Understanding Overseas Filipino Worker (OFW) Response:
Using Polyani and Foucault

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Abstract
This paper argues that the lived experience of Filipino Overseas Workers (OFW) in Australia has lead to the commodification of their labour status. Rather than acquiescing to this however, there is evidence illustrating the emergence of a movement by these workers in response to this experience. As a result, this paper argues that the case of OFW workers reflects Karl Polyani’s concept of a commodification-counter-movement (1944). However, because a theory of power is mostly missing from Polyani, the paper draws on Foucault’s analysis of power relations in The Subject and Power (1982) to conceptualise the means by which OFW workers stage their agency. The paper argues that by drawing on both Polyani and Foucault we are thus able to untangle the response of OFW workers to their commodification and understand the means by which this response is staged.

Keywords: migrant labour, Filipino, Polyani, Foucault

Introduction
Similar to other receiving country regimes, temporary labour migration in Australia has been mostly viewed as a ‘tap’ that can be turned on and off in response to push-pull economic factors (Castles, 2000) and demands by domestic firms for flexible labour regimes. This discourse has particularly dominated the operation of the “Visa 457” temporary labour migration scheme. In existence since August 1996, this was deliberately designed to allow employers to quickly recruit skilled workers from overseas into Australia (Parliament of Australia, 2007). A sharp increase in numbers of temporary migrant Filipino workers between 2005-06 (from 588 to 2,318 workers, OFW Global Presence, 2006, POEM) confirms a trend towards sourcing Overseas Filipino Workers (OFWs) as temporary labour migrants into Australia. As of 2006, it was estimated that there were 15,100 OFWs in Australia (OFW Global Presence, 2006, POEA).
In this paper it is argued that their ‘lived experience’ as temporary labour migrants has commodified the status of OFW workers. Compounding this has been the increasing deregulation of employment relations by the Australian State leading to accounts of these migrants working under conditions where there is either a lack of legal protections or legal protections are not enforced (Caspersz, 2007). Despite this, research with Filipino Visa 457 workers reveals that they have formed movements to provide social support and assist each other manage their experience as temporary migrants in Australia. This paper argues that this movement-building by OFW workers reflects Polanyi’s double-movement (1944) where commodification of labour by the market triggers what Polanyi refers to as a counter-movement response. Polanyi suggested that these responses occurred through a local, national and international level (Burawoy, 2003: 240). While the paper concurs that OFW agency reflects Polanyi’s analysis of a local counter-movement, Polanyi is however silent on the means by which this movement emerges. Doing this however requires a theory of power which is absent from Polanyi’s analysis (Birchfield, 1999; Silver, 2003) requiring us to thus move beyond Polanyi. Unlike others however (see Birchfield, 1999 who draws on Gramsci and Silver, 2003 who uses World-Systems Theory), this paper instead draws on Foucault’s conceptualisation of power as described in The Subject and Power (1982) to understand the means that encourage OFWs to act ‘by themselves for themselves’.

Contextualising Temporary Labour Migration in Australia
Undoubtedly, increased economic activity exemplified in rankings such as Australia’s progression from being 15th among OECD nations per capita GDP in 1990 to 7th by 2002 (Eslake, 2002) has created an unprecedented demand for labour. However, it is clear that there are short term and long term labour supply challenges in meeting this demand. It is claimed for instance that 180 000 workers are needed to sustain the Western Australian economy into the future (State Training Board, 2007). This is particularly with regard to skilled manual tradespersons and engineers (The Age, 2007) where the Graduate Careers Council of Australia in its Graduate Outlook Survey 2005/06 reported that 37.1 % of employers had trouble sourcing engineering graduates (The Age, 2007).
Demographically, fertility, life expectancy and ageing trends raise questions about capacity to ensure labour supply long term. Since 2005, the total fertility rate has increased to only 1.81 babies per female in 2005 (ABS, Recent Increases in Australia’s Fertility, 2007). On the other hand in 2002, life expectancy for males and females was 77.2 and 82.6 years respectively (Drabsch, 2004). Compounding this scenario is the ageing of Australia’s population. It is predicted that between 2002 and 2042, the number of people less than 15 years of age will decrease from 3.9 million to 3.7 million. At the same time, the number of people aged 65 years and over will have more than doubled from 2.5 million to 6.2 million (Drabsch, 2004). The implication of these trends for the numbers of working age population (that is, 15-64 years) is very serious. While representing 13.2% of the population in 2002, it is predicted that this will increase to only 15.3% by 2032 and – even more alarmingly – to only 15.4% by 2042 (Commonwealth Treasury, 2002).

