Filipino Studies

*Palimpsests of Nation and Diaspora*

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Toward a Critical Filipino Studies Approach to Philippine Migration

ROBYN MAGALIT RODRIGUEZ

After more than a century of emigration from the Philippines and settlement in the United States, the US Filipino population continues to be largely foreign born. Indeed, during different periods of time over the last decade, Filipinos were the largest im/migrant group in the United States, second only to Mexicans. According to the 2010 Census, Filipinos are the second-largest Asian group after the Chinese. At the same time, the Philippines is one of the top migrant-sending countries in the world. As of 2012, nearly 4,500 Filipinos boarded airplanes to work far from home on a daily basis.

This chapter outlines a Critical Filipino Studies approach to understanding processes of contemporary Philippine e/migration. My use of the term(s) e/migration, as opposed to immigration, is purposeful. A focus on e/migration processes shifts analysis away from the United States's Immigration Act of 1965. This Act dominates both scholarly and popular accounts in explaining contemporary migration from the Philippines to this country. However, to attribute the ever-growing presence of Filipinos in the United States through the Immigration Act of 1965, I would argue, has the effect of reifying US nationalist ideologies of liberal multiculturalism and the idea of the United States as a "country of immigrants," not one of empire. A Critical Filipino Studies approach to Philippine migration to the United States, however, is one that is attentive to the legacies of US imperialism, especially neocolonial state formation on processes of e/migration.

I argue that the neocolonial Philippine state, what I call elsewhere, a "labor brokerage" state, plays a crucial role in producing Filipino labor for the United States today. Analyzing contemporary Philippine e/mi-
migration through the lens of the Philippine labor brokerage state, moreover, exposes how the globalization of Filipino workers as short-term, contract workers is directly tied to the neocolonial relationship between the Philippine state and the United States. Filipinos not only labor in the territorial United States, but also for both transnational US firms and the US military around the world. US capital even manipulates (former) US colonial borders to better exploit workers from the Philippines. By outlining an analysis that centers the Philippine state in understanding contemporary Filipino community formation in the United States and beyond, I build on radical traditions in Filipino Studies.

Furthermore, by attending to the ways that the Philippine labor brokerage state plays a role in the formation of the US Filipino community, the new sets of struggles Filipino im/migrant workers face in the contemporary period become more visible. Recently arrived im/migrants from the Philippines in the United States, many of whom are professionally trained, might appear to be more privileged than their early twentieth-century counterparts. Yet as a labor brokerage state, the Philippines engages in what amounts to nothing less than legal human trafficking. The im/migrants who come to come to the United States, though in many cases highly educated, face new and more complex forms of exploitation. As US immigration policy has become increasingly more restrictive, on the one hand, and the family reunification backlog persists, on the other, Filipinos desperate to find employment in the United States and/or anxious to rejoin their relatives are preyed on by private labor recruiters, in collusion with US employers and ultimately sanctioned by the Philippine labor brokerage state, who are trafficked into low-wage work and often rendered undocumented.

The Historiography of Filipino (Im)migration

Much of the scholarship on the history of Filipino-US immigration has characterized it, either explicitly or implicitly, as being defined by “waves.” Though sometimes the demarcations for the beginnings and ends of particular waves differ, generally speaking there have been three waves identified in the literature: the colonial period from the turn of the twentieth century to just before World War II; post World War II; and 1965 to the present. The flows and ebbs of these “waves” as understood in the scholarship as linked primarily to shifts in US immigration law tied to racialized labor demand.

Beginning during the American colonial period, the “first wave” of Filipino immigration to the United States is explained by most scholars as linked to the United States’s occupation of the Philippines and violent subjugation of the Filipino people after it wrested the Philippines away from Spain in 1898. Many scholars agree that the economic, political, and social conditions in the colonial Philippines and the active recruitment of Filipinos to fill new forms of racialized labor demand in the United States and its territories provide the historical and structural context for early Filipino “immigration.” Indeed, the recruitment of Filipinos was a response to immigration restrictions on previous sources of labor, namely, the Chinese and the Japanese. As “wards” of the United States, Filipinos could more facilely be brought into the country as compared to other foreign workers.

