); McKay (2012); Lindio-McGovern (2012).
[476] Wui (2015).
[477] Wui, "Worlding Activism," 94-95; Lindio-McGovern, *Globalization, Labor and Resistance*, 68-70.

the first alliance of Filipino migrant workers in Hong Kong with over 22 member organisations. Along with MFMW, it is now one of the main NGOs in Hong Kong providing dedicated services not just to Filipinos, but to migrant Southeast Asians in Hong Kong as well. It is a coalition of more than twenty-five Filipino migrant organisations in Hong Kong with an alliance network with more than eighty Filipino groups and individuals. It is also part of MI, a larger transnational organisation. Headquartered in the Philippines. Founded in 1996 after the execution of Flor Contemplacion in Singapore, MI is a transnational alliance of grassroots Philippine migrant workers' organisations with many DHs who are sitting in key leadership positions and is one of the main partners of MFMW for its campaign work in the Philippines.[478]

As a group Filipino migrants may not be hard to identify, but are difficult to organize given their tight working schedules, which allows them only one day off per week and whose concerns have been commonly neglected due to xenophobia and discrimination. The jobs and lives of MFMW's main constituency- Filipina DHs initially working in the flats of foreign expats in Hong Kong, later expanding to the homes of local Chinese families—reflect broader demographic, economic and political patterns characterising the post-1960s and '70s era: global economic restructuring, rampant unemployment leading to explosive emigration from Southeast Asia and Latin America; the dismantling of the welfare state. The culmination of the factors above led to a steady expansion of non-profit and non-governmental organisations. MFMW was established in one of the biggest and cosmopolitan cities in the world, with the support of churches and church-related organisations, and as a result has benefited from a wide base of support, resources and networks. MFMW staff and volunteers have been involved in a diverse range of regional and trans-regional activism, from broadening awareness via civil society groups and organising returning workers and their families.[479] Members have also participated in political education and have been actively involved in community-organising trainings as well. MFMW has also attracted a steady stream of university-educated students not only from internationally acclaimed, left-leaning institutions, but also local universities as well. These students, armed with their education in politics, social justice, and social work, are eager to gain first-hand experience in local, internationally-based, community organisations

[478] See Migrante-International's website for more information: http://migranteinternational.org/about/
[479] Lindio-McGovern, *Globalization, Labor and Resistance*, 102.

that united migrants of different backgrounds in broader pan-ethnic and multiracial social formations.

In the early 2000s locally-based, DH-centred NGOs started to reach across linguistic and racial lines to Nepalese and Muslim communities and instigated the formation of the AMCB in 1991, and in doing so, they have created new affinities and affiliations based on their shared experiences.[480] The struggle that Indonesians, Nepalese, Vietnamese and Thai women face, for example, are by their very nature incomparable to those experienced by the Filipinas. For example, many speak little to no English, are less educated, less informed of their legal obligations, and whose salaries are significantly lower than the Filipinos. While that may seem like a sweeping generalisation, much of the description accurately applies to a vast majority of the above constituencies. As a result it is not a coincidence that Indonesian maids are reportedly mistreated far more often than Filipina maids, or being asked by their employer to do extra work that actually lie outside of their contractual obligations.[481] Many are often told to keep their distance from meddling and rebellious Filipinos prior to their employment by their employment agents/agencies.[482] Despite the challenges, a pan-ethnic alliance was forged between different organisations, namely: AMCB, APMM, Association of Indonesian Migrant Workers (ATKI-HK), Association of Sri Lankans (ASL), Far East Overseas Nepalese Association (FEONA), Friends of Thai (FOT), Helpers for Domestic Helpers (HDH), MFMW, Thai Regional Alliance (TRA) and UNIFIL-HK. These groups faced similar expressions of antagonism, discrimination, and exploitation as a result of their immigrant and employment status. Although they speak different languages, these women faced a common enemy and both occupy a common ground as low-wage workers, immigrants and victims of various kinds of racial and sexual harassment. In the words of Balladares, "The issues that we face in Hong Kong are actually the same problems we faced in the Philippines. There is no work and poverty is rampant. These are problems within the system."[483] The similarities between Filipino, Indonesian, Nepalese, Thai and Vietnamese women exposed the systemic, transnational origins of the problems that are otherwise deemed personal, private and particular. It creates a shared space within the community in which women from different racial, ethnic, national, class and cultural backgrounds could see and understand each other

[480] Wui (2015).
[481] Constable (2007); Lindio-McGovern, *Globalization, Labor and Resistance*, 70.
[482] Personal interview, 5 January 2013.
[483] Interview with UNIFIL-Migrante, 6 January 2013.

as comrades united by the same consciousness of their experiences and work to overcome them.

Forming a Social Movement

There are a number of questions that have to be answered with regards to the formation of organisations like UNIFIL. For example, how and under what conditions have organisations like UNIFIL, MI and MFMW created new opportunities and methods for socioeconomically and culturally marginalized individuals and communities in Hong Kong to organise? How does their human development approach that focuses its work from the ground up, that is the self-care and personal development of women than, say, organisational management and diplomatic relationships with sending and receiving countries? How have they dealt with challenges presented by governmental institutions belonging to either the sending or receiving governments, or locals who simply do not understand?

The answers to the first few questions can be gleaned directly from both the organisations' own accounts of their origins, as well as indirectly from their methods of community organisation. Based on more than twenty five years of organising migrant Filipino workers, specifically DHs, in Hong Kong who have historically struggled against the race- and class-based animosity, UNIFIL pioneered a non-governmental, and grassroots, approach to leadership that is built within its structure and clearly outlined in MI's five core programmes that were pointed out earlier. These five guiding principles uses multi-layered approach to community organising with a comprehensive model of grassroots leadership development that allows migrant workers, especially DHs, who are otherwise highly-skilled and multilingual, to discover other opportunities and skills outside of their immediate working environment and on their own accord. Examples include participating in research, taking part in training modules, organising picket rallies, as well as pioneering new ways to connect with migrant associations around the world.[484] As opposed to treating leadership as something attainable by those who are enviably educated and

[484] Interview with UNIFIL-Migrante, 6 January 2013.

possessing a certain sense of *je ne sais quoi*, thus restricting access to management positions to only a select few, the positions taken by UNIFIL and MI clearly demonstrate that their mission to "promote migrants' rights and dignity against all forms of discrimination, exploitation, and abuse" and subvert existing hierarchies of power can only succeed when members are empowered through self-development and self-representation, and more importantly when they are unified. Borrowing the words from UNIFIL's official primer: "Only in our united strength can we defend ourselves."[485]