The need for a ‘quick fix’ solution to this scenario motivated the expansion of the Visa 457 programme, which unlike other migration programmes, does not have a quota limit. Originally introduced in 1996 as part of a broader review into temporary migration (referred to as the Roach Inquiry), 10 000 employers used 457 visas in 2005-06. In the same period, 39 530 primary 457 visas were granted. Combined with secondary visa holders, a total of 71 150 primary and secondary 457 visas were granted during 2005-061 (Parliament of Australia, 2007). Under the terms of Visa 457, temporary labour migrants are sponsored by a specific employer and are obliged to work for that employer to maintain their residency in Australia. Whilst being allowed to ‘switch’ employers, their residency test is tied to employer sponsorship leading to many workers remaining in unsatisfactory employment relationships because they lack either capacity or knowledge to find alternative employer sponsorship (FFG, June, 2008).

Filipino workers have always been a major component of the global temporary labour force. The government agency that co ordinates recruitment of overseas Filipino

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1 Primary visa holders are those directly sponsored by the employer. These workers may bring any eligible secondary applicants (family members) who can work or study while in Australia.
workers (OFWs), the Philippine Overseas Employment Administration (POEA), estimates that over 3 million Filipino workers have been deployed through this office into 190 receiving countries (POEA, 2008). Factors such as lack of available employment in their local provinces and low rates of remuneration lead many Filipino workers to only ever work overseas. Correspondingly, all workers interviewed had arrived in Australia from working elsewhere, primarily in the Middle East in places such as Kuwait and Dubai; in fact, none had worked in the Philippines for any considerable period of time since entering the adult workforce. Conversations with workers subsequently confirmed the importance of the remittance that they sent back to support the livelihood of others. Noted in thousand US dollars, Australian Filipino worker remittances increased from $32 031 to $68, 572 between 2002-2006 (POEA, 2007). There were no single workers amongst those interviewed; most were supporting at least a partner and generally three children while the majority were also supporting parents, and providing funds for the schooling of younger siblings (FFG, June 2008).

**Generating a Counter-Movement: The Lived Experience of Filipino Temporary Labour Migrants in Australia**

Given their relatively short period of stay (some workers commenced working as temporary labour migrants in 2002 but many arrived only in 2005), the vibrancy and extent of OFW agency is remarkable. Working within unions, Filipino workers have formed the S457 Filipino Sub Committee within the Australian Manufacturing Workers Union (AMWU) Western Australian Division. Through this they have successfully staged actions that have resulted in better treatment of OFWs by employers in terms of working conditions related to remuneration and other matters (FFG, June 2008). For instance, one workplace that was notorious for inequitable treatment of OFWs was now described by workers as ‘not bad, company A is now not too bad” (FFG, June 2008).

Some of the same workers have also joined with others to form a not for profit association of OFWs whose membership is open to both union and non-union members and has a ‘cultural’ aim to foster social activities between the workers. The association also aims to assist OFWs with non-workplace issues such as advice about taxation returns, housing and medical matters. Most recently, the association
raised $5000 to help a fellow worker re-settle in the Philippines after a workplace accident.

Interviews with both workers and unionists revealed that it was their ‘lived experience’ as temporary migrant labour that had triggered this movement-building. For instance, many workers recounted how they had to sign a contractual agreement covering their employment conditions on the day they arrived in Australia without having either time or the opportunity to get advice about the terms of the agreement. Workers also recounted how they were required to begin work the day after arriving in Australia leaving little time to ‘settle’ in or even attend to administrative matters. Compounding this was the lack of settlement information (such as information about medical services) that workers received from either their employer or Government leading to many being mystified about how to fulfil responsibilities such as taxation returns. OFWs involved in forming their associations recounted how this experience had motivated them to form their associations to provide newly arrived migrants with settlement information and assistance so that they would be able to better manage these issues.

However, it was undoubtedly the ‘injustice’ they experienced in their treatment by employers that lay at the core of workers’ motivation towards movement-building. Workers interviewed frequently commented on the ‘unfairness’ of the treatment they received from employers. For instance, while requiring OFWs to perform like-to-like duties, it was common for employers to only pay them the legislated minimum wage while paying domestic workers at least one-third more (Interview, FFG, June 2008). Others confirmed that because their contractual agreement which in most cases was an Australian Workplace Agreement stipulated their working time as hours rather than on a day basis, they were paid ordinary rather than penalty rates for working ‘penalty times’ such as Saturday or evenings while domestic workers received penalty rates because of their different contractual arrangements (FFG, June 2008).