Beyond the demand for cheap labor in agriculture, the political and military exigencies of the colonial state structured the outflow of Filipino “immigrants.” The colonial project of “Benevolent Assimilation” with its expansion of general public education and the US training of would-be colonial bureaucrats (for example the pensionados), as well as the expansion of public health and the necessary training, also in the United States, of health personnel would form pools of prospective and unintentional “immigrants.” Moreover, education produced a kind of “culture of migration” among many Filipinos. Finally, Filipinos’ colonial subject-status as “nationals” enabled their relatively smooth entry into the United States in any capacity, whether as a worker or student.

The end of World War II marks the “second wave” of Filipino immigration to the United States in the literature. To characterize this period as a “wave” belies the new forms of restriction imposed by the United States limiting the immigration of Filipinos. Nevertheless, what marks this period are the restrictions placed on immigration from the Philippines. Restrictions on Filipino immigration to the United States occurred alongside the Philippines’ “independence.” Indeed, these were seen as complementary measures when the 1934 Tydings-McDuffie Act was introduced. Significantly, the moment Filipinos were constituted as Filipino citizens in the Philippines and no longer American colonial subjects, they were simultaneously constituted as aliens in the United
States. In other words, Philippine nation-state formation and citizenship was predicated on Filipinos' exclusion from and inassimilability in the United States. Filipino immigration during this period, limited to a mere fifty per year, was comprised of primarily Filipino World War II veterans and their families as well as the war-brides of American soldiers who served in the Pacific theater. The Philippines' "special" military relationship to the US military allowed Filipinos to evade immigration restrictions.7

The third "wave" of Filipino immigration to the United States is marked by the introduction of new immigration legislation in 1965, which dropped national origins quotas, offered family reunification as a mode of entry into the United States, and favored the immigration of skilled professionals. This third wave of Filipinos is cited as being especially important in the formation of contemporary US Filipino communities. Scholars have found, for instance, that in the immediate period after the enactment of the 1965 Immigration Act, a majority of Filipinos entered the United States as professionals and other highly trained individuals and that they eventually settled in areas outside of the California and Hawaii, regions typically the home for Filipino immigrants in earlier decades. Over time, however, these same immigrants have come to use family unification preferences to help facilitate the immigration of relatives from the Philippines.6 Indeed, this latter form of immigration can even be considered the fourth "wave."

The temporalization of pre-1965 Filipino immigration in "waves" is important because, at least from a Critical Filipino or what Campomanes might call a "radical epistemological" perspective, it highlights the way US imperialism and the colonization of the Philippines distinguishes the movement of Filipinos to United States and their racialization from other Asian groups. In an essay in positions entitled, "New Formations of Asian American Studies and the Question of U.S. Imperialism,"9 Oscar Campomanes calls on Asian Americanists to resist both "contributivism" and "domestication" in their scholarship of Asian immigration, a rejection of both forms the basis of a radical epistemology. Contributivism, according to Campomanes, "effectively valorizes the United States as the supreme nation of immigrants." To domesticate Asian American studies meanwhile is to fail to adequately square with US imperialism in contemporary diasporic formations. Philippine mi-

gration to the United States, according to scholars like Campomanes, is an especially important site for disturbing dominant narratives of immigration as the migrations of Filipino and Filipina laborers at the turn of the twentieth century was a direct consequence of the United States's colonization of the Philippines in 1898.

Yet, examinations of Philippine im/migrant community formation after 1965, often suspend an analysis of the legacies of empire such as underdevelopment or neocolonial state formation in the Philippines. The scholarship often takes for granted that 1965 was a watershed year in Philippine (and other Asian) immigration. Responding to domestic demands for civil rights by racialized minorities as well as to international pressures within the context of the Cold War to exhibit truly democratic ideals, it was in the field of immigration policy that the United States sought to remake itself and live up to its self-proclaimed status of being a "nation of immigrants" by eliminating all forms of racist immigration legislation. This sort of understanding of Philippine im/migration after 1965, however, tends toward the "domestication" that Campomanes warns us against.

Moreover, because post-1965 im/migration from the Philippines has a fundamentally different character from earlier waves (characterized by highly educated, professional rather than low-skilled, low-status workers, more recent im/migrants from the Philippines may be analyzed as (and may think themselves as) having had more agency and choice in im/migrating than their predecessors. In this way, conventional understandings of Filipino im/migration can fall into the trap of "contributivism" that Campomanes fears.

