Organising Discontent: NGOs for Southeast Asian Migrant Workers in Hong Kong

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Women in Transit: Indonesian domestic workers in Hong Kong (coming monograph) View project
In the five decades after World War II, diverse non-governmental organisations (NGOs) have proliferated in different parts of the world to address a variety of issues ranging from humanitarian aid to human rights. At the same time, the volume of vitriolic criticisms levelled against them have also risen. This paper seeks to identify the types of changes NGOs are able to bring about in society. By adapting and applying David Korten’s (1990) typology of NGOs, the author undertakes a comparative analysis of NGOs in Hong Kong that are involved with the improvement of foreign workers’ rights and welfare. The argument is that the different strategies adopted by the NGOs have wrought social changes in diverse ways, from the provision of welfare assistance to the mass mobilisation of workers, in both sending and receiving countries. This is an example of the catalytic role of NGOs in contributing to a trans-border “community of sentiment” (Appadurai, 1990).

The Magnitude of Southeast Asian Migrant Workers in Hong Kong

In early 2001, the number of migrants working as domestics in Hong Kong surpassed 200,000 in a population of 7 million or 1.4 million households (AMC, 2001). The implication is that one in five, or about 14 per cent of Hong Kong’s households employ foreign domestic workers. Of these, 147,400 are from the Philippines (AMC, 2001), with Hong Kong forming the largest employment market for foreign domestic workers.¹

Beginning with a trickle in the early 1970s the number of Filipinos leaving the Philippines to work overseas has exceeded that of Mexico’s to become the largest source of migration in the world (Opiniano, 2001). This is by no means a new phenomenon with historical precedence beginning at the turn of the 20th century and followed by another wave of migration after World War II (Hosoda, 1996; Law, 2002). What distinguishes the current wave of migration that began in 1972² from previous waves is the active role of the Philippine government in encouraging labour migration for purposes of increasing foreign exchange earnings as well as reducing unemployment at home (Hosoda, 1996).

By 1998, 6.2 million Filipinos were working overseas, constituting 8.62 per cent of the total population of the Philippines. Between 1975 and 1995,
the percentage of women leaving the Philippines as migrant workers rose dramatically from 12 per cent to 52 per cent of total migrants from the Philippines (AMT, 2000:11). Most Filipino migrants today are females working on short-term contracts as domestic workers. As domestic workers in Hong Kong, the number of Filipinas has increased exponentially, from 1,000 in the early 1970s to 66,000 in 1991, to 140,000 in 1998 (Pinches, 2001; Gibson et al. 2000) and 147,400 in 2001 (AMC, 2001).

Other migrant workers engaged in domestic work in Hong Kong come from Indonesia, Thailand, India and Sri Lanka. After Filipina domestic workers, the second largest group comes from Indonesia (Immigration Department, Hong Kong, 2000; AMC, 2001), increasing significantly in numbers after the Asian financial crisis in 1997. By early 2003, the employment of Indonesian domestic workers in Hong Kong had exceeded 75,000.

The “Context of Reception” in Hong Kong

In the last three decades, immigration laws privileging those whose ethnic identity and physical appearance were distinct from the largely Chinese population, shaped Hong Kong’s “context of reception” for foreign workers. The objective was (and to a large extent, still is) aimed at preventing the Chinese from mainland China entering and joining their families in Hong Kong, on the pretext of being domestic workers (Chiu, 1999). Smart and Smart (1998:110) pointed out that the relatively impermeable border between the two territories that prevailed between 1949 and 1978 was historically unusual, and prior to 1949 Hong Kong was tightly integrated into the Chinese economy and society.

Over the years, migrant domestic workers in Hong Kong have acquired an increasingly significant social presence and provide an important supply of household labour as local women joined the formal industrial workforce, and later, the tertiary sectors when Hong Kong’s economy underwent massive restructuring in the 1980s (Chiu, 1999). An increasing number of scholars (e.g. Sassen, 1988; Smart and Smart, 1998; Ong, 1992) have pointed out that labour flows are often closely intertwined with the circulation of capital. However, while economic reasons dominate in decisions of migration, the processes of transnational labour flows extend beyond the political and economic domains and are manifest in the structural reconfigurations that catalyse “everyday changes in people’s lives” (Nonini and Ong, 1996:15). Migration into Hong Kong is thus, not new, but as Law (2002:219) argues, “new forms of politics and new kinds of political spaces are opening up in response to transnational populations” in Hong Kong.

Without denying the power of the state, Law (2002) notes the widespread appearance of networks that have arisen to fill these spaces, “in the
form of ‘diasporic public spheres’ or arenas of action where the nation is ‘no longer the key arbiter of important social change’” (Appadurai, 1996:4, cited in Law, 2002:219). Labour migration across national boundaries has “seen the increased importance of hundreds — if not thousands — of political organisations” with agendas to “assert pressure for social change which transgress clear national boundaries” (Law, 2002:207).

The increasingly numerous non-governmental organisations (NGOs) and their operations have not been without criticism (see Bayat, 2000; Hancock, 1992 and Loh, 1996.) However, NGO activism has made visible arenas of potentiality and yielded insights into the contested political spaces in transnational migration. To make sense of this dizzying array of organisations, this paper will employ a typology developed by David Korten (1990) (Table 1) as a heuristic device to locate a number of NGOs in Hong Kong dealing with migrant worker issues. This will serve as a first step in understanding the organisations’ functional differences and logic, and provide a basis for comparison.

This paper does not attempt to be comprehensive in its coverage of NGOs in Hong Kong. Instead, it presents an overview of some NGOs in Hong Kong working with Southeast Asian migrants and introduces Korten’s typology to explain where they are located in terms of their objectives and purposes, and offer a view as to why NGOs have a valid role in the development of civil society. It extends Law’s (2002) argument of the role played by Filipino NGOs in Hong Kong and shows the success of some of these in spawning new organisations among recently arrived foreign domestic workers of other ethnic and national categories in Hong Kong.

As this paper will show, these organisations are unified by values embodied in various International Conventions of the United Nations and the International Labour Organisation, and the conception of workers’ rights as integral to the human rights discourse, hence, constituting a new domestic worker subject that diminishes the specificity of national identities and debates. This paper will also show that grassroots activism generates activism on multiple levels in multiple sites.

The following flow chart (Fig. 1) sets out a grossly simplified version of the migration process, broadly sequencing the events of a standard migration process (with some differences between agents and sending states) of foreign domestic workers in Hong Kong. Its purpose is to identify the possible loci for NGO participation in the migratory chain, and by so doing, introduce the roles played by these “migrant NGOs” in Hong Kong. There are possibly practical links and overlaps between the processes outlined in the different boxes, representing stages in the migration to Hong Kong. While other studies have described the role of NGOs in preparing migrants for domestic employment before their arrival to Hong Kong, from Box 1 to 6, (see for example, Battistella, 1993; Diaz, 1993; Santos, 1989), this paper is concerned with the role of NGOs within Hong Kong whose
activities are, not surprisingly, clustered in Box 8 of the flow chart. The activities in Box 7 are to a large extent, still carried out by the employment agency or its representative in Hong Kong, although recent inroads have been made by an NGO to meet new migrant workers at Hong Kong’s Chek Lap Kok Airport.⁸

NGOs for Southeast Asian Migrant Workers: An Important Phenomenon

In the Southeast Asian context, the relationship between poverty and labour migration is indisputable. Short-term contract migration is a transnational manifestation of poverty that has become disguised as a migration issue which, in turn, is depoliticised into an area that requires management and control by the governments of both sending and receiving countries. Recipient governments of foreign unskilled labour practise tight immigration policies to prevent migrants from settling permanently in the host country due to perceived threats to cultural identity, national security and economic growth (Premachandra and Manning, 1999). Ironically, Hong Kong’s economy has always relied heavily on migrant labour to fuel its growth as the first post-war success in export-led industrialisation among the newly-industrialised countries (Premachandra and Manning, 1999; Smart and Smart, 1998).