The way in which they focus on grassroots leadership is a reflection on an on-going trend of development and organisation of non-profit, non-governmental organisations that has its roots in the 1980s. Such organisations are aimed at dealing with the systemic social, economic and political problems that "will increase the power of marginalized groups, communities or interests." According to informal estimates among NGOs themselves, there are thousands of NGOs in Hong Kong—some registered as charitable organisations, associations or non-profit businesses and others not officially registered at all. As mentioned earlier, many of these began in the 1950s as voluntary and humanitarian groups that, like many grassroots associations, utilised pooled communal resources to aid the welfare needs of local communities and later, foreign groups. There is no available data in general on the contemporary sources of funding of NGOs in Hong Kong. However, the NGOs that I have come across in my research depended on a combination of sources such as local church groups, service contractors to the Hong Kong government for the provision of services to the local and migrant community in Hong Kong.

It is also important to note that not all contemporary NGOs and see themselves as a part of a cohesive social movement unified by shared principles and goals, as was commonly thought to be the case during the 1960s and 1970s civil rights, anti-war, and women's movements. However, these anti-racist, feminist and social justice movements have inspired contemporary NGOs to find their support not in specific neighbourhoods, but in the "identities and subsequent attacks faced by the marginal-- immigrants, youth, women of colour, and the very poor."[486] For this reason, groups like UNIFIL, MFMW and MI are extremely important at looking at how the Hong Kong Filipino community has organized in response to their experiences in the city.

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[485] UNIFIL Website. "About." UNIFIL [website suspended] http://www.unifi.org.hk/index.htm. Last accessed 20 July 2015.
[486] Rinku Sen, *Stir It Up: Lessons in Community Organizing and Advocacy, Chardon Press Series* (San Francisco: Jossey-Bass, 2003), I.

The overlapping dimensions of race, class, gender, immigration status and systemic discrimination in the lives of migrant Southeast Asian DHs have supported an approach that rejects the subordination of one group for another, or "trading" one form of discrimination for another, and also understands that inequality is borne, reproduced and sustained on multiple levels, such as that of the individual, household, workplace and community. Patterns in shared experiences, regardless of their temporal or spatial limitations, demonstrate similarities between different marginalized and disenfranchised communities, allowing for collective efforts in social movements, such as the formation of organisations like UNIFIL and its member organisations. To better understand the formation and growth of organisations like UNIFIL and MFMW, this chapter is organized into three main sections. First, the academic community research collaboration will be established. Second, the process of grassroots training and development guiding the organisational approach and management of UNIFIL and MFMW will be examined. Finally, the significance of the chapter's findings in the greater context of Hong Kong's changing socio-political terrain, particularly regarding the ever-shifting demography of DHs in the city will be considered.

Organisational Approaches of M-UN-MI

Education and Empowerment through Awareness-Building

The past two decades saw an unprecedented rise in the number of and migrant advocacy groups and NGOs universally. This recent development is reflected in Hong Kong as well, given the number of new NGOs that have emerged to cater to different concerns in the community, as well as locals who are becoming increasingly visible and active in local politics. Migrant-focused NGOs that were once side-lined have moved beyond traditional church-based relief, campaign and advocacy activities to take on new roles such as: devising and monitoring local compliance with international ethical standards and codes, engaging with actors in governmental and private sectors, and cooperating with trade unions to expand their bases of support. With regards to migrant and labour concerns, the increased participation of local NGOs and migrant advocacy groups with the ILO, a specialised agency of the United Nations, and other government delegations fully demonstrates that workers are fully aware of the global demand for labour on the one hand, and in the face of

governments that are resistant to protecting their rights and welfare, they are taking matters into their own hands by creating, and cooperating through, international networks to fight for recognition on the other.[487]

MI insists that domestic work is a legitimate form of employment that ought to be subjected to state regulation rather than an intimate space that is exempt from external intervention. In contrast to nationalist, paternal-/maternalistic middle-class and church-based organisations that campaign for employment bans on domestic work or entertainment services because it is deemed as degrading or shameful, or because they believe that women who choose these professions exercise poor judgment, MI activists work to maintain the dignity of DHs.

In conducting awareness-building campaigns, UNIFL and MI use various forms of cultural expressions in popularising the issues they want to focus on. The organisation draws writing talents from its own members, often asking members to submit scripts for skits, to choreograph dances, or to write songs of their own. Given its location and significance as discussed in Chapter Three, it is no surprise that Central District often becomes the usual site for these political-cultural expressions. The creation of these skits can be traced back to the anti-colonial resistance in the Philippines when the Propaganda Movement used *zarzuelas* to dramatise the oppressive situation that they were facing. These cultural forms of resistance function both as a strategy for political consciousness-raising and a form of resistance to preserve their Filipino ethnic identity in a foreign culture.[488] However, by framing these political issues culturally, it makes these otherwise serious and heavy political issues more entertaining and fun for the DHs who are off on their weekly break from work. These cultural expressions also become collective activities where DHs can use and display their talents that are untapped at work. More importantly, however, they are also ways in which they can help circulate their ideas and causes among other DHs who may otherwise be bystanders to the spectacle. They are also an entertaining way to raise awareness other than relying on public speeches. Done collectively they can be a community-bonding, and perhaps community-forming, experience.

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[487] HK Helpers Campaign, "Legal Issues," http://hkhelperscampaign.com/en/legal-issues/ (last accessed 14 September 2015); Asha D'Souza, "Moving towards Decent Work for Domestic Workers: An Overview of the ILO's Work," *Working Paper 2/2010* (Geneva: International Labour Organization, 2010); Lindio-McGovern, *Globalization, Export, Resistance*, 164, 168, 170.
[488] Lindio-McGovern, *Globalization, Export, Resistance*, 61.

Counselling and Education

The services provided by MFMW are guided by six core programs: 1) Labour and Employment Assistance Program (LEAP), 2) Pastoral Care and Social Welfare (PCSW), 3) Education, Training, Organising and Campaign Support (ETOC), 4) Documentation, Research and Information Dissemination (DRID), 6) Women's Initiatives towards Empowerment (WITE), and 7) Institutional Promotion & Migrant Advocacy (IPMA).[489] Together they not only address the immediate and urgent needs of DHs for shelter, counselling on legal/psychological matters, but also on the long-term development of the DHs where the women are taught to 'help themselves'.[490] This is notable given that workers and volunteers who have been trained by MFMW do most of the counselling, as opposed to paid staff, especially those for employment-related complaints and other cases that potentially have to be taken to the Labour Tribunal. This is an extension of their ETOC programme where workers, activists and DHs are taught about their rights and ways in which they can protect themselves. Women are trained to counsel on such issues, and are also asked to organize and mobilize others for campaigns and rallies that range from employment benefits in Hong Kong and poor governance in the Philippines.