What is less analyzed in post-1965 Filipino im/migration scholarship is the lasting legacy of colonization for Philippine nation-state formation after "independence," the underdevelopment that has resulted as a consequence of neocolonialism and the active role the neocolonial state would eventually play in both promoting and facilitating out-migration. The de-marcaion of latter twentieth-century im/migration from the Philippines as "post-1965" is therefore problematic because it fails to recognize that not long after the United States introduced the 1965 Immigration Act, the Philippine government institutionalized the export of labor in 1974 as a developmental intervention.10 The institutionalization of labor export, which marks the Philippines' emergence as a "labor brokerage" state is
linked to neocolonial state formation and the underdevelopment the elites at the helm of the Philippine state have actively facilitated.

The neocolonial state allied itself with US imperialist interests in ways that would ultimately give rise to labor brokerage. First, the newly "independent" Philippine state closely complied with the dictates of multilateral institutions like the World Bank and the International Monetary Fund (IMF) adopting developmental initiatives that favored export-oriented industrialization through major influxes of foreign (often US) capital both in the form of investments and loans. Borrowing heavily from the World Bank and the IMF, the Philippines was subject to conditionalities, so-called structural adjustment, which often required the diversion of national funds away from public services (including education and health) to loan repayment. Additionally, structural adjustment required the liberalization of trade, labor contractualization, and other policies that were aimed at making the Philippines more attractive to foreign investors. Structural adjustment, perhaps not surprisingly, elicited much resistance from the Filipino people. In the early 1970s, the Philippines state's resolution to controlling this resistance was through the imposition of Martial Law in 1972. Another resolution instituted shortly after the declaration of Martial Law was the introduction of the labor export policy or Presidential Decree P.D. 442 in 1974.

Building on earlier structures established during the colonial period (the Philippines' culture of migration, American colonial education as well as the Philippines' close economic, political, and military ties to the United States), the labor export program was expected to generate much-needed foreign exchange to service the government's growing debts. At the same time, it was hoped that the active promotion of overseas employment would alleviate the social pressures that were feeding oppositional movements. US imperial legacies, specifically the institutionalization and normalization of labor migration under the US colonial state, on the one hand, and neocolonial socioeconomic conditions after colonialism, on the other, made labor export both necessary and practicable as a developmental intervention in the Philippines by 1974. US colonialism's impacts on Filipino (im)migrations are not limited to formal colonialism but extend to neocolonial Philippine state formation.

The labor export policy gave rise to a vast transnational labor brokerage apparatus through which the state mobilizes Filipino migrant labor for export. The state's consular offices abroad facilitate the distribution of Filipino workers as Philippine labor attaches actively market Filipino workers abroad through conventional advertising techniques and through diplomacy. Then, through what is literally a kind of bureaucratic assembly line based in the Philippines, the state trains and "officializes" migrants, that is, it provides migrants with the necessary skills and documentation for immediate employment overseas.

Through the labor brokerage apparatus, the Philippine state produces migration from the Philippines to the territorial to the United States and to key sites (countries) vital to US global capital and empire. While US immigration law might have changed in 1965, what has not changed is US capital's demand for racialized, Philippine labor. Now footloose, US capital need no longer be encumbered by the thorny issues of restriction and exclusion that characterizes US nativist immigration politics past and present; it can instead depend on a long-reliable source of labor, the Filipinos, which can (unlike before) be easily secured and at the same time easily rendered back to its home country. US capital has globalized; so too have Filipino workers. The globalization of Filipinos is, furthermore, specifically tied to the US military as it operates around the world. Moreover, as the American empire, the military-industrial complex, along with globalizing US capital spread across the world, Filipino labor, as a preferred and accessible pool of labor, has followed suit by finding its way to the territorial United States as well as to the US empire's reach globally.

In this moment of neoliberal globalization, the Philippines is all the more dependent on labor export to reproduce the social order. The state can promise jobs overseas as it imposes "flexible" work regimes at home. As remittance money flows into the Philippines to support and sustain Filipino families and communities, the state can reduce its expenditures for social goods. In effect, through labor brokerage, the state can mask the displacements and inequalities that are endemic to neoliberalism. The Philippines has developed a transnational migration apparatus, which serves as a veritable export-processing zone to facilitate the out-migration of workers. What I call labor brokerage is an economic strategy by the neoliberal Philippine state through which it draws from its overseas' citizens earnings abroad to pay for its exorbitant debts. It is, moreover, a political strategy through which it aims to absorb growing
discontent among its citizens at home. Filipino families can draw from a source of income, albeit abroad, from which they can pay for education and health care, public services that the state is increasingly privatizing. There is a way that the historiography characterizes Filipino immigration pre-1965 as more conscripted and coerced because of the US colonial labor system than post-1965 e/migration, yet given the conditions wrought by neoliberal globalization that make it nearly impossible for many Filipinos to have secure livelihoods at home belies the notion that post-1965 is more voluntaristic than early e/migrations.