The political rhetoric of the sending countries casts these labour migrants as “national heros”⁹ but in reality, they receive minimal state support and legal protection (Gibson et al., 2000:3). Studies that conceptualise migrant domestic workers in terms of agency and individual power ignore the fact that even agents construct structures within the constraints of pre-existing structures (Bourdieu, 1988:viv; 1989:18). So while migrant workers are, to some extent, agents, they are constrained from without by these pre-existing structures or objective structures that determine their social position, and from within by mental structures with which they organise their perception and understanding of the social world (Bourdieu, 1988:xiv).

How migrant domestic workers are defined and socially constructed depends on a number of factors, e.g. the legality of their status, residency rights, social mobility related to their employment contracts and the “contexts of reception” in the recipient country (Anderson, 2000; Raharto, 2002; Robinson, 2000; Parre as, 2001). Therefore, while power may be “decentred” and “where there is power, there is resistance” in the Foucauldian sense, power in effect circulates unevenly, “in some places it is far weightier, more concentrated and thicker . . . than in others” (Bayat, 2000:544). Bayat’s critique of individual power that it is never “localised here and there, never in anybody’s hands” is not a denial of the possibility of individual agency but an argument for not underestimating state power, notably, its class claims (Bayat, 2000).
Figure 1: Flowchart of a Typical Migration Cycle

Push factors: Impoverishment, lack of opportunities, under/unemployment
Pull factors: Economic opportunity

1. Makes decision to explore short-term economic migration

2. Attends training and orientation towards the household environment in the recipient country, and medical checkup

3. Makes contract with an employment agent, submits documents, makes payments

4. Options at the end of a contract: gets an extension with the same employer, finds a new employer or returns to the sending country (where most look for another contract overseas, repeating the cycle)

5. Employment: medical check-up, insurance, wage issues, working conditions, vulnerabilities and possible abuse, remittances, savings, off days, training and involvement in NGO-led activities

6. Pre-departure: an employer is found, processes papers, leaves

7. Arrival in Hong Kong: meets the agent/representative, goes to the respective Consulate, meets her employer

8. Enquiries with friends, family acquaintances, job-placement agencies

9. Note: Most NGOs working on Southeast Asian migrant issues occupy Box 8.
Bayat’s point is particularly relevant to understanding the situation of foreign domestic workers who are not only distinct ethnic groups as a result of deliberate government policy, but who are immobilised by restrictive employment contracts in a racially discriminatory “context of reception”, and constituting a particular class category serving one in five households in Hong Kong. By definition, domestic work takes place in the home — an informal, un-organised and non-regulated workplace where particular forms of vulnerability and abuse can arise from the physical isolation of one worker per work place (Constable, 1997). The separation of work into formal and informal spheres that correspond to categories of public and private space (Anderson, 2000), results in the inability of domestic workers to organise labour around the traditional concept of a singular workplace and employer. It is in this context of structural inequality in power between foreign domestic workers, their employers and Hong Kong society that has opened up the space for NGO activism that aims to address the needs of migrant workers, primarily in two areas, that of welfare and workers’ rights.

In a recent survey carried out by the Asian Migrant Centre in Hong Kong (AMC, 2001), some examples of the abuse of migrant domestics include the following:

- Underpayment: more than 27 per cent earn less than the minimum monthly wage;
- Days off: more than 22 per cent get fewer than 4 days off per month;
- Verbal abuse: 23 per cent (19 per cent of Filipinas, 23 per cent of Thais and 31 per cent of Indonesians) are verbally abused;
- Physical abuse: more than 25 per cent have been physically abused at least once;\(^{10}\)
- Sexual abuse: more than 4 per cent have been sexually abused.\(^{11}\)

The Hong Kong media regularly report on the wages and working conditions of migrant domestics, as indicated by the following examples of headlines:

- “Maids’ fury after wage freeze call” (SCMP, 20 August 1994)
- “Jakarta maids on offer at illegal rate” (SCMP, 24 May 1998)
- “Maids to lose $190 a month from salary” (SCMP, 3 February 1999)
- “Agents flout maids’ wage law” (SCMP, 29 September 1998)
- “Employment agent jailed” (SCMP, 3 September 1996)
- “Thai maid abuse soar” (SCMP, 12 October 1995)
- “Woman denies branding maid in assault appeal: Woman appeals against conviction for branding maid with a hot iron” (SCMP, 24 June 1994)
- “22 months for woman who beat her maid” (SCMP, 26 May 2001)
- “Maids upset over exemption from bill” (SCMP, 17 February 1994)\(^{12}\)
Some academic research exists on migrant domestic workers in Hong Kong, however, there has been little research on the development of NGOs working on these issues. The number of NGOs have grown together with increases in short-term labour migration to Hong Kong, to meet the needs of this marginalised community, whose welfare falls largely beyond the protection of the State. Indeed, after three decades of employing migrant workers as domestic help, “NGOs remain the primary focus of welfare provision in Hong Kong” today (Law, 2002:211). While providing assistance remains its primary role, migrant NGOs have extended the scope of their work and presence, and become an important phenomenon in Hong Kong with implications for developing social movements beyond Hong Kong.

In the post-war years, interest in business management for the private sector peaked in the interest of increasing economic gains through higher production and efficiency, while the public sector benefited from developments in public administration. However, there has been no corresponding attention on a comparable scale given to the development of NGOs in the voluntary sector (Brett, 2000:29–32).

NGOs operate on the basis of shared values rather than coercion or exchange. As non-state organisations that lack political and economic agendas in that they are neither political parties nor profit-oriented commercial businesses, NGOs are perceived as being especially suited for a role that neither government nor business are suited for. NGOs are thus in the residual category sometimes known as the third sector (Brett, 2000:29–32). Areas of concern about this third sector as an institution of civil society include the management of NGOs, the training of its staff, the volume and sources of funding, its strategies and effectiveness. Critics of NGOs in their strident calls for market efficiencies, economies and efficacy have perhaps overlooked the fact that the value placed on indicators, by which success is measured in other sectors is largely absent, as is discourse and development in the NGO sector. This is not to say that concepts of accountability, credibility and transparency are irrelevant in the development of NGOs as there is no doubt that issues of donor-relationships and funding are central to the existence of NGOs. There are perhaps different perceptions of what constitutes success from the NGO perspective.

The literature review of short-term economic migration of women domestic workers into Hong Kong includes migrant women as “national hero”, transnational wives and mothers, victims of globalisation, domestic workers, and agents of change (Constable, 1997; Gibson, 2000; Heyzer, 1994; Chin, 1998). Another discourse theme is the policy analysis of measures and counter-measures taken by governments and NGOs (Tigno, 1997:29). Law’s (2002) account of the role of Filipino NGOs in Hong Kong is a rare and insightful appreciation of NGO participation in the development of migrant workers’ rights and civil society. A research gap
exists, however, on the subject of the organisational and institutional development of NGOs engaged in labour migration issues in Hong Kong.