As such, aside from organising community-building and consciousness-raising activities that have just been discussed, MFMW and UNIFIL also provide counselling for DHs who, as a community, are not unfamiliar with the various legal struggles in order to work, and stay, in Hong Kong. Except for several high-profile cases that went all the way to the High Court, most cases involve the DHs going to the Labour Tribunal for cases that have violated their human rights, or for incidences of physical and sexual violence that have been enacted against them by their employers.[491] Legal struggles bring the DHs in direct confrontation with their employers, as well as the local structures of legal justice. These battles not only require their courage, but also familiarity and knowledge of their own rights. The public and private nature of a person's legal struggle requires creative responses that are both involve both individual and collective efforts. Despite it having its uses, the legal channel and the Labour Tribunal has their contradictory elements and idiosyncrasies. The problem is that despite the fact that it is a way to fight for one's rights through the

[489] Mission for Migrant Workers website. Available at: www.migrants.net/_index.htm (last accessed 28 August 2015).
[490] Ibid.
[491] Wui (2015).

established system; it by no means changes the system itself. Even just skimming the surface of the process is telling, and illustrates how it skews to the advantage of the employer. The DH, whose first language is not Chinese, is in the first instance already considered an outsider. Further, judges would often ask the DH and the employer to settle amicably. While this may not seem problematic, but if we consider the that settling outside of the court generally translates to the employer being back in his/her comfort zone to negotiate the settlement costs, then we can see that the DHs are not in the most advantageous of positions.

Despite the limitations discussed above, going through the Labour Tribunal remains one of the most effective ways for DHs to deal with any form of trespasses against one's person. When coupled with collective political action, legal struggles can become public; although there were some cases where this strategy has been muted when the publicity related to some legal cases did not benefit the aggrieved DH. As such, knowledge of one's rights as a DH not only becomes a necessary weapon in the legal struggle, but also in one's everyday negotiations in the work-*cum*-living space. This is the precise reason why UNIFIL, in coordination with MI and MFMW, provides paralegal training for DHs as a part of its educational provision. The training programme includes an orientation of the rights of DHs that familiarises them with the terms of their employment contract in relation to their rights, as well as how to document evidence that they can then use in legal cases.[492] Sometimes it can also include practice sessions where the DH undergoes briefing before a hearing at the Labour Tribunal.

The involvement of the NGOs with the Catholic Church was mentioned earlier in passing, but actually warrants a bit more discussion. The Catholic Church is a historical institution in many receiving countries, including Singapore and Hong Kong, and with the support of the local government is amongst the pioneers in their support and protection of DHs. However, the organisations that work in coordination with the Catholic Church address the question of *individual* treatment of DHs by employers rather than dealing with broader questions of labour policies, immigration law or citizenship rights. Of course, the Catholic Church is not the only institution that is culpable, given that the Labour Department and Immigration Department have also formed organisations of their own to address DH-related issues. The DHs' limited agency along with the limitations that they

[492] Lindio-McGovern, *Globalization, Export, Resistance*, 66; Christian Action, "Serving Domestic Helpers," *Christian Action*, 2016, http://www.christian-action.org.hk/index.php/our-programs/in-hong-kong/domestic-helpers (last accessed 16 March 2015).

face in organising their own associations and to actively make demands of the state are often justified by the government that that is why these programmes exist. At least according to the government's logic these programmes exist to create a "healthy" environment for Filipina, and other foreign, DHs. The dearth of local Chinese scholarship on the problems of this premise, and its culpability in the system, is astounding. Indeed, attention needs to turn to how the everyday struggle of DHs within an uneven power relationship can lead to abuses being brushed under the rug.

Drawing attention to the needs of equality on the basis of universal human rights puts the focus on those who are marginalized by the rest of their society. At the same time, however, this approach can potentially exacerbate the silencing of the same people that are the most at risk as well. The discourse of human rights is often framed in terms of moral obligations to "protect". One of the main challenges in the struggle for the rights of DHs is the public/private binary that articulates human rights issues as those of the public sphere, whereas the private sphere is distinctly outside the remit of human rights. This binary of course does not exist for the DHs who work in private homes. However, for most people consider what they do in their own homes is, by its very nature, private, and therefore exist outside discussions of universality or human rights. In the case of DHs, whose existence straddles both spheres, they become the objects of any discussion about rights, infantilised and removed of agency and subjectivity. The question of whose responsibility it is to "protect" Filipina DHs is indeed a serious problem in the face of their complex contexts. At the same time, however, a discourse of protection does little to empower the worker directly. So long as the migrant woman is the object of debates rather than a participant, she continues to be silent and without agency. This protectionism is an extension of the paternalism the DH is already subject to under her employment in reproductive labour. Immigrants, refugees, trafficked and undocumented migrants are often discussed in protectionist terms. However, for women and for employees of reproductive labour this discourse is amplified.

In this sense, NGOs that work *for* migrants are, directly or otherwise, involved in the process of disciplining Filipina and other foreign DHs to tolerate their conditions. That having said, there needs to be a clear distinction between organisations that work on behalf of (i.e. for) migrants, as opposed to those that work *with* migrants, as in those that are migrant-initiated. A perfect example of the importance of this distinction is an NGO based in Singapore that claims to help DHs "cope" by using the Bible, discouraging complaining as anti-Christian and alternatively encouraging forbearance.