The contemporary im/migration of Filipinos to the United States as well as the migration of Filipinos as contractual workers beyond the United States must be linked to legacies of US imperialism. It is the neocolonial labor brokerage state that facilitates both processes. My work complicates mainstream understandings of im/migration and how migrants labor for the United States, as I suggest that Filipinos labor for empire both within its territorial boundaries and the globalized spaces it occupies through the intervention of the neocolonial state. What I contribute is an attention to specific sets of neocolonial state practices that allow us to better understand these linkages. I examine the collisions between the Philippine and US state officials as their particular interests in foreign aid, military expansion, cheap labor, or access to labor markets coincide.

Methods

The research I discuss here is based on nearly fifteen years of transnational research. My work included participant-observation or ethnography along the Philippines’ transnational migration apparatus, which includes a number of offices in the Philippines as well as the Philippines’ consular or embassy offices overseas. In addition to ethnographic work, I conducted in-depth interviews of migration officials. These officials ranged from lower-ranked program administrators to top-ranked bureau heads. During the course of my research, I was also able to secure internal as well as publicly available government documents. In addition to examining the state, I conducted in-depth interviews with prospective migrants in different stages of the migration process including those considering migration for the first time, migrants being redeployed for overseas work, as well as return migrants.

Alongside nearly fifteen years of research, the issues discussed here draw from my even longer history as a Filipino im/migrant rights advocate. I turn now to a discussion of the mechanisms by which workers from the Philippines are actively mobilized by the Philippine state to labor in the United States and globally and how Filipino migrants’ globality is connected with US imperialism.

The Labor of Empire

When the United States declared its global “war on terror” during the administration of George W. Bush, Philippine president Gloria Macapagal Arroyo was among the first heads of state in Asia to pledge membership to the “coalition of the willing.” In addition to expressing a willingness to host US troops in the Philippines for joint military exercises, the Philippine government exhibited a willingness to deploy Filipino migrant workers to assist in US militarization and occupation efforts. Shortly after President Arroyo’s visit to the United States, the Philippines’ main migration agency, the Philippines Overseas Employment Administration began posting public announcements about the availability of ten to fifteen thousand jobs in the Middle East “due to the presence of U.S. forces” (Rodriguez 2010).

The globalization of Filipino labor is crucially linked to the globalization of US empire as well as US capital. The Philippine state plays an active role in facilitating the placement of Filipino workers in the various sites where the US military and firms are located around the world.

Philippine state officials use both formal and informal diplomatic relations as part of its labor brokerage work. In President Arroyo’s case, a formal diplomatic mission to the United States aimed at publicly affirming the Philippines’ commitment to the global war on terror and therefore securing military aid also became a marketing mission to prospective employers of Filipino workers. Though the Philippines has now banned Filipino migration to Iraq, the fact that Filipino workers were successfully deployed to that country and its neighbors for US military forces in the region after a successful marketing campaign by the Arroyo administration illustrates how the Philippines’ neocolonial status vis-à-vis the United States continues to shape processes of Filipino e/migration.
The scholarship on Philippine imm/migration to the United States documents how joining the US military has been an important strategy by which Filipinos enter the United States. Their ability to do so was directly connected to highly unequal bilateral agreements penned between the United States and the putatively “independent” Philippines in 1946. The legacies of colonialism, however, run deeper than these agreements as they also shape the orientation of the Filipinos’ migration program. Filipino laborers today can be flexibly and comprehensively employed to provide for the US military’s various needs without actually immigrating and settling in the United States. This indicates a major shift in the ways Filipinos labor for the US military, a shift that is facilitated by the Philippine government.

My research, furthermore, suggests, Filipinos’ global dispersal is significantly linked to negotiations between the Philippines and US firms. One high-ranking migration official in the International Labor Affairs Service recounted that he was part of a “marketing mission” to the United States with major construction contractors who had operations in the Middle East in the early 1970s when the labor export policy was first institutionalized. He describes how “instead of dealing with these companies’ Middle Eastern muddlemen, we went straight to the head offices to get a head start over other bidders of foreign labor.” Clearly, this marketing work has had an impact on out-migration to Saudi Arabia as it continues to be among the top-ten destination countries for Filipino workers. Moreover, this interview reveals how Filipinos’ employment in Saudi Arabia is ultimately linked to the expansion of US firms. This highlights the deep linkages between the neocolonial labor brokerage state, the globalization of US capital, and the formation of the contemporary Philippine labor diaspora.