Three assumptions directed my research in Hong Kong from 2000 to 2001. The first assumption is that NGOs contribute to migrants’ experience in ways that neither the government nor the private sector does, and have a significant role and relevance in addressing migration issues. The second assumption is that as local and regional agents of change, NGOs can organise workers’ discontent successfully enough to impact on governments and the public, resulting in higher public awareness, positive changes in government policy, as well as improved conditions and empowerment for migrant workers. Following that, pressure on governments at the international level of policy making results in calls for the ratification of United Nations’ Conventions14 which, in turn, reinforce international opinion and set in motion agendas to recognise migrants’ rights for protection and empowerment.

The third assumption is that research produces not just a reflection of the world as is. Rather, research is a performative practice that produces knowledge on which the world to come is shaped (Gibson-Graham et al., 2000:95–101). Performativity is “the reiterative and citational practice through which discourse produces the effects that it names” (Butler, 1993:2). At the same time, the NGOs I interviewed welcomed this “research intervention” as an opportunity to “take stock” of their own relative positions on the NGO landscape.

**NGOs: A Response to Systemic Failure**

NGOs have been subject to vitriolic criticisms, both locally and internationally, in the media and in various publications, and by both governments and non-governmental sources, such as academics and trade unions15 (see, for example, Petras, 1999; Hancock, 1992; Manor, 1999). Declining voluntarism, matched by increased professionalism and costs in NGO operations have prompted harsh criticisms, and NGOs, as public service providers, have also come under fire for their lack of cost competitiveness. Trade unions have criticised NGOs for being elitist and non-representative (see, for example, Petras, 1999; *IHT*, 19 July 2001; 11 July 2001; 6 July 2001; *SCMP*, 12 March 2001) and they have also been charged with varying degrees of imperialism and protectionism (see, for example, Petras, 1999; Hancock, 1992; Compa, 2000; Townsend, 1999; *SCMP*, 12 March 2001).

Despite such criticisms, the proliferation of a bewildering array of NGOs in recent decades reveals the depth of civil responses to situations of systemic gaps and failures that define the context of assistance required by diverse groups and populations. Given the central role that NGOs play in organising resources and mass support, it is not surprising that they
have come under intense scrutiny and criticism. At the same time, it is necessary to understand that NGOs play a vital role for sectors of society whose welfare falls beyond the purview of mainstream institutions.

In its simplest form, NGOs are organised manifestations of alternative community or group values in the context of differing values embodied in state or majoritarian ideology. Having developed from a background of voluntarism, NGOs are a distinct category of organisations that are neither governmental nor profit-making. Some are registered as NGOs, businesses and social groups while others are not officially registered at all. Generally, NGOs occupy a wide continuum in terms of management, from a high level of professionalism to low levels of management and ad hocism. The largest NGOs are managed by professionally-trained staff with funding budgets that compare with large transnational corporations.

In recent years, two categories of inauthentic NGOs have emerged, giving rise to some of the criticisms of NGOs in general. State co-opted or state created NGOs that do not represent real alternatives to the mainstream are identified by the term GONGOs “government organised NGOs”. A more recently coined term to identify another category of NGOs in disguise is “MONGOs” — that is, “mafia operated NGOs” which have become platforms for accessing international funds in post-Soviet Central European states (IHT, 7 September 2001).

While there are widely differing views and concepts of what constitutes NGOs, with some definitions being more inclusive and others more exclusive, many NGOs do play important social roles in different cultural and political contexts. The development of different social roles of NGOs in authoritarian states and liberal democratic states has attracted much debate. Buchowski (1996), writing on civil society in Poland, shows that the diversity of NGOs existed even during the communist period, representing diverse constituencies. Dunn (1996), writing on the organisation of Mormons in contemporary America, examines the values underlying the Mormon welfare system set up as an alternative to the state’s welfare provisions.

An increasingly visible aspect of NGOs is their role as hybrid organisations, in the form of public service contractors (PSCs) for state governments or foreign donors. These have grown in numbers with government cutbacks in public spending and the promotion of “outsourcing” or “contracting” (Korten, 1990; Lozois, 1996). While a minority of NGOs are totally self-sufficient in funding through various activities, such as charging fees for services and through trading of goods, most are dependent on donations from church groups and independent donors including private corporations, governments, both local and foreign. Their defining characteristic is the technical competence with which they deliver services as sub-contractors of governments and donors. They are, in varying combinations, driven by market demand and their defined social mission. In
some cases, they have become known more as non-profit businesses rather than NGOs (Korten, 1990).

Lozois (1996) argues that the quality of life is dependent on the availability of information and that there is a vital need for the freedom of the press from government interference in its outputs. This argument is aligned with support of NGO agendas demanding media freedom, transparency and democratisation of government processes (Lozois, 1996). According to this argument, the existence of independent NGOs is necessary for improving social conditions upon which the quality of life depends.

However, in Singapore, it has been argued by the government that a high quality of life has been produced by the protection of the “freedom of the government” from the press (Gomez, 2001). According to Gomez, NGOs in Singapore are hampered by “out of bounds markers” set by the state with “catch all” laws, allowing the government total freedom in setting the tone and scope of public debate and participation (Gomez, 2000; 2001).

While the state can act to hinder the development of NGOs and their agendas, the United Nations, on the other hand, has acted consistently in the last decade to give credence to the existence and catalytic role of NGOs in social development (United Nations, 2001a; 2001b; 2001c).

**From Humanitarian Aid to Human Rights: Understanding NGOs for Southeast Asian Migrant Workers in Hong Kong**

In Hong Kong, NGOs have been at the forefront of social change on such issues as the following:

- Educating domestic workers on their rights (see, for example, *SCMP*, 12 June 2001; 26 May 2001; 28 October 2000; 20 November 2001; 1 March 2001; 23 October 2000);
- Organising the homeless (*SCMP*, 13 July 2001);
- Demanding for legislation to eliminate racial discrimination (see, for example, HARD, 19 January 1999).

Beyond these mentioned above, the impact of NGO action has resulted, in some cases, in the review and change of policies. (See, for example, *SCMP*, 18 January; 1 August 2001; *AMY*, 1999; *SCMP*, 7 January 2001). In other cases, NGO action has opened the way for public debate and education by pervading almost every aspect of social life in Hong Kong. (See, for example, *SCMP*, 21 August 2001; 21 August 2001; 8 September 2001; 11 September 2001; 11 July 2001; 5 August 2001).

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. Many of these began in the 1950s as voluntary and humanitarian groups that applied 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 I researched depend on a combination of sources including Northern aid donors, local church groups and increasingly, service contractors to the Hong Kong government for the provision of services to the local and migrant community in Hong Kong.

In this section I will introduce a typology of NGO strategies first developed by David Korten (see Korten, 1987 and 1990), which captures the historical changes in the types of strategies employed by NGOs in the last century. Furthermore, as a heuristic device, Korten’s typology organises these strategies based on functional principles into categories providing an immediate overview and map for negotiating the diversity that exists within the NGO world, even for those familiar with it. This typology (see Table 1), identifies four generations of strategies which he named first, second generation and so forth, corresponding to the NGOs that adopted them. He characterised each generation of strategies according to several key aspects:

- The problem defined by the NGO whose purpose is to resolve it;
- The time-frame within which the identified problem was expected to be resolved;
- The scope of impact that the problem’s resolution was expected to have;
- The main actors involved;
- The operational role played by the NGO;
- The management orientation of its strategies;
- The development educational focus of the intervention.