Political Advocacy

Aside from awareness-building and legal counselling, MFMW, UNFIIL and MI are also actively involved in political advocacy work pertaining to poor governance either in the Philippines or Hong Kong. It also maintains links to partner organisations around the world to raise awareness to, and fight against, the commodification of labour, or "labour export" as described in the slogan of UNIFIL. "Labour export" or also referred to as "forced migration", is generally used by UN and other NGOs to refer to asylum seekers and refugees, but has since been used by organisations like UNIFIL, MI and MFMW to describe the situation that Filipino migrants are facing.[493] One member of ATIS- a partner organisation of UNIFIL-points out why their work is so important and why it is still relevant:

> "Government policies are a lot harsher now compared to when I first came, especially the two-week rule. This is a blatant form of discrimination, especially on the part of the government of Hong Kong. It was not as strict before the Handover. Now there are a lot more policies coming from the Hong Kong and Philippine governments, like the levy and wage cut. This [the wage cut] happened twice, first it was 100HKD and then 400HKD. Also, there is still no Right of Abode for us. We won the first battle, but the government made an appeal and we lost. This means that we have to remain forever as a DH. There are no chances and no opportunities to stay in Hong Kong as a citizen. The living standards are bad. People are sleeping on cabinets, in closets, in bathrooms. Some are being videoed all the time. The government policies just lead to further abuse of DHs."[494]

[493] Migrante-International. "About." Migrante-International, revised 10 September 2015. http://migranteinternational.org/about/ (last accessed 16 March 2016).
[494] ATIS interview, 4 November 2012.

Although MI ultimately does call for an end for the state's active promotion of labour export, they are unique in that they also call for the end of the inequalities within and between states that effectively force people to migrate. On the ground, MI creates and sustains its global network of affiliates by being flexible about the sorts of groups it seeks to incorporate and create. On the one hand, MI attempts to bring in pre-existing organisations into its fold. Activists of MI will approach communal organisations, which are generally organisations formed around linguistic or hometown associations, to join MI as a member. These organisations are the most typical organisational form amongst Philippine migrant workers. On the other hand, MI continues to work closely with various church-based associations. MI activists, many of whom are Catholic or Protestant, have worked closely with progressive clergy to form prospective MI organisations. It is no surprise that UNIFL has long been headquartered in the Anglican St. John's Cathedral in Central, Hong Kong. Organisations like MI and UNIFIL have been extremely politically active in Hong Kong, having participated in major press campaigns, public forums and petitions to address issues like minimum wage, and the right of abode.

One of the major accomplishments of the community's organising work, aside from the major victory of repealing EO-857, culminated in the establishment of the AMCB.[495] Originally formed as a project of the Christian Conference of Asia (CCA), it registered independently in 1991 and is now a non-sectarian organisation that works with Nepalese, Vietnamese, and Indonesian communities as well.[496] This effort involved more than reaching across community boundaries, but involved changing patterns of how trade unions in Hong Kong and formed, and coming up with legislation that work in favour of migrants' rights. Innovative collaborations between migrant women of different nationalities as well as local politicians provided an important basis for reconfiguring pre-existing prejudices and patterns so that migrants could serve as experts in changing migrant-centred legislation and policies.

Formed in late 1988, while they recognized that much of the issues cast DHs as a victim, which of course was true at the time, AMC's founding body also felt that they need to highlight the agency of DHs, that they were social actors capable of asserting their rights.[497] Thus, from the very beginning they have been working closely with the Alliance of

[495] Wui (2015); Lindio-McGovern (2012).
[496] Wui (2015).
[497] Ibid.

Progressive Labor (APL), a national trade union that is based in the Philippines, to organize the DHs into a union. This was, and continues to be, a controversial but instrumental move for the community. Given that DHs work within the private sphere and are not considered a part of the formal sector, they received a lot of pushback from the labour movement in the city when the idea to create a migrant-dedicated union first came about. This may seem irrational given that trade unions are meant to be the very institutions that protect migrant workers. However, the city and the unions themselves have shared a very complicated history, which has resulted in the highly anti-migrant stance of trade unions, where to this day migrants continue to be blamed for lowering working conditions and wages. At the same time organising DHs can be challenging due to factors that have been mentioned in Chapter Five regarding the nomadic nature of DHs on their days off, which are realistically the only day that they can properly get together. Furthermore, as mentioned by scholars like Piper and Wui in their respective works, trade unions have traditionally neglected the issue of "feminization of migration and women's positions in mainly informal sector jobs."[498] However, there have been efforts to reverse this mind-set towards migrant workers, such as those undertaken by the Hong Kong Confederation of Trade Unions (HKCTU).[499] The rationale for this, according to Elizabeth Tang, the chief executive of HKCTU, are as follows: 1) It is virtually impossible for developed economies to reverse their policy on importing labour from other countries to facilitate their industrialisation programs; 2) excluding migrant workers from their advocacy and not doing anything about improving their conditions is not beneficial for locals given that they will just turn to migrant workers who will work for sub-standard working and living conditions while ignoring overall labour condition; 3) making migrant workers part of the local labour movement means that they can incorporate the concerns of DHs within the umbrella of local working conditions which, in turn, would give their bargaining position a much needed boost.[500]

One of the milestones of this joint partnership was the push for the legislation of standard minimum wage for all workers in Hong Kong.[501] Aside from gathering feedback from MFMW and AMCB on the policy, HKCTU also made sure that migrant workers

[498] Piper (2008); Wui, "Worlding Activism," 99.
[499] Wui (2015); MFMW, "Migrant Focus," *APMigrants*, June 2006, http://www.apmigrants.org/articles/publications/Migrant%20Focus/2006/07%20MF%20July%202006.pdf (last accessed 16 September 2016).
[500] Wui (2015).
[501] Ibid.; Lindio-McGovern (2012).

were part of their public rallies and campaigns as a demonstration of unity and solidarity. Despite this effort from within the organisation, Tang admitted that there is still a lot of work to be done given that most locals in Hong Kong are still holding on to the belief that migrants should not have the same rights as locals and thus should not get equal compensation for doing the same kind of work as locals.[502] This is obvious given that despite the ongoing debate in LegCo on the amount of minimum wage to settle for, one of the first things that was vetoed was the inclusion of foreign domestic workers. According to Balladares, who was interviewed in the aftermath, the exclusion meant that wages for DHs will continue to be determined by the Minimum Allowable Wage (MAW) policy, which is "unjust, not transparent and arbitrary."[503] Balladares and other members of UNIFIL and MI have also mentioned during their interviews that their struggle is not over. They are now currently advocating for the legislation on the regulation of their working hours for which they are dealing with a barrage of negative comments from both locals and the Hong Kong government.[504]