If US capital globalizes production to maximize profits, Filipino workers, in some cases, are the preferred laborers from whom to extract profits. In the garments industry, for instance, many Filipinos work in foreign countries producing clothing for US markets. Through field research in Brunei, I learned that a significant number of Filipinos labor in the country’s garment factories. In the factories I examined, Filipino migrants produced garments mainly for US-based retailers like the Gap and Old Navy. According to a Brunei-based labor recruiter who had worked throughout Southeast Asia supplying garments factories with low-wage workers, “When [a clothing tag] says ‘Made in Brunei,’ or ‘Made in Indonesia,’ it should really say, ‘Made by Filipinos.’”

US capital, however, need not go too far to set up shop. Garments manufacturers have located to sites within the territorial jurisdiction of the United States, yet they are virtually exempt from US labor and immigration laws. These sites include places like Saipan in the Commonwealth of the Northern Marianas Islands (CNMI). The CNMI has long instituted a guest worker program; indeed, the foreign worker population there outnumbers the native (local) population. A majority of these workers are Filipinos. Many have lived in the CNMI for many years but are ineligible for the rights of US citizenship, a right that is reserved for CNMI natives. Indeed, even the goods produced in the CNMI can claim “Americaness” as all goods produced there can legitimately carry the label, “Made in the U.S.A.” Perhaps not surprisingly, many migrant workers are employed in the garments industry.

As short-term, foreign contractual workers in places like Brunei, Filipinos are a cheap labor force subject to exploitation. Indeed, I decided to do research in Brunei when Filipino garments and textiles workers went on a wildcat strike to demand higher wages, back wages for unpaid overtime, and safer working conditions. Meanwhile, Filipinos can be lured to work in places like Saipan with promises of jobs in “America,” where they labor under similar conditions. In 1999, a mainstream media exposé revealed that Filipina migrant labor in garments factories there suffered extreme forms of abuse. American borders, here, are manipulated for US profits. The logics that have always informed the United States’s unincorporated (colonial) territories are still operable here as they are characterized by “suspended undecidability: U.S. and not-U.S.; foreign and domestic.”

Labor brokerage is not merely about the export of workers, but indeed on the state-to-state relations on which they depend. Seemingly paradoxically, labor brokerage also means the facilitation of the repatriation or deportation of Filipino workers when they are economically redundant to foreign employers or politically contentious for host states.

In the wake of the wildcat strike of Filipinos and Filipina garment workers employed in Brunei-based factories producing clothing for US markets, for instance, Philippine embassy officials, including the vice president of the Philippines, instructed workers to go back to work.
Many refused and continued to press the Philippine government to help them secure better terms of employment for workers. Government officials, however, ultimately encouraged migrants to accept the employer's counteroffer. When workers declined it, embassy officials mobilized government funds to "repatriate" workers back to the Philippines because the Philippine state is invested in sustaining diplomatic relations with the Brunei government in order to continue exporting workers to this lucrative labor market. Workers' demands are secondary to the requirements of a labor brokerage state.

The Philippine State and Emigration to the United States

The US Filipino population can be understood as linked to the Philippines' labor brokerage program. This is perhaps most clear in the H1B visa program. The H1B program is a work authorization visa for non-immigrant professionals in the United States. As of 2010, the Philippines was among the top-five countries supplying workers to the United States through the H1B visa program. The Philippines brokers labor by directly marketing Filipino workers to firms hiring temporary labor in the United States. It also brokers labor by providing the employment-related training that would qualify emigration from the Philippines for H1B visas.

I learned from interviews of Filipino migration officials in the early 2000s that former president Joseph Estrada along with other government representatives had made efforts to promote Filipino workers in Silicon Valley during a state visit to the United States. An official of the Philippine Overseas Employment Administration's Marketing Branch, she stated, "There we met directly with employers. Because this industry hires temporary workers, it is a market for Filipino workers. Unlike the Canadian IT industry which favors immigrants, there is no prospective market there." This quote demonstrates that Philippine state officials do not merely supply temporary, contractual workers to the United States's globalized military complex or US global capital operating outside of the country, but they supply temporary, contractual workers directly to firms within the United States.