According to Korten (1990), first-generation strategies are adopted by NGOs to meet immediate and visible needs, delivered to the beneficiary population by the NGO as the doer. The management capability provided by the NGO is one of logistics management and its education focus of the public about development issues runs parallel to fund raising appeals. Growing out of a long history of international voluntary action, first-generation strategies aim at assisting victims of wars and natural disasters, and welfare provisioning for marginalised groups. Contemporary international NGOs, such as Catholic Relief Services, CARE, OXFAM UK and the Danish Association for International Co-operation, were originally established to help victims of World War II (Korten, 1990:116) and relief efforts remain at the heart of humanitarian actions in emergency situations for NGOs characterised by first-generation strategies.

Questioning the validity of their relief and welfare activities, some NGOs engaged in first-generation strategies working in poor Southern coun-
tries expanded their strategies to include developing the capacities of local people to meet their own needs through self-reliant local action. These new second-generation strategies or community-development strategies were based on the assumption that local inertia lies at the heart of local development problems. In practice, they took the form of village level self-help actions, for example, the formation of health committees to carry out preventive health measures and community councils for digging wells, building feeder roads and introducing improved agricultural practices. The role of the NGO changed from that of the doer, delivering services and relief materials, to one of mobilising local support for strategies aimed at improving the self-reliance of local communities. The educational focus of second-generation strategies was directed at the local people to develop their human resources. The assumption was that through overcoming the individual’s lack of skill, the economic value of individuals will be developed to give impetus to economic growth, and avail them of opportunities for gainful employment.

The decision to adopt third-generation strategies that came later, stemmed from frustrations with the limitations of earlier strategies and their overly simplistic assumptions, which did not confront local power structures. The latter very often rendered even the strongest village organisations powerless. As it became evident that local power structures are maintained and protected by larger national and international agendas, political struggle became a lasting feature for more militant NGOs who combined education of the local people with organising techniques oriented towards political confrontation of local elites.

With the understanding that self-reliant village development initiatives are likely to be sustained only when linked to a supportive national development agenda, third-generation strategies aimed at changing policies and institutions at local, national and global levels. The underlying assumption of third-generation strategies is that local inertia “is sustained by structures that centralise control of resources, keep essential services from reaching the poor, and maintain systems of corruption and exploitation.” These aimed at “creating a policy and institutional setting that facilitates, rather than constraining, just, sustainable and inclusive local development” (Korten, 1990:121).

Southern NGOs that adopted third-generation strategies worked in catalytic roles with local communities to build their capacity for making demands on the system of power, and building alliances with power holders to make the system more responsive to people who have little or no access to power. (For examples of third-generation strategies, see Korten, 1990:120–21).

In Korten’s view what led to the development of yet another generation of strategies came with the recognition that the deficiencies of the second- and third-generation strategies were similar, albeit at different levels and scope.
The second generation strategy’s critical flaw is that it requires countless replications in millions of communities, all within a basically hostile political and institutional context. It is much the same with third generation strategies, only at a more macro-level (Korten, 1990:123).

With this recognition the challenge was thrown to NGOs to adopt a proactive rather than a reactive role in addressing issues of development, and thinking beyond “repair work” to existing systems (Serrano, 1989, cited in Korten, 1990:124), to becoming the driving force of people’s movements in bringing about social change. These value-based social movements are driven by ideas and “a vision of a better world”, mobilised by social energy and independent action by countless individuals and organisations across national boundaries, all supporting shared ideals. Their strength lies in the flexibility of such movements where participants collaborating in continuously shifting networks and coalitions, generated “a reinforcing synergy” (Korten, 1990:124). Fourth-generation strategies thus set out to harness “social energy as the engine of development” (Korten, 1990:124). Two examples given by Korten of early forms of fourth-generation strategies concerned the spread of literacy in China in the 1920s and 1930s, and the mobilisation for family planning beginning in the 1950s.

While development has not been generally viewed as a movement, contemporary applications with this orientation are found in the environmental, human rights and anti-globalisation movements. These have supplanted traditional notions of NGO activity as providing humanitarian assistance and being chiefly concerned with the poor, to notions of alliance-building on a platform of universal human rights that confront aspects of global crisis. At the heart of these fourth-generation strategies is the discourse on human rights — emerging from western liberal democratic traditions and spearheaded by international agencies such as Amnesty International — to provide a unifying impetus that crosscuts national boundaries and cultures. The egalitarian values of human rights embodied in these traditions have become an organising platform for a plethora of recently established NGOs and larger, more established NGOs.

It is important to note that while Korten’s model of the development of NGO strategies may suggest a unilinearity of development, from first to second to third generation and so forth, some environmental groups that were organised as third-generation strategy NGOs have reconstituted themselves with fourth-generation strategies, arguing for the protection of the environment as a human right of present and future generations of human beings (Kavka, 1978; Howarth, 1992).

For an analysis of the types of strategies deployed by NGOs in Hong Kong, I focused on a number of NGOs working on different aspects of migrant worker issues. The following table shows the main characteristics pertinent to each generation of strategy as developed by Korten in 1990.
Table 1: Korten’s Typology of Four Generations of NGOs

<table>
<thead>
<tr>
<th>Generation of Strategy</th>
<th>First Relief and Welfare</th>
<th>Second Community Development</th>
<th>Third Sustainable Systems Development</th>
<th>Fourth People’s Movements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Problem definition</td>
<td>shortage</td>
<td>local inertia</td>
<td>institutional and policy constraints</td>
<td>inadequate mobilising vision</td>
</tr>
<tr>
<td>Time-frame</td>
<td>Immediate</td>
<td>project life</td>
<td>10 to 20 years</td>
<td>indefinite future</td>
</tr>
<tr>
<td>Scope</td>
<td>individual or family</td>
<td>neighbourhood or village</td>
<td>region or nation</td>
<td>national or global</td>
</tr>
<tr>
<td>Chief actors</td>
<td>NGO</td>
<td>NGO + community</td>
<td>all relevant public and private institutions</td>
<td>loosely defined networks of people and organisations</td>
</tr>
<tr>
<td>NGO Role Management orientation</td>
<td>doer logistics management</td>
<td>mobiliser project management</td>
<td>catalyst strategic management</td>
<td>activist/educator coalescing and energising self-managing networks</td>
</tr>
<tr>
<td>Development education</td>
<td>starving children</td>
<td>community self-help</td>
<td>constraining policies and institutions</td>
<td>spaceship earth</td>
</tr>
</tbody>
</table>

Source: Korten (1990:117)

In applying Korten’s typology to NGOs working for migrant workers in Hong Kong, I have found that while it is useful to differentiate between these NGOs in functional terms, it is not useful to conceptualise these differences in terms of generational development. In a general sense, there might have been a linear development of the type of strategy used by NGOs, going from Korten’s first generation to the fourth generation. However, my research on NGOs in Hong Kong indicates that even if there was a linear development, once the different types of strategies are developed, they can and do exist separately in different organisations, or as complementary strategies within the same organisation. The functional differences, as observed by Korten, evolved as institutional responses to specific needs, that have over time, become ready and flexible options available to all NGOs.

I therefore argue that the evolution of NGO strategies is not necessarily uni-directional, going from first to second to third to fourth generation, in that order. Furthermore, I would stress that a later generation is not necessarily superior to previous generations, in any context. Instead, I
would argue that each type of strategy emerged to address social problems in a particular way. The different types are linked, sometimes developmentally but not necessarily uni-directionally.