To this day, the AMCB is smaller than other organisations, but is known for its quality research work and its collaboration with MFMW. Particularly interesting is its assistance in forming an Indonesian workers' union in Hong Kong and works with other national groups to "forge an alliance with other Asian migrants. In doing so, we unite not only Filipinas, but other nationalities to root out the cause of why they are in Hong Kong. [...] The struggle is not that simple, but we must show the strength of the organisations through solidarity and unity."[505] One of the main victories, albeit controversial, that came out of this was its success in having overturned the government's proposal of a 30 per cent wage cut in 1998.[506] The reason why it remains controversial is that the government made a concession of 5 per cent in the end. What remains unclear is why the DHs have to be the ones who had their wages cut unilaterally across the board. UNIFIL viewed this as a relative success, but also struggled with the powerlessness that came with the concession. As mentioned, AMCB and MFMW are both well-connected in the Philippines, but due to ideological tensions among the Left in the Philippines, which has spilled over into Hong

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[502] Wui (2015).
[503] "HK Excludes Domestics from Minimum Wage Law," Trade Union Congress of the Philippines, posted 16 July 2010, http://tucp.org.ph/2010/07/hk-excludes-domestics-from-minimum-wage-law/ (last accessed 30 August 2015); See also: Tuluz-Cruz, *Intercultural Theology*, 57.
[504] Focus group interview with UNIFIL-Migrante, 6 January 2013.
[505]Ibid.
[506] Lindio-McGovern (2012); Tuluz-Cruz (2010).

Kong and even affecting the research that was carried out for this dissertation, their relationship has been strained and has even led to political antagonism as well.[507]

Concluding Remarks

The organizational efforts of NGOs, and their success in inspiring their global partners, are a testament to their collective efforts in resistance and protest. This chapter has argued that the formation of organisations like UNIFIL and MFMW are not only simply a form of political organisation and activity, but that it also represents a crucial milestone in the history of Filipinos in Hong Kong. This dissertation has traced its history from its humble beginnings as crucial replacements for local women who were joining the labour force in exponential numbers during the mid-1970s and 1980s, then into the homes of expats as 'maids' and 'nannies' where problems of abuse and issues of employer-employee tensions begun to arose and local churches began to form their own working groups to manage these complaints. By the 1990s to 2000s, the trend started to shift and Filipinas began working for local Chinese households. Conditions began to shift within the Filipino community, and this was also the period where the city saw more and more NGOs forming not solely for the purpose of "problem solving" for the community, but also for political empowerment and training. In this way, these organisations are also essential for the development of their own countries, not just through their monetary remittances but through the ideas and skills that they bring back. These ideas and skills may not otherwise be "economically productive" skills or ideas, but they can facilitate the social, political and cultural development and advancement of their families and homes. And so when they return home, there is a chance that they can change the idea of what it means to be female, not just as a mother, wife, sister or daughter, but also as a breadwinner and a pillar of strength for the family and the community-at-large.

This chapter has also demonstrated the ways in which they raise awareness through dances and cultural performances, create resources to educate fellow migrant workers of

[507] For more information please refer to Amy Sim, "Organizing Discontent: NGOs for Southeast Asian Migrant Workers in Hong Kong," *Asian Journal of Social Science* 31, no. 3 (2003): 478-511.

their rights and their contracts, provide legal and emotional counselling for those who are most in need and also work actively to resist the systemic 'commodification of labour' that the face both in their countries of origin and destination. It has also discussed how it has crossed ethnic boundaries to forge alliances with the Nepalese, Indonesian, Sri Lankan and Thai workers. This, of course, is not an attempt in 'romanticising' resistance.[508] The struggles that these NGOs face are constant and boundless. And, indeed, what little victories they have won are often underscored by little concessions that highlight their relative powerlessness in the face of the structural forces of globalisation and the government institutions that regulate their movement. However, they do exist and will continue to so long as transnational migration does as well. It serves anyone who is interested, or passionate, in this field to understand the work that these organisations do, how they can improve in order to better serve the communities that are the most in need, and perhaps to foster a more productive dialogue between the communities of DHs and employers to combat the negative conceptions and images of domestic service and DHs at large.

[508] Constable, *Maid to Order*, 180; Abu-Lughod (1990); Ortner 1(1995).

-7-

Conclusion
Tracing the Patterns of Migration

There still exists a tendency in studies of Filipino domestic workers to view the phenomenon of transnational migration in broad, and polarising, brush strokes. On the one hand the Philippine nationalist propaganda will have us believe that Philippine migration is a beneficial thing that is saving the national economy. On the other hand it may seem easy to view the women as victims of a global, transnational, system of exploitation. Perhaps even after reading this thesis, it may still seem as if these women have been innocently and passively manipulated into this menial form of labour by their governments, families and relatives, recruitment agents, money lenders, employers, and even friends. The Filipina women who I have met, and some of whom are very dear to me, all come from different backgrounds and each have their own stories. What resonated with me were not the similarities in circumstances, but rather the ways in which they have made their experiences their own. Whether they were motivated by circumstances that were out of their hands or if they just wanted to see what Hong Kong was all about, in the end they knew what they were staying in Hong Kong for, why they were still working and what they want to do next.

Nicole Constable wrote in *Maid to Order* that while historical precedents are useful to understand what is happening today, "history does not provide a full explanation," and perhaps she is right.[509] This thesis began as a personal quest, not to find answers or explanations but to trace patterns and find meaning. The one that struck me most poignantly is the centrality of migration in history. But it is not just the explanations of why people migrate, and how they migrate, but the patterns in history to be learnt. And indeed, this study has examined several. The first is patterns in discourse. In the Philippine case,

[509] Constable, *Maid to Order*, 203

the discourse of labour export began out of the need to offset the crippling unemployment rates in the country. By the 1980s, the policy measures taken by the Philippine government toward labour migration changed as women became the major breadwinners of the country. They were migrating out of the country in far greater numbers and remitting money back home more than ever. Labour migration became a positive thing, a heroic act to leave one's country and family for the betterment of those who are left behind. Its meanings and rights associated with it were no longer in terms of sacrifice and sadness. And yet, news of cases of exploitation and abuse filtered back home. The civil and political associations became more militant and critical of the role that the Philippine government plays in sustaining this form of 'export'. Acts of protest against the Philippine and Hong Kong governments such as non-cooperation, occupations, demonstrations and strikes have all become increasingly associated to Filipinas in Hong Kong. These acts brought together the local community, but at the same time instilled a sense of distrust amongst the Filipino community of the governments to accord them the proper protection and care that they need.