Alongside a transnational labor marketing apparatus, which actually includes the Philippines' head of state, is the Philippines' migration assembly line. In the Philippines, prospective migrants are swiftly processed through several migration bureaucracies where they receive whatever training they may be required to complete by their employers or host countries prior to leaving for overseas jobs. Moreover, it is on the assembly line where their passports and employment visas are secured. From migrants' perspectives, training becomes an opportunity to secure a much-valORIZED US visa.

Chiari, a practicing dentist, and her husband Lorenzo, who ran a small carwash from their home, decided to get training and certification as caregivers in order to secure an employment visa from a relative who owned a home-care business in California. The US embassy denied Chiari and Lorenzo's tourist visa applications two times. Though I did not discuss it with Chiari and Lorenzo, it seemed that they ultimately planned to overstay their temporary visas and live and work illegally in the United States once they arrived. Chiari described how difficult the interview process was: "They ask you a lot of questions but you can't explain your answers in Tagalog, only English. I don't think we gave good answers when we were interviewed [for the tourist visa]. We hope this will be a good avenue for migration because my uncle handled our H1B visa papers since we're going to work for him." Chiari believed that after completing the caregiver-training course and receiving official certification, she and her husband might be more successful in getting their US visas: "At least when we are finished with this course we will get a certificate. When they interrogate us at [US] immigration, we can prove to them that we're really interested in working there. We can't fake it because we'll have the certificate." She noted, "We could never go to the US embassy without the certificate proving that we have graduated. They get so suspicious." Lorenzo joked, "You can actually buy a [fake] certificate. But if they ask you at the embassy if you understand this course that you finished, then it's good to complete it anyway."

Chiari and Lorenzo's experience not only points to the importance of officialized training in securing US visas, it also points to the complex ways Filipinos use family networks to manipulate immigration legislation. Chiari's uncle serves not as a "family sponsor" under 1965 immigration law, which most scholarship attributes to the growth of the Filipino population in the United States, but as an "employer sponsor."

A US visa (regardless of the visa type) can almost guarantee a prospective migrant a job in any other part of the world. A. J., a private Eng-
lish tutor in South Korea, believes that her previous travel experience to the United States, facilitated by her father, formerly employed as a construction worker in Saudi Arabia, helped her when she first decided to work abroad. In fact, an examination of visa application requirements to South Korea in the Philippines reveals that A.I. may have been right; the South Korean embassy in the Philippines exempts "holders of valid visas to the U.S.A., Canada, Japan, Australia, and New Zealand" from applying in person perhaps making it easier for prospective migrants to secure work in that country.

Peter’s case also illustrates how a US visa can help prospective migrant to secure employment in third countries. Hired to work as a manager for a US-based restaurant chain, Peter was sent to training at the chain’s Los Angeles headquarters. He was laid-off, but eventually he got employment at another US-based chain. Though he was laid-off again, Peter believed that his experiences in the United States would help him migrate to a different country for employment.

Since I went to the United States for training and I came back to the Philippines when it ended, I think I can prove to other countries that I can be a responsible worker; that I’m not going to overstay my visa. When I was in the States, [my relative] joked that I should just [overstay my visa] because there are a lot of Filipinos who do that, but I couldn’t. If I [overstayed my visa] I would be separated from my family for too long. Anyway, at least I can apply for a visa somewhere else. Also, since I worked for US companies, I can prove that I have good skills.

For Peter, both travel to the United States and work experience at major US multinational restaurant and café chains provides him with the potential to successfully apply for work visas in other countries.

Beyond directly (and indirectly) facilitating e/migration through bilateral or diplomatic relations, and the bureaucratic assembly line, the Philippine state facilitates e/migration by promoting the private labor recruitment industry. Indeed, the private labor recruitment industry cannot thrive without some kind of assistance from governments. If labor-importing states do not offer visas for foreign workers, labor recruiters have no market. Yet, at the same time, if labor-sending states do not also forge relationships with labor-importing states, visas are less likely to be offered to their citizens. Again, labor recruiters lose out. However, Philippine-based labor recruitment agencies (or those recruitment agencies who specialize in the overseas placements of Filipino workers) profit from the Philippine states’ labor brokerage strategy. That Filipinos constitute one of the top-groups with H1B visas, I would argue, is directly linked to the Philippine government’s labor export program.