One particular NGO that will be discussed in greater detail is the Asian Migrant Centre (AMC) in Hong Kong. It is currently focused on human rights development and social justice for migrant workers in Hong Kong. This would make it a “fourth-generation” NGO in Korten’s terminology. However, founded in 1989 it began as a first-generation NGO for improving the physical welfare of and providing legal and immigration assistance to Filipino domestic workers in Hong Kong. Its constituency has since been enlarged to include all migrant workers.

Building on earlier programmes, AMC developed a second-generation strategy in 1995 in the form of its Reintegration and Savings Programme, with the objective of enabling returning migrants to be self-reliant. Savings groups were set up among Filipino, Thai and Indonesian domestic workers, and training in entrepreneurship was provided by AMC, with the view that they would become independent entrepreneurs in their villages on their eventual return. While it is too early to predict how successful these programmes will be, it is interesting to note that this second-generation strategy of promoting self-reliance emerged from AMC’s agenda of advocating economic sustainability as a human right — that is, a fourth-generation strategy.

This underscores my point that Korten’s generations of NGO strategies are complementary and do not necessarily, preclude or replace existing strategies. Furthermore, this example shows that it is possible for an NGO employing later generation strategies to seamlessly adopt practices that are of an earlier categorical generation, just as it is possible for those with older generation strategies to reconstitute themselves in a dynamic environment. Strategies that advocate second-generation self-reliance through, for example micro-enterprises, have sometimes ended up catering to the humanitarian and welfare needs of participants involved in these projects, in line with the characteristics of first-generation strategies.

As a heuristic device, Korten’s typology allows NGOs to be understood flexibly according to the strategies employed in achieving their objectives, which are often obfuscated by the diversity of their activities. For an analysis and overview of a number of NGOs dealing with Southeast Asian migrant issues in Hong Kong, I have identified them according to the four key strategies identified by Korten. They are, however, by no means absolute with a number of NGOs using more than one strategy to structure their work.

The multiple roles of the sixteen NGOs, include the following:

- Twelve NGOs support the development of migrant workers’ rights;
- Nine NGOs provide some form of humanitarian assistance to migrant workers;
- Two NGOs provide training in alternative approaches to economic sustainability;
- Three NGOs produce publications advocating human rights development and social justice.

Given their diverse organisational histories, migrant NGOs in Hong Kong are today, largely concerned with the development of migrant workers’ rights. They fall under people’s movements employing fourth-generation strategies. While there are certainly differences even among NGOs practising the same strategies, a discussion of one such example, that of AMC (referred to earlier) will illustrate the nature of such an organisation in and outside of Hong Kong. NGOs in conventional roles of providing welfare and assistance, or first-generation strategies are nearly as frequent, followed by those promoting first- and second-generation strategies.

Among these NGOs in Hong Kong, none were found to be engaged in Korten’s third-generation strategies of working with local communities of sending states, either to challenge their system of local and national power or to make local authorities (in sending states) more responsive to people’s needs. This leads me to conclude that such third-generation strategies are perceived by the NGOs in Hong Kong as belonging more appropriately to the NGOs found in such places. (But they do join local demonstrations, e.g. against the introduction of Article 23, albeit for their own aims; also the migrant NGOs here do work with those in the home countries, e.g. the Philippines to lobby against their own government. Indeed, it is because they are so linked to their home organisations that they have become factionalised in Hong Kong.)

I have identified three NGOs — AMC, ARENA and Tulay Ng Tagumpay — that provide publications on issues of migrants’ rights (among fourth-generation NGO strategies) to highlight the increasingly important role and influence of print among grassroot organisations, in the expansion of “communities of sentiment” and the discourse on human rights. For example, one of these three NGOs, the Asian Regional Exchange for New Alternatives (ARENA) aims to contribute through its research and publications to the following:

- The mobilisation of civil society and popular participation in public life, the empowerment of peoples and the enhancement of people’s capabilities to transform their lives and conditions;
- The transformation of values and consciousness;
- The advocacy and enhancement of policy and institutional reform at local, national, regional and international levels;
- The building of a community of concerned Asian scholars and scholar-activists and the promotion of cross-border alliances and cooperation.²⁰

Likewise, AMC which is oriented towards the mobilisation of migrant workers both locally and regionally, documents and publishes the *Asian Migrant*
Yearbook, Asian Migrant Forum, Asian Migrant Bulletin, puts news updates on its website and occasional publications, such as proceedings of consultation, educational materials, research studies and training manuals. Its fourth-generation strategies are explicitly directed at:

- Assisting migrants’ efforts toward self-organising;
- Helping to strengthen migrants’ organisations and support groups in various Asian countries;
- Generating public support for migrant issues and needs through education campaigns.

AMC’s second-generation strategies aim at increasing migrants’ self-reliance and economic alternatives on their return home by:

- Providing education and training for migrants in small business entrepreneurship;
- Organising migrants’ savings towards such “reintegration” activities.

Table 2 shows that most of the 16 NGOs in Hong Kong working on migrant issues utilise first- and fourth-generation strategies.

Table 2: Strategies of Migrants’ NGOs in Hong Kong

<table>
<thead>
<tr>
<th>NGOs for Migrant Workers</th>
<th>Generation of Strategies Employed</th>
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<td></td>
<td>First</td>
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<td>Action for Reach Out</td>
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<td>Asian Human Rights</td>
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<td>Commission (AHRC)</td>
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<td>Asia Pacific Mission for Migrant Filipinos (APMMF)</td>
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<tr>
<td>Asian Domestic Workers Union (ADWU)</td>
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<tr>
<td>Asian Migrant Centre (AMC)</td>
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<tr>
<td>Asian Migrant Workers Social Service Project &amp; Filipino Social Service Project CARITAS — Hong Kong</td>
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<td>Asian Regional Exchange for New Alternatives (ARENA)</td>
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<tr>
<td>Diocesan Pastoral Center for Filipinos</td>
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<tr>
<td>Domestic Helpers &amp; Migrant Workers Programme</td>
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<tr>
<td>Filipino Prayer, Share and Care Group</td>
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<tr>
<td>Indonesian Migrant Workers Union</td>
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<tr>
<td>Mission for Filipino Migrant Workers Society</td>
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<tr>
<td>Philippine Domestic Workers Union</td>
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<tr>
<td>Thai Workers’ Association</td>
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<tr>
<td>Tulay Ng Tagumpay</td>
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<tr>
<td>United Filipinos in Hong Kong (UNIFIL–HK)</td>
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</table>
NGOs adopting fourth-generation strategies are also differentiated by their approaches to advancing migrants’ rights. United Filipinos in Hong Kong (UNIFIL–HK) has as its members, migrant NGOs. While the activities of this alliance are determined to some extent by its member NGOs, its focus is on education, training and campaigning for migrants’ rights. It is, in a sense, an organisation for mass action that conducts picket-rallies, public forums, protest marches and other forms of mass actions in the way that AMC does, but quite differently from, for example, ARENA.

Collaboration, Coordination and Critical Advocacy

In her examination of the political campaigns waged by Filipino NGOs in Hong Kong, Law observes that although some aspects of the campaigns remained bound to the discursive sphere of Filipino national politics, the campaigns “transcend the territorial boundaries that delineate flows of labour migration” (2002:206). The following section will examine the role played by AMC in two central areas of its operations — assisting migrants’ efforts toward self-organising, and helping to strengthen migrants’ organisations and support groups in various Asian countries — which transcend both territorial and cultural boundaries.