In the case of Hong Kong, patterns of discourse can be traced in the changes in terminology and rhetoric used to refer to citizenship and nationality since the 1970s. Particularly in the way its reverberations were felt in the ways people identify themselves and one another, as well as the ways in which communities belong or exclude. The way that 'Hong Kong Belonger'—a citizenship category that originated as a method to control immigration—came to exclude immigrants from the Mainland is reiterated thirty years later as a construct to promote one's racial superiority over others is illuminating.[510] In the early years of the emergence of the 'Hong Kong Belonger', the government and local press manipulated the term to rile the feelings of the local Chinese in the social context, which thirty years later is translated to the Cantonese dialect, of the Right of Abode, constitutional rights, and the nostalgia for the days under Lion Rock.[511] The official recognition of the 'Hong Kong Belonger' shaped the concept of Hong Kong nationality and citizenship that became a way for local Hong Kong Chinese to associate themselves, and eventually to challenge the PRC's interpretation of the 'one country, two systems' policy.

[510] Ku (2004); Chan (1999, 2008).

[511] A Cantonese pop song sung by the late Roman Tam 羅文 that has been the theme song of one of the longest running locally produced documentaries on the lives of local Hong Kongers. The stories are designed to document the day-to-day struggles of ordinary Hong Kong citizens as a way of documenting the history of the city. Since the 1990s, this song and BEYOND's 海闊天空 have become associated with local Hong Kong culture.

The creation of this term points to the second pattern covered in this study, namely that of ideologies. While Chapters Two and Three demonstrated that the road for the introduction of Filipino domestic service in Hong Kong was paved out of necessity by both the Philippine and Hong Kong governments, Chapter Four illuminated some patterns in the ideology of employers. By the 1980s, Filipinas were dominating the domestic service scene in Hong Kong, and it became clear that they will replace the Cantonese *amahs*. At that point, a sense of nostalgia for the black and white *amahs*, who were so devoted to their employers' families and yet ever so mysterious with their sisterhoods, began to emerge.[512] Originally felt by the expats, this shared nostalgia began to trickle down to the local Chinese middle class who began to employ DHs to work in their homes in increasing numbers. Some, as documented in the employment manuals in Chapter Four, simply perceived that Cantonese *amahs* are just more selfless and dedicated. In the same vein, others believed that certain nationalities are better suited for domestic work, and that the Filipinas are just more cunning and will find a way to get out of their jobs and marry a Caucasian husband. This is just one of the more illuminating ways that the attitudes of foreign expat employers are transferred, twenty years later, to those of local Chinese middle class employers. Local publications and media, like those in Chapter Four, attest to this, and judging by the wide readership of the *South China Morning Post* and the proliferation of manuals in public libraries in Hong Kong, they formed a sort of feedback loop for employers who were composed mainly of middle-class educated individuals.

Hong Kong's new middle class, as discussed in Chapter Two, should not be mistaken as some menacing entity hell-bent on exploiting Filipina and Indonesian DHs.[513] Rather, it should be understood within the context in which it emerged, perhaps as a way to see why it, a heterogeneous group of individuals, has become insular and intolerant.[514] Chapter Two provided some tools with which to understand this phenomenon. DHs, who work quietly behind the scenes in the homes of local Chinese, may be seen as bearing the brunt of this. But this is felt by other ethnic communities as well, some of whom have been in Hong Kong longer than the average Chinese Hong Kong citizen. In recent years more awareness in issues of diversity and multiculturalism has facilitated individuals in the Sikh,

[512] Constable (2007); Gaw (1988).
[513] Hsiao (1993); Lau and Kuan (1988); Lui (1993, 1997, 1999, 2003, 2007); So (1993).
[514] Chen and Szeto (2015); Wui (2015).

Pakistani, Bangladeshi, and Nepalese communities to speak up, leading to improved representation of these marginalised ethnicities in local media.[515]

The existence of different ethnic groups in Hong Kong is not a modern phenomenon. In fact people of non-Chinese descent has been living in the city for so long that some individuals, like the Hotungs, can trace their ancestry back to 1842—the year when Hong Kong was officially established as a Crown colony. Other notable people and families who have been instrumental in the early days of the colony's founding include the Kadoories, the Belilios, Sir Robert Homus Kotewall, Sir Hormusjee Naorojee Mody, Dorabjee Naorojee Mithaiwala, Jehangir Hormusjee Ruttonjee and his son, Dhun Jehangir Ruttonjee. And, indeed, buildings like the Chungking Mansion, now a major tourist destination that is also known to provide a range of services for travellers from all around the world attests to the importance of migrants to the city, but also the fact that so long as there have been migrants, there have also been enclaves existing side-by-side to local dwellings.

This brings us to the third pattern of the study: patterns in agency. Humans have migrated as long as they have roamed the earth, and found places to stay and ways to survive wherever they travelled to. The migrant enclaves around the world today are a testament to this fact. People find ways to survive, and the enclaves provide migrants with just enough grey areas and all the means of communication they need to make their way through. The Filipinos, as discussed in Chapter Five, has carved and shaped a space of their own in Hong Kong. This is not to say that the making of the enclave is a cure-all as it is more fluid and temporary than traditional enclaves or ethnic quarters, but also because it is a process that requires constant negotiation and struggle. Complaints from the Mandarin Oriental about the 'noise pollution' has gone, but with Hong Kong's hyper-paced economy property changes hands within a matter of nanoseconds, who knows what will become of Hong Kong's Little Manila in five years? Or even one? The gatherings of Filipino DHs in Central, Indonesian DHs in Causeway Bay, the Thai in Kowloon City are an example of a space produced out of necessity and one that is based on pre-existing culture, rituals and tradition, wherein their bonds and meaning transcend the space that it is limited to. It creates emotional bonds within the community, and psychological ones with those who are back home. The scene that locals and expats are confronted with is, on the one hand, of leisure and enjoyment, but also the product of resistance, willpower and agency. Relegated

[515] Lilley (2001); O'Connor (2010, 2012); Sautman (2004); Flowerdew (2002).

to car parks and public parks to spend their days off—the only day that they can have to themselves, take those photos that those who are back home so long to see, and live that life that they thought was awaiting for them before they left the Philippines—they have consciously and determinedly claimed this space as theirs and thereby reappropriating the image attached to Filipina DHs.[516]