Employer mistreatment however did not stop at workplace issues. Due to their desire to earn money to remit home, most attempted to minimise their living expenses to be able to maximise their remittance by accepting accommodation in employer-founded accommodation. However, there are a number of accounts of workers discovering that
their employer-funded accommodation was charged at significantly higher rental rates than comparable accommodation elsewhere. Most of this accommodation was overcrowded with workers suggesting that many were required to share rooms while being charged high rentals. One worker was even renting the garage of a house and still paying $150 per week for his rent (FFG, June 2008). Workers also recounted how a great deal of this employer-founded accommodation was owned by the employer, with their interpretation being that this enabled the employer to not just ‘get our labour, but our money too’ (FFG, June, 2008).

However, as workers interviewed said ‘here we have to pay for everything’ whereas in other overseas workplaces ‘all we had to do was work’. Thus, in addition to overcharging for housing rent, many employers deducted monies to pay for transport costs for using the employers’ car that was driven by a worker; and a tool allowance for use of tools required to do the job. It was also suggested that there were stories amongst other workers that some employers were deducting monies from workers wages towards costs of migration agent fees required to facilitate entry into Australia.

It was clear from interviews that it was the ‘sum’ of this ‘unfairness – or rather, their ‘lived experience’ of temporary labour migration - that had led OFWs towards movement-building and unions to support their actions. As one unionist said, “it was a call to arms”. As a result, it is argued that OFW agency reflects Polyani’s concept of a counter-movement at a local level.

**Theorising OFW Movement Building**

Polyani described the emergence of counter-movements as follows: “while the market spread and all around it was commodified, society at the same time protected itself through ‘a network of measures and policies [that] was integrated into powerful institutions designed to check the action of the market relative to labor, land and money” (as quoted by Munck, 2004: 252)’. Drawing on this, Burawoy (2006) illustrates three waves of marketisation where while firstly labour, then money and more recently land were commodified by the market, at the same time specific counter-movements emerged to protect society from the ‘destructiveness of
commodification’ or ‘degradation’ of society by the market economy (Burawoy, 2003, p 212); in other words, society organising itself for itself 2.

It is argued that Polyani’s framework of commodification – counter-movement describes the status of OFW labour and the effect that their lived experience under this status has had on triggering their agency. Beginning with State-generated discourse framing temporary labour migration as a ‘tap’ that is available to individual employers to turn on and off in response to labour market needs, the evidence of employer treatment reinforces the commodification of OFW labour in ways that they rightly consider degrading. However, rather than acquiescing to this scenario, the research confirms that OFW workers have instead actively responded to this experience and formed movements between themselves and others to counter these injustices.

While suggesting it was the experience of commodification of their labour that triggered OFW agency (or counter-movement), the question remains how workers – at the level of the self – felt confident to pursue their agency? In other words, by what means did this counter-movement emerge? Answering this is especially pertinent given that the context framing OFW work further emphasises the vulnerability of these workers. For instance, their level of obligation to continue working to support

2 Summarising Burawoy, the description is as follows: The first wave of marketization as per the Industrial Revolution generated a counter-movement against the commodification of labour “such as the factory movement to restrict the length of the working day, and out of associations, such as burial societies, trade unions, cooperatives and utopian experiments” (2006, p 360) while second-wave marketization following the Great Depression generated a counter-movement against the commodification of money through divergent responses such as protectionism, Fascism, Stalinism, Social Democracy and the New Deal through which labour rights and social rights including minimum wages, pensions, education and welfare were restored. Third-wave marketization (or the current period of history which Polyani did not anticipate but which has become apparent) generates a counter-movement against the commodification of land and environment which operates at a local, national and global scale (Burawoy, 2006, p 361-362).
the livelihood of others is further illustrated by accounts from workers that often families pooled resources to be able to support the worker into overseas work on the basis that the remittance sent home would be worth more than what they could earn locally. Reinforcing this vulnerability was the additional fact that the residency status of OFW workers was tied to employer sponsorship, leaving them with little option of leaving unhappy employment relationships. Compounding this was the reluctance of OFWs to seek advocacy services such as a union because of their experience of unions in the Philippines. As one worker said, “if you join the union in the Philippines, you lose your job the next day” (Interview 2, FFG, June 2008).