There is more and more evidence that private labor-recruitment agencies, both Philippine and US-based, are playing a crucial role in mobilizing Filipino migrant workers through the H1B visa program. The Baltimore public schools system, for instance, imported Filipino teachers with the assistance of private labor recruiters after learning of successful cases of Philippine labor recruitment by the states of California and Louisiana among others.

Finally, one way the Philippine state facilitates e/migration to the United States is by representing it as “natural” result of US-Philippine relations. In an account of the history of Philippine migration by the Philippine Overseas Employment Administration, it reads “in the 1960s when Hawaii experienced severe manpower shortage. Two hundred Filipinos initially went there and followed by more until they formed about 70% of Hawaii’s plantation labor.” It further describes how “then Filipinos became in demand in California as apple and orange pickers and gained a reputation as fruit pickers, prompting plantation owners to increase incentive for manpower recruitment.” Early Philippine labor migration to the United States is characterized as voluntary; Filipinos, “went there” the POEA explains, not that they were practically conscripted as colonial-subjects to work in the United States (and its territories). The by-now well-documented experiences of abuse and exploitation suffered by Filipino manongs as stoop laborers in California is elided and the state represents it as a sort of asset; Filipinos “gained a reputation.” Furthermore, the term “manpower,” a term the labor brokerage state uses to describe Philippine migrant labor today is used in the POEA’s characterization of early Philippine migration historically as if the contemporary labor export system is continuous with the colonial one (indeed, in many ways it is).

Similarly, in 2006, a Filipino American Contribution Resolution passed by the Philippine Congress stating:
Whereas the United States and the Philippines have enjoyed a long and productive relationship, including the period of United States governance between 1898 and 1946, and the period post-independence starting in 1946, during which the Philippines has taken its place among the community of nations and has been one of our country’s most loyal and reliable allies internationally [...]

Whereas the story of America’s Filipino-American community is little known and rarely told, yet is the quintessential immigrant story of early struggle, pain, sacrifice, and broken dreams, leading eventually to success in overcoming ethnic, social, economic, political, and legal barriers to win a well-deserved place in American society.15

This resolution captures in stark ways how the labor brokerage state participates in rendering legacies of imperialism, colonialism, and neo-colonialism in the formation of the Filipino diaspora invisible in favor of celebrating, commemorating, and normalizing Filipinos’ “well-deserved place in American society.” Yet what exactly is Filipino immigrants’ place in American society?

New Forms of Exploitation

The system of labor brokerage has led to new forms of exploitation suffered by US Filipinos. This has become more apparent very recently as Filipinos seeking to come to the United States have become more reliant on this system to get here. Though after the 1960s and 1970s, many Filipinos came to the United States on family-reunification visas, these visas have taken much longer to secure. Filipinos are experiencing a tremendously long waiting period as certain family members are prioritized over others. As a consequence of this visa backlog, Filipinos are pursuing other visa categories, including the H1B to come to the United States. I would suggest that it is because the H1B holds out the promise, though not the guarantee, of legal permanent residence (that is, the acquisition of a green card), prospective immigrants are lured into seeking the assistance of private labor recruitment agencies to emigrate.16 The involvement of private labor recruitment agencies in the deployment of Filipino migrants to the United States, however, has led to widespread exploitation, abuse, and “virtual servitude”.17

Filipino immigrant rights advocate, the National Alliance for Filipino Concerns (NAFCON), documents numerous cases of illegal labor trafficking of health-care workers and teachers through the H1B program. It finds that labor recruiters charge migrants exorbitant fees for their services, which are supposed to include the securing of visas, jobs, and residences. Meanwhile, recruiters dupe migrants about the sorts of jobs they will be employed in and/or the wages they will be earning and then house migrants in substandard residences. What is striking is that many of the workers suffering abuse are professional workers quite unlike their low-skilled counterparts who came to work in the United States in earlier “waves.”