Chapter Five also covered three major themes that emerged from discussions with this study's participants. Reflective and yet contradictory, they reveal the complexities of their work, emotional and physical. Similar to Rollins' reflections twenty years ago on domestic service in the United States, through my interviews I have found that my participants have been able to "deflect [the] psychological attacks on their personhood, their adulthood, their dignity, these attempts to luring them into accepting employers' definitions of them as inferior."[517] It was illuminating to have been given the chance to hear these women's experiences from their point of view. Being able to speak to those women did not mean that I was anywhere near understanding the difficulties that they go through, but at least I was, and am still, learning, how they give meaning to their jobs. How they have "found voices to validate their actual experiences, breaking the flows of meaning imposed on them, and thus directly defining their own lives."[518] As Rollins argued, DHs know the meaning of their own lives. They have held down jobs since they have been teenagers. They have had the strength to move away from home and to another country by themselves. They can successfully weave in and out of the private sphere and into the public. They are employed in a full-time job and for keeping their families together. Like Rollins domestics, Filipina DHs know that they have transcended obstacles and struggles that their employers have never even thought about.[519] The lens through which they view their work, reality and situation gives them strength, power and protection.[520] However, there are also times when those lenses crack, especially given they are in a profession that is performed in isolation and behind closed doors. Thus, when they finally get time to themselves, which is usually on Sundays, those cracks are exposed in the most diverse of ways and are mended by those in the NGOS, in the churches and on the streets. And despite the fact that many DHs would rather spend their Sundays with friends than to

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[516] Constable (2007).
[517] Rollins, *Between Women*, 212.
[518] Ong, "The Gender and Labour Politics of Postmodernity," 300.
[519] Rollins, *Between Women*, 218.
[520] Rollins, *Between Women*, 168-70, 218; Constable, *Maid to Order*, 204; James C. Scott, *The Moral Economy of the Peasant* (New Haven: Yale University Press, 1976), 23-36.

transform their work through unionising or other political activities, the work that has been accomplished so far by NGOs like UNIFIL, Migrante, MFMW is undeniable. It is worth emphasising here one final time that any account of discrimination, or disadvantage, recorded here is not done so to suggest that they are the sole victims, or that, indeed, they are victims full stop. This was an attempt to piece together stories, or parts of stories, that have been misunderstood, unheard or even neglected.

The final pattern explored in this study is that of resistance. While it may seem like a catchy, postmodern word that carries with it so much baggage, 'resistance' encapsulates exactly what Migrante and UNIFIL are doing, and it is how they choose to identify the work that they are doing as well. Chapter Six documented the different times in which their activism has been successful, such as the repealing of Executive Order 857, the protest against Aquino's ban on approving new contracts, as well as the fight to represent Filipino migrant workers within the city's workers unions. These are all a testament of their continued efforts to promote the welfare of Filipino DHs in Hong Kong and all over the world. More importantly, however, the process by which the various NGOs work together, and the organisational factors therein, have also been illuminated in Chapter Six.

The areas of work that the NGOs cover, namely, awareness-raising, political advocacy, as well as research and education points to the far-reaching consequences of their work. They represent DHs at Labour Tribunals, document policies relevant to their situation, counsel aggrieved DHs, organise cultural demonstrations to raise awareness and communicate with foreign and local media. This chapter has demonstrated how these NGOs form some of the most important conduits of information and support for all DHs, but especially if they are newcomers. Communicating with the NGOs and maintaining contact with them not only means that she will have a better support base, but better sources of information and more means with which to protect herself as well. The importance of their work necessitate further studies into their campaigns, organisation and projects together with a full assessment of their political impact on government policies, as well as their socio-cultural impact on local, expat and the Filipino communities. Thus, their resources and manpower can be better served to the people who need it most.

Filipina DHs have undoubtedly transform the economic and social basis of Hong Kong. Their arrival in Hong Kong has changed the way families are formed, the way spaces are used and the way people conceive of themselves. Although domestic service existed long before Filipino DHs entered Hong Kong, these women have not only helped raise a generation of children, but also challenged the ways in which people viewed themselves as

well. On the one hand, this study has highlighted the transformation of discursive practices and ideological structures that have become written into the everyday realities of employers and DHs. However, the world is constituted of people living, not contemplating. And, indeed, this is as much about ideological practices as it is about communities meeting and coming together. Thus, I have also shown the ways in which employers and DHs negotiate boundaries within, and without, the home, and how communities form and create spaces of their own. What this thesis has shown, as expressed in the summaries above, is the complexities of the developments of the Filipino community in Hong Kong. I have highlighted the ways in ways in which the actions and perceptions of the Hong Kong and Philippine government, local and expat employers and employment continue to systematically marginalise the DHs in the city. In examining Hong Kong's social and cultural history, this thesis has demonstrated that despite often being depicted as polar opposites, the Filipino migrants, Chinese locals and foreign expat communities are in fact inextricably bound and affected by one another.

Postscript

Three years ago, the DHs of Hong Kong, through the highly-profiled case of Evangeline Vallejos, declared that they, too, have a right to citizenship in Hong Kong and fought bravely for their Right of Abode.[521] To the dismay of many in the city, the case was struck down in 2013, effectively drawing a line between DHs and other legal migrants who can apply for residency after declaring Hong Kong as their permanent home and being ordinarily resident in the city for more than seven years.[522] Less than a year later, the continued abuse of the Indonesian DH, Erwiana Sulistyaningsih, made the news around

[521] Rose-An Jessica Dioquino, "Pro-domestic workers candidates lose in HK polls," GMA News, 8 November 2011 http://www.gmanetwork.com/news/story/237817/news/pinoyabroad/pro-domestic-workers-candidates-lose-in-hk-polls (last accessed 13 September 2015).
[522] Joseph Li, "Elsie Leung urges govt to seek NPCSC interpretation," China Daily, 4 October 2011 http://www.chinadaily.com.cn/hkedition/2011-10/04/content_13835705.htm (last accessed 13 September 2015); Sisi Tang, "Hong Kong government wins appeal in maids' battle for residency," Reuters, 28 March 2012 http://www.reuters.com/article/2012/03/28/us-hongkong-abode-filipino-idUSBRE82R0CB20120328 (last accessed 13 September 2015).

the world.[523]This drew attention not only to the oppressive conditions that some of the DHs have to work and live in, but the ways in which governments are systemically sustaining this phenomenon as well. In April 2014 Sulistyaningsih was included in TIME's 100 Most Powerful People for the attention she has raised on the struggle of migrant workers worldwide.[524] And less than a year after that there appears to be a steadily increasing amount of representation and coverage on the experiences of DHs. Some, like Xyza Cruz Bacani being awarded the Magnum Fellowship to study photography at the New York University, are positive and empowering.[525] Others, like the extensive coverage by the *South China Morning Post* on Marciel's personal experience, are touching and thought-provoking.[526] With increasing awareness of the experiences of DHs worldwide, more outspoken demands for better conditions and changing interpretations of the legal framework, perhaps there is hope in the future yet.