Incorporated in 1991, AMC began informally in 1989 under the leadership of May-an C. Villalba, a Filipino national, to address the welfare needs of Filipino domestic workers in Hong Kong. At the time of my research, it had a staff of five, two were Filipinos, one of whom was its chief executive. As a legacy of long Filipino involvement (see Law, 2002) and a consequence of Filipinos constituting the largest group of non-local workers in Hong Kong, numerous NGOs remain Filipino in the sense of Law’s usage of the term “Filipino NGOs”. AMC has since pioneered or assisted in the establishment of numerous migrants’ organisations, networks and initiatives, that have in the process entrenched the presence of NGOs as serious participants in civil society. AMC has played a key role in the formation of organisations, such as the Migrant Forum in Asia, Coalition for Migrants’ Rights, Indonesian Migrant Workers Union, Thai Women Association, Far East Overseas Nepalese Association and Association of Sri Lankans in Hong Kong.

Migrant Forum in Asia

In 1994, in recognition of the need for more effective communication and coordinated action among NGOs and representation for migrant workers on a regional basis, AMC spearheaded the establishment of an inter-regional network, the Migrant Forum in Asia (MFA). Regional solidarity for migrants’ rights was deemed critical in migrant receiving countries in Asia to address issues of religious, racial and gender discrimination, exploitation and violation
of their human rights, and denial of migrants’ rights to organise, unionise and have access to legal protection. With 19 member organisations from Bangladesh, India, Indonesia, Japan, Malaysia, Philippines, South Korea, Sri Lanka and Taiwan, MFA defines itself as:

A network of independent grassroots migrant advocacy and support organisations based throughout Asia. Our principles of unity are based upon a common platform of advocating for and supporting the struggle of migrant workers.

One of its earliest principles for regional unity was “Solidarity for the Protection of the Rights and Welfare of Migrant Workers” in 1994 (AMI, 1999:40).

Apart from its catalytic role, AMC provided the administrative capacity for a number of years before MFA was institutionalised and, intermittently, when the MFA Secretariat charged with its daily operations was vacated. In 1998, it launched its first Joint Campaign for Migrants’ Rights in Asia as a collective effort to promote migrants’ human rights both regionally and internationally. The theme of another campaign in 2000 was “Migrants’ Rights are Human Rights.” Its goals were to:

- Increase pressure on countries in Asia as well as those in other regions to sign and ratify the 1990 International Convention on the Protection of the Rights for All Migrant Workers and Members of their Families;
- Engage a larger sector of the general public in the debate over violations and violence against migrant workers, especially among women in particular;
- Empower migrant workers themselves through education about their rights both in their host and home countries;
- Increase the effectiveness of their documentation, monitoring and reporting of violations against migrant workers.

The year 1998 proved a dismal one for the ratification and signing of the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families with no ratifications made that year. Advocacy and lobbying accelerated with the establishment of The Global Campaign for the Ratification of the UN Migrants’ Right Convention in the same year. MFA serves on its steering committee, comprising regional and international NGOs launched during the 54th session of the UN Commission on Human Rights (UNCHR) in April 1998 (AMI, 2000:56–57). With increased momentum, a total of 14 ratifications and 7 signatures were received by September 1999. For the UN Convention to enter into force, it has to receive 20 ratifications/accessions. A major objective of regional NGOs like MFA is the identification and lobbying against institutionalised obstacles to the acceptance of universal standards that recognise the human rights of migrant workers.
As a regional network of member organisations, MFA adopted the Rights and Roots Campaign for 2000 and beyond, coordinating region-wide joint actions to lobby governments towards policy change, giving priority to migrants’ issues and raising awareness of migrants’ rights through public education. In calling for the UN and Asian governments to proclaim 18 December as International Migrants’ Day, MFA member organisations in Bangladesh, Indonesia, Japan, the Philippines, South Korea and Hong Kong held marches, cultural performances and made public demands on their respective governments simultaneously.

In another example, a joint regional cooperation took place when MFA identified the UN World Conference Against Racism, Xenophobia and Related Intolerance in Durban, South Africa, in August 2001, as a platform for the network and its member organisations to lobby governments to respond to discrimination faced by migrant workers in Asia. Represented individually and as a regional bloc, MFA and its members participated raising issues central to migrants in Asia. The following statements, perhaps attest best to the role of NGO networks to lead, catalyse participation, and give voice to regional concerns in global forums.

The High Commissioner for Human Rights and Secretary-General of the World Conference, Mary Robinson, has stressed from the outset that she considers NGO involvement a key to the success of the World Conference. Addressing the first session of the Preparatory Committee in May 2000, she stated: “I have made it clear, and will repeat again, that I have in mind a Conference with the broadest possible involvement of civil society.”

In his address at the Non-Governmental Organisation (NGO) Forum running parallel to the Racism Conference in Durban, the UN Secretary-General Kofi Annan had this to say:

No United Nations conference is complete without its NGO Forum. Gatherings like this are the best answer to our critics, and perhaps one of the best reasons for having UN conferences at all.

So often it is you, the civil society activists, who breathe life into these events. Sometimes it is also you who bring clarity, because you can discuss openly those awkward issues that governments have to avoid, or to blur, in the interests of reaching consensus.

Each conference helps to reveal the global dimension of a problem, and thereby creates new networks — bringing new participants from many countries into a common debate, and sometimes leading to a worldwide campaign. I believe that is happening here.

**Indonesian Migrant Workers Union**

In the early 1990s the number of Indonesian women arriving in Hong Kong as domestic workers increased significantly. At that time, due to an absence of migrant-oriented NGOs in Indonesia, AMC initiated relations
with NGOs in Jakarta, which had been organised to look into women’s issues, to follow up on returning migrant workers from Hong Kong who had encountered various forms of abuse during their employment there. Indonesian domestic workers were found to face even more exploitative practices than their Filipino counterparts, both in Hong Kong and before they left Indonesia. AMC’s role in organising Indonesian migrant workers began in a way characteristic of AMC’s commitment to the growth, both in numbers and effectiveness — of migrants’ organisations.

In 1995, AMC was approached by three Indonesian women migrants who needed legal assistance as victims of exploitative employment practices. With AMC’s assistance and the successful completion of their legal suit against their employers, they joined AMC’s savings programme for migrant workers. As the size of the group grew, it formalised itself into the Indonesian Group or IGHK, registered under the Hong Kong Societies Office in 1996. Through the training and educational programmes AMC provided, leaders and members of the IGHK became increasingly aware of human and social rights issues, and the importance of being formally organised (AMJ, 2000:22). However, the painstaking process of confidence and team building was plagued with problems of limited time off among these migrant workers — sometimes just one day in a month — language, educational levels, gender role perceptions and other cultural differences. Information flyers were distributed to thousands of Indonesian domestic workers, who congregated at Victoria Park on their off days, with the aim of recruiting new members for the IGHK. Officers and members, however, were intimidated and fearful of the reaction of recruitment agencies. In one such reaction, an AMC volunteer was physically assaulted in retaliation for exposing the illegal activities of some recruitment agencies (AMJ, 2000:23).