Drawing on Polyani to explain the agency that OFWs subsequently displayed despite this context is problematic because Polyani did not explain how counter-movements emerged other than describing these responses as a spontaneous reaction to the market (Burawoy, 2003). Birchfield (1999) and Silver (2003) attribute Polyani’s silence on this as being because the concept of power ‘is largely missing from Polyani’ (Silver, 2003, p 18). Polyani’s fervent belief that the self-regulating market is ‘bound to wreak havoc’ led him to argue that the ‘market’ would eventually be ‘overturned from above even if those below lacked effective bargaining power’ (Silver, 2003: 18). But as Burawoy cautions (2003: 244) “Markets do not invariably generate a vibrant society…(the) task is to understand under what conditions and in what form state and society will hold up to the market juggernaut”.

In *The Subject and Power* (1982) Foucault provides us with a framework by which we can disentangle the ‘conditions’ that ‘hold up’ state and society to the ‘market juggernaut enabling us to conceptualise OFW agency, particularly at the level of the self. In *The Subject and Power* Foucault proposes that instead of viewing power as associated with the legitimacy of rule or as a force possessed by certain people (Gordon, 1991), what characterises power is that it brings into play relations between individuals or groups, that is ‘society’ (1982: 786). Thus, whereas Polyani suggests society emerges as a ‘spontaneous reaction’ to the market, Foucault grounds societal movements in power relations or actions upon actions between two or more people, leading Foucault to state ‘(a) society without power relations can only be an abstraction’ (1982: 791).
Because Foucault further suggests that power relations are ‘rooted deep in the social nexus, not reconstituted ‘above’ society as a supplementary structure’ (1982: 791) he provides what Polyani did not, and that is a conceptualisation that imbues everybody at every level of society – regardless of class and other ascriptional ties – with the power to act or reclaim ‘effective bargaining power’ (Silver, 2003: 18) rather than await a destiny carved by the response from ‘above’ to the ‘havoc’ of the market. That is, within this analysis, the capacity for movement building lies at the level of the self. Foucault confirmed this possibility when he went on to say that ‘(a)t the very heart of the power relationship, and constantly provoking it, are the recalcitrance of the will and the intransigence of freedom’ (1982: 790) thus affirming the change that inevitably emerges from power relations.

Finally, as Foucault cautions, exercising power relations does not have to result in ‘radical effacement one could perhaps dream of’; instead ‘it would be better to speak of an “agonism” – of a relationship which is at the same time reciprocal incitation and struggle, less of a face-to-face confrontation which paralyzes both sides than a permanent provocation’ (1982: 790). Whereas Polyani was silent on the ‘movement’ of ‘movement-building’, Foucault illuminates this and at the same time acknowledges the significance of ‘iterations’ of struggles – especially small-scale or ‘everyday’ struggles - in achieving change.

While it is beyond the scope of this paper to fully engage in critiquing either Polyani or Foucault it is argued that Foucault’s analysis helps us untangle the means or the bases by which society emerges in response to Polyani’s concept of commodification. Foucault’s conceptualisation of power as a relation that engages every individual member of society helps us locate OFW agency at the level of the self which in this case has motivated their agency despite their lived experience of temporary migrant labour and the context that increases their vulnerability. Almost resembling the concept of a dialectic, Foucault’s account that these struggles result in a ‘permanent provocation’ due to ‘reciprocal incitation and struggle’ helps us insert a movement to the movement-building that underlies Polyani’s commodification-counter-movement trajectory but on which he is silent.
Nonetheless, there are inadequacies in Foucault’s account to fully explain OFW agency. The scope of the this paper limits discussion about these and which is needed to provide a fuller account of OFW agency and its possibilities. However, it is argued that by combining tFoucault’s analysis of power with Polyani’s trajectory of commodification –counter movement we are able to better understand the bases sponsoring OFW response, and thus consider how to better assist these workers manage their future in Australia.

**Conclusion**

This paper has drawn on both Polyani (1944) and Foucault (1982) to provide an analysis of how the lived experience of OFW workers generates a counter-movement response as evidenced by their formation of associations within a union and not for profit association as well as conceptualise the means by which this counter-movement emerges. It is argued that by applying both these frameworks we gain an analysis that not only assists us in understanding the macro-level response of OFW workers, but also the ‘microphysics’ of their action. In summary the paper has sought to fulfil what Foucault urges and that is to establish that ‘individuals are the vehicles of power, not its point of application’ (1980: 98).

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