[523] Associated Press, "Employer in Hong Kong maid abuse case is sentenced to six years' jail," The Guardian , 27 February 2015 http://www.theguardian.com/world/2015/feb/27/hong-kong-court-sentences-woman-to-6-years-in-prison-for-abusing-indonesian-maid-0 (last accessed 13 September 2015); The Guardian, "Hong Kong maid's employer found guilty of severe physical abuse," The Guardian, 10 February 2015 http://www.theguardian.com/world/2015/feb/10/hong-kong-maids-employer-found-guilty-of-abuse (last accessed 13 September 2015).
[524] Somaly Mam, "Erwiana Sulistyaningsih: The Migrant Worker Who Fought Back," TIME Magazine, 23 April 2014 http://time.com/70820/erwiana-sulistyaningsih-2014-time-100/ (last accessed 13 September 2015).
[525] Michael Zhang, "Filipino Domestic Worker Earns Prestigious Magnum Fellowship for Her Photography," PetaPixel, 23 January 2015 http://petapixel.com/2015/01/23/filipino-domestic-worker-earns-prestigious-magnum-fellowship-photography/ (last accessed 13 September 2015).
[526] Kristine Servando, "Marciel: A Maid's Tale," The South China Morning Post, 22 February 2015 http://multimedia.scmp.com/maid-in-hong-kong/ (last accessed 13 September 2015).

Glossary

Chinese characters	Pinyin	Jyutping	English
編者語	*Bianzhe yu*	Pin^{1}ze^{2}jyu^{5}	Words from the editor
博抄	Bochao	Bok^{3}caau^{1}	Acting intentionally against the wishes of the employer in order to get fired
大全	Daquan	Daai^{6}cyun^{4}	Encyclopaedia
東莞	Dongguan	Dung^{1}gun^{1}	Dongguan City, Guangdong
菲律賓[527]	Feilübin	Fei^{1}leot^{6}ban^{1}	Philippines
工人	Gongren	Gong^{1} jan^{4}	Worker
管理	Guanli	Gun^{2}lei^{5}	To manage
古惑	Guhuo	Gu^{2}waak^{6}	Sneaky
姑婆屋	Gupowu	Gu^{1} po^{4} uk^{1}	Old aunts' residence
何雅詠	He Yayong	Ho Ah Wing	Irene Ho Ah Wing
家有外傭手冊	*Jia you waiyong shouce*	*Gaa^{1}jau^{5}ngoi^{6} jung^{6}sau^{2} caak^{3}*	*Handbook for Keeping a Foreign Domestic Helper in the Home*
刻苦內勞	Keku neilao	Hak^{1}fu^{2}noi^{6}lou^{4}	Hard-working
快手	Kuaishou	Faai^{3}sau^{2}	Quick/speedy/quick-on-the-feet
論盡外傭	*Lunjin waiyong*	*Leon^{6}zeon^{2} Ngoi^{6}jung^{2}*	*All About Foreign Domestic Helpers*
媽姐	Majie	Maa^{5} ze^{2}	Literally, 'mother sister'—a common name to refer to the *amahs*
目錄	Mulu	Muk^{6}luk^{6}	Table of contents
奶媽	Naima	Naai^{5} maa^{1}	Literally 'milk mother', or wet nurse

[527] Note that some of the common Cantonese derogative terms that are used to refer to Filipinos are 賓賓, 賓姐 or 賓妹, all of which derive from the last character of the Chinese name for the Philippines.

Chinese characters	Pinyin	Jyutping	English
南海	Nanhai	Naam^{4}hoi^{2}	Nanhai District, Foshan, Guangdong
女人屋	Nurenwu	Neoi^{5} jan^{2} uk^{1}	Women's residence
番禺	Panyu	Pun^{1}jyu^{4}	Panyu District of Guangzhou
聘請外傭必讀天書	*Pingqing waiyong bidu tianshu*	*Ping^{3}cing^{2}ngoi^{6}jung^{6} bit^{1}duk^{6} tin^{1}shu^{1}*	*Essential Reader for the Employment of Foreign Domestic Helpers*
全方位掌控外傭	*Quanfangwei zhangkong waiyong*	*Cyun^{4}fong^{1}wai^{2} zoeng^{2}hung^{3}ngoi^{6} jung^{6}*	*Comprehensive Management of Foreign Domestic Helpers*
全書	Quanshu	*Cyun^{4}syu^{4}*	Encyclopaedia/cipher
三水	Sanshui	Saam^{1}seoi^{2}	Sanshui District, Foshan, Guangdong. Also spelled 'Samsui'.
守則	Shouze	Sau^{2}zak^{1}	Guide/handbook/manual
順德	Shunde	Seon^{6}dak^{1}	Shunde District, Foshan, Guangdong. Also spelled 'Shuntak'.
梳起	Shuqi	So^{1}hei^{2}	To comb up, referring to a part of the ceremony whereby a woman takes a vow of celibacy
太極拳	Taijiquan	Taai^{3}gik^{6}kyun^{4}	Taichi
天書	Tianshu	Tin^{1}syu^{1}	Encyclopaedia/cipher/guide
醒目	Xingmu	Sing^{2}muk^{6}	Smart
新會	Xinhui	San^{1}wui^{2}	Xinhui District, Jiangmen City, Guangdong. Also known as Kuixiang [葵鄉].
序	Xu	*Zeoi^{6}*	Preface
掌控	Zhangkong	*Zoeng^{2}hung^{3}*	Control
自動波	Zhidongbo	Zi^{6}dung^{6}bo^{1}	Auto-pilot
中山	Zhongshan	Zung^{1}saan^{1}	
珠江三角洲	Zhujiang Sanjiaozhou	Zyu^{1}gong^{1} saam^{1}gok^{3}zau^{1}	Pearl River Delta

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Carnay, Norman Uy (MFMW)

Sr. M. Felicitas Nisperos, Diocesan Pastoral Centre for Filipinos- 10 interviewees

Filipino Migrant Workers Union- 4 interviewees

Lee, Doris (UNIFIL)

Mission for Migrant Workers

UNIFIL-Migrante- 4 interviewees

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