For Indonesian domestic workers in Hong Kong:

Empowerment did not come easy. The officers remained afraid of publicly asserting their rights, or demanding action from the Indonesian and Hong Kong governments. Their deep-seated fear wasn’t at all easy to break. The officers were terrified of being featured in the press, or seen in the company of activists. They did not want to be in public assemblies and demonstrations. At times, when they attended such activities due to pressure from other NGOs, they had to cover their faces or dress in disguise to avoid recognition (AMJ, 2000:22).

A breakthrough came with a change in IGHK’s leadership which coincided with the changed political climate in Indonesia in 1997. Its newly-elected leaders were eager to undertake bolder issues confronting Indonesian migrants in Hong Kong. At the same time, the Filipino Migrant Workers Union, another group that AMC was helping to organise, was launched
in 1998. Drawing inspiration from this development and through joint public protests, IGHK made the decision to transform the group into the Indonesian Migrant Workers Union (IMWU), believed to be the first-ever union of Indonesian migrant workers in Asia and possibly, in the world. Since its incorporation in 1999, it has represented Indonesian migrants with grievances in seeking redress from the Indonesian Consulate in Hong Kong and the Hong Kong government. It has also collaborated with the Hong Kong Confederation of Trade Unions in joint activities and reinforced its partnership with migrant NGOs in Indonesia. The latter have brought attention to the violations that occur in cross-border processes of migration where such issues fall into an intermediate space recognised neither as belonging to the sending nor recipient states, and which allow perpetrators to escape accountability.26

AMC has been instrumental in multiple aspects of institutionalising Indonesian workers’ activism in Hong Kong and bridging the migrant issues that existed in Hong Kong and Indonesia through the agency and relationships of the newly-formed IMWU. AMC can be credited with raising financial support for the fledging IGHK, providing the necessary training for its leaders in managing and leading the organisations, and raising awareness among IGHK’s members of the human rights discourse. In addition to fulfilling its mentoring role, AMC provided and subsidised IGHK’s and later, IMWU’s administrative functions. Today, it remains both a partner and adviser to IMWU.

**Coming Together in Localised Action**

This section will discuss several examples of the role played by migrant NGOs in negotiating and creating convergence among relatively powerless minority groups, to confront more powerful social actors.

One of the earliest examples of unity took place in Hong Kong as early as 1984 when an alliance of 10 organisations, United Filipinos Against Forced Remittances was formed to protest the Filipino government’s Executive Order 857 which forced overseas contract workers to remit 50 per cent of their earnings through Philippine banks. The alliance was successful when the Philippine government revoked the order. The original alliance renamed itself, United Filipinos in Hong Kong (UNIFIL), an umbrella organisation for about 25 NGOs, who campaign together for the protection of migrant workers’ rights (Constable, 1997; Law, 2002).

In December 1998, in the aftermath of the Asian financial crisis, employers’ groups backed by politicians proposed a 35 per cent wage cut in minimum wages for migrant workers employed in Hong Kong. In response, these NGOs held a series of dialogues with legislators, collected signatures and organised demonstrations in protest. A 6,000-strong demonstration was
held and 50,000 signatures were collected. This was one of the largest organised demonstrations to have taken place in Hong Kong brought about by the coalescing of minority discontent through NGO coordination and collaboration. It testifies to the potential of organising and mobilising mass support for building broad-based civil society responses. As a result, the reduction in wages was reduced to a token 5 per cent from HK$3,860 (approximately US$495) to HK$3,670 (approximately US$471) in May 1999 (AMY, 1999).

This unique ability to build coalitions beyond narrow organisational agendas was evident again in early 2001 in the organised, multinational protest of migrant workers on behalf of Indonesian workers, against the imposition of fees by Indonesian authorities for contract renewal. The outcome of this NGO collective endeavour resulted in the Indonesian authorities’ agreement to reduce agency fees for the renewal of Indonesian workers’ contracts in Hong Kong.

My research also reveals that the collaborative actions of NGOs have forged an emerging sense of solidarity and class identity among migrant workers of different national identities and religions. In one case, homeless Muslim Indonesian workers waiting for their wage claims to be processed by the Labour Tribunal in Hong Kong, a process that can take months, lived on the church premises of a Filipino congregation for several months. The 600-square-foot hall alternated as congregation space and living quarters (SCMP, 16 July 2001). In another example, local domestic workers in Hong Kong supported foreign domestic workers in the face of threats of reductions in the minimum wage earned by the latter (SCMP, 20 November 2001). Membership of migrant worker unions with the Hong Kong Confederation of Trade Unions helped in establishing relationships between local and migrant workers through joint actions and the sharing of institutional resources (AMY, 2000).

Recently, tensions have risen again over demands for cuts in migrant workers’ wages in the midst of Hong Kong’s dismal economic performance. The Employers’ Association, backed by politicians, asked for a reduction of HK$500 (approximately US$64) from the minimum wage, while more extreme elements suggested a reduction of 30 per cent or HK$1,100 (US$140) in the monthly wage from HK$3,670 (US$471) to HK$2,500 (approximately US$321). Coming on the heels of the 1999 5 per cent pay cut of HK$190 (approximately US$24), NGOs representing migrant worker interests in Hong Kong organised to resist yet another wage cut (SCMP, 24 November 2001).

NGO activities to thwart threats to migrant workers’ wages have inspired unified action by the governments of the sending countries — namely, Thailand, Indonesia and the Philippines — to send emissaries to Hong Kong to negotiate for the protection of the wages of their nationals working abroad (SCMP, 28 November 2001; 11 December 2001).
February 2002, the government dropped proposals for reductions to the minimum wage (SCMP, 1 February 2002), but this victory may prove short-lived as the threat looms again one year later (SCMP, 22 February 2003).

While there have been successes, NGOs have been struggling without making much progress with a Hong Kong policy, the New Conditions of Stay, instituted in 1987. The policy requires that a domestic worker who has been terminated from her contract or who has left her employment voluntarily, leave Hong Kong at the end of two weeks if she cannot find new employment, thereby reducing further the mobility of foreign domestic workers. Two weeks is generally considered too short a time for employment to be found. Failing to find a job within that time, the migrant worker would have to return to her country of origin to begin the lengthy and costly process of new applications which imposes a tremendous financial burden. Despite numerous protests and campaigns, the Hong Kong government’s official response as late as 2002 remains that, if the worker cannot find a new job within two weeks, extending this period to three weeks or even four weeks will not be useful and that there are no plans to change this policy. As a policy, the New Conditions of Stay has the weight of legal force as it is consistently and uniformly applied to foreign domestic workers by Hong Kong authorities, and therefore continues to serve as a platform for uniting NGO activism in Hong Kong.

**NGOs as Legitimate Actors in Civil Society**

In response to various criticisms levelled at NGOs as “lumpen” organisations, this paper shows that NGOs in Hong Kong play a significant role in organising labour discontent among migrant workers. Unlike trade unions, most NGOs are organisations for, rather than organisations of workers, and this paper also shows that given the unique situation of migrant domestic workers, the assistance and advocacy of NGOs for workers will continue to be needed. As mentioned earlier, domestic workers work in the employer’s home — an informal, un-organised and non-regulated workplace where the worker is isolated, one at each workplace — with no institutional resources, for example, a place to meet, or skills in organisation and mobilisation that would allow them to make effective their demands for protection as workers. 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 fair wages, decent working conditions and the human rights of migrant workers. Moreover, NGO intervention has served to encourage migrant workers to lead and represent themselves, reinforcing arguments of workers as agents rather than as victims of change.
Clearly, there is no one development theory that unites all NGOs or even all migrant NGOs in Hong Kong. NGO collaboration is context specific and appears *ad hoc*, or at best temporary in nature. In reality, NGOs recognise the importance of wide networks whose members may coalesce over particular issues or problems; that joint actions are objective-oriented and generally, for specific periods of time, as in campaigns, demonstrations, protests and other forms of mass action. Value-based, these alliances are contextually flexible and relationships among them shift, accommodating their differences, diversity, organisational histories and inter-organisational relations.

Having said that, the conception of workers’ rights as human rights is a unifying platform, and the constitution of a new domestic worker subject have emerged couched in the universal language of human rights that diminishes the specificity of national identities and debates. In its primer to the campaign against the New Conditions of Stay, an NGO, the Mission for Filipino Migrant Workers (MFMW) draws on international standards in human rights’ discourse that have become central to localised struggles.

According to the International Bill of Human Rights of 1948, all human beings are guaranteed the right to free choice of work, and to protection against unemployment (Article 23). And when their human rights are violated, all persons have the right to an effective remedy by the competent national tribunals (Article 8). According to the new 1990s charter of the International Convention on the Protection of All Migrant Workers and Members of their Family, “migrant workers shall enjoy equality of treatment with nationals in respect of protection against dismissal, unemployment benefits, access to public works schemes... and access to alternative employment” (Article 54). Yet, despite these guarantees, and their reiteration in the Hong Kong Bill of Rights, domestic workers in Hong Kong continue to face abuses of various kinds... (MFMW, 1996:n.p., cited in Law, 2002:212–13).

In the face of threats to cut domestic workers’ minimum wage in 1999, the response from workers’ organisations was again composed primarily of appeals to universally recognised standards on the one hand, and solidarity between foreign and local workers on the other.

It is the responsibility of any government that in times of crisis, the wages of foreign and local workers should be protected. The recent pronouncement by the Hong Kong government speaks to the contrary... It is a mockery of universally accepted norms of equality and is contrary to UN and ILO Conventions on the protection of migrant workers. We are one with the local workers in our struggle against any attack on our wage (AMCB, 1999:n.p., cited in Law, 2002:216).

The mobilisation of disparate foreign worker groups in Hong Kong has given rise to a globalising social and political space, increasingly institu-
ationalised by NGO networks and activism. Contested and contextually driven, migrant NGOs and their networks in and out of Hong Kong have made significant connections across national boundaries and on multiple sites. They have created a growing “community of sentiment” (Appadurai, 1990) based on the notion of inherent equality and the language of human rights. In the words of Sulastrri, the first chairperson of IMWU:

We are all workers — Filipinos, Indonesians, Thais and other nationalities. Under the Hong Kong law, we have equal employment rights and benefits. What makes us, Indonesians, toil in such a bad situation, is our fear, our silence. But our long silence has been broken. More and more of our fellow migrants are coming out to expose the scam that has tied us all these years. We might not stop the exploitation now, but we will sooner or later. It is not a question of if, but when! (AMY, 2000:24, italics are mine).

In conclusion, while there may be setbacks in NGO activism, there is an increasing awareness among migrant workers that “publicly campaigning for their rights is not ‘wrong’ or disrespectful” (AMY, 2000:280), and a sense of confidence in demanding recognition of their human rights. In the ebb and flow of history-making, perhaps, lasting social changes do begin with these fundamental shifts in perceptions.

Note

1. “Hong Kong is the largest market for foreign domestic workers who comprise 10 per cent of the total overseas Filipino workforce” (Manila Times, 1991:4). A point of clarification is that this paper refers only to legal or documented migrant workers.
2. Under President Ferdinand Marcos, the Overseas Employment Program was created in 1972 to encourage Filipinos to work overseas. This measure was aimed at addressing multiple social problems of unemployment, declining real incomes and an increasing rate of population growth, and as a means of earning foreign exchange through the remittances of its foreign workers.
4. In an interview with a representative of the Indonesian Migrant Workers Union.
5. Portes and Rumbaut (1996) coined the term “contexts of reception” to map migrants’ incorporation beyond his or her control, in the country of migration. The “context of reception” is shaped by a combination of factors, the most important of which are government policies, labour market conditions, “including patterns of ‘ethnic typification’; and the constitution of the ethnic community” (Portes and Rumbaut, 1996, cited in Parre as, 2001:3).
6. By ‘Filipino NGOs in Hong Kong’, Law means — and draws explicitly from — the experiences of NGOs advocating the rights of Filipina domestic workers, the first of several subsequent ethnic categories to be employed on the same terms in Hong Kong. The Filipino NGOs that Law refers to are not necessarily founded or staffed exclusively by Filipinos, although this is
usually the case. In this paper, I will follow Law in using the term “Filipino NGOs” in a similarly broad way.

7. I will use the term “migrant NGO(s)” to refer to NGO(s) working on migrant worker-related issues.

8. The International Social Service Hong Kong Branch has introduced an invaluable service by providing Information Ambassadors who distribute information regarding Hong Kong’s laws on the employment of migrant workers and telephone help line numbers to all migrant workers arriving at the airport, six days a week.

9. The term “national heroes” was first used by President Cory Aquino in 1988 when she addressed a group of Filipino domestic workers in Hong Kong.

10. Physical abuse includes slapping on the face, hand or any part of the body, spitting, kicking, hitting domestic worker with objects, throwing objects at the worker and beating.

11. Sexual abuse includes employers kissing, touching, peeping, watching, using sexually offensive language, propositioning and raping domestic workers.

12. It was proposed that maids be exempted from an anti-discrimination bill to be introduced in Hong Kong against racial discrimination.

13. This term was first coined by President Cory Aquino in 1988.

14. Examples of UN Conventions relating to the rights of migrant workers:
   — UN Convention No. 97: ratified by 38 member states but not ratified by any Asian country except for Hong Kong, Macau, and the Malaysian state of Sabah.
   — UN Convention No. 143: ratified by 15 member states but no Asian country except for Macau.
   — UN Convention No. 181: ratified by 18 member states but no Asian country.
   — UN Convention No. 157: ratified by 2 member states (Spain and Sweden).

15. In a concept paper on “Civil Society and Governance” by James Manor, Institute of Development Studies, Sussex, 26 August 1999, it was even suggested that civil society may be distinguished from “uncivil”, “anti-civil” or “pre-civil” society.

16. NGOs are viewed as dissimilar to voluntary organisations. Unlike NGOs, voluntary organisations depend on donations of time and resources through their members’ commitment to a common vision (Korten, 1998).

17. Some may prefer alternative terms used by NGOs, such as “conscientisation”, “awareness-raising” or “training”.

18. Apart from the success of NGOs organising for migrant workers, which will be discussed in the text of this paper, another recent example is the success of Long Valley environmentalist groups in preventing the development of a rail link through parts of Hong Kong’s wetlands.


20. An undated document entitled “Theory must be united with practice and the real world, and must always reflect the latter’s dynamism and continuous motion” outlining ARENA’s 2002–2003 Program Thrusts. Hong Kong: ARENA.


23. For a list of other members, see AMIT, 2000:62.
26. For details see AMY (2000).
27. For more examples of successes, see Law (2002).
28. I would like to thank Medelina K. Hendytio for sharing this information with me.
29. First used by Marx to describe the landless and property-less class to indicate a residual category. It is used here to denote its ascription of belonging to a third sector, as distinct from government and private business.
32. A “community of sentiment” was first used and defined by Appadurai as a group that begins to imagine and feel things together.

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