In 2007, ten Filipino nurses sat in a New York State courtroom, indicted on criminal charges for patient endangerment because they had walked off their jobs, along with seventeen other nurses, to protest low wages and bad working conditions. “We were brought to the staff house where we were stay for two months for free and save money we need when we move to an apartment... I shared the room with other Filipino nurses. We took turns sleeping on the bed and on the floor. It wasn’t comfortable, but I didn’t complain,” said James Millena, a nurse-turned-doctor. He also revealed that he was assigned to handle one hundred patients by himself throughout his shift. It was for ultimately “complaining” by walking off the job and filing suit against the private recruitment agency that facilitated his employment in the United States that James and others found themselves countersued by the facility where they worked.19 In another case, forty physical and occupational therapists hired through the H1B visa program by a health-care staff agency in Florida to work in fifteen different states were found by the US Department of Labor to be owed back wages.18

Teachers recruited to work in Louisiana were forced to pay $16,000 for placement fees before leaving the Philippines and were required to sign over 10 percent of their monthly salaries for two years to pay for the housing provided by their agency. If they were unable to pay the placement fees, they were directed to loan companies that charged them exorbitant interest rates. Those who complained about these debt obligations were threatened with deportation.20

In the case of the teachers brought to work for the Baltimore schools, their wages were garnished to pay for the processing of their H1B visas.
Though the Department of Labor demanded that the school district pay the teachers back wages for their illegal deduction of migrants’ salaries and barred the district from further hiring under the H1B program, it ultimately rendered the migrants undocumented by terminating the teachers’ employment with the district. Since H1B visas are employer-based, teachers without jobs were therefore no longer eligible for visas.

Besides the H1B visa, another visa category through which migrants from the Philippines secure employment in the United States is the H2B. Unlike the H1B, which brings in professional workers on a temporary visa and offers the possibility of legal permanent residence if migrants’ employers petition them, the H2B program is one that brings in seasonal, nonagricultural workers. Under this visa category more and more cases of abuse have surfaced as reported by immigrant and workers’ rights advocates.

For example, NAFCON reports of a case of fifteen workers who were recruited, to work as housekeepers for Florida-based hotels under the H2B program. The workers paid exorbitant fees to get employment in the United States. In addition to being paid much lower wages than their counterparts (they were often paid late), they had to pay the loans they had secured from lenders to pay the fees demanded by their recruitment agency. Later, they would find themselves undocumented because the recruitment agency failed to renew the H2B visa, which is only a one-year visa (though it is renewable for up to three years).21

In Hawaii, according to labor activists with the International Longshore and Warehouse Union (ILWU), some hotels began to turn to importing workers from the Philippines on H2B visas in the mid-2000s.22 While employers attribute this to labor shortages locally, activists counter that it was actually a tactic to undermine long-running labor struggles in the hotel industry there. From the mid-1990s to the late 2000s, the Pacific Beach Hotel, located on Honolulu’s highly touristic Waikiki Beach, was the site for regular protests, including an international boycott, in support of the hotel workers’ right to unionize. An independent commission found that workers at the Pacific Beach Hotel that management created a climate of fear to prevent workers from joining the union.23

Finally, when Gloria Macapagal Arroyo pledged to help “rebuild the land for the people of Iraq,” by supplying the United States with migrant labor as part of its commitment to President Bush’s “coalition of the willing,” she simultaneously pledged to keep “terror” at bay. As immigrants have come to be increasingly characterized after 9/11 as potential terrorists based on their country of origin or potential criminal menaces since President Clinton’s signing of the Illegal Immigration and Immigrant Responsibility Act of 1996 criminalized undocumented immigrants, the Philippine state has cooperated with the United States to help facilitate mass deportations of undocumented Filipino immigrants. A report from the Critical Filipino Studies Collective on Filipino removals from the United States since 2001 reveals that Filipinos are a disproportionate share of the deportee population.24 The CFFSC attributes this phenomenon to the Philippine state’s commitment to allying itself with the United States. I would further suggest that Filipino immigrant removals from the United States are enabled by the labor brokerage state, which has the bureaucratic mechanisms to facilitate that process. The process that facilitated the “repatriation” of the migrant workers who went on strike in Brunei is the same process that facilitates deportation from the United States.

Conclusion

This chapter’s main contribution is in cultivating a Critical Filipino Studies approach to understanding contemporary US Filipino community formation. I argue, through the notion of the labor brokerage state, that Filipinos’ ever-increasing presence in this country is a consequence of specific neocolonial state practices in collusion with US empire.

Notably, the phenomenon of contractual labor migration around the world, which has been a key feature of Philippine migration over the last nearly forty years, is too often considered only remotely (if at all) related to Filipino immigration to the United States and its erstwhile territories (namely, Hawaii) in the scholarship. I suggest alternatively that Filipinos’ global and US migrations must be understood as inextricably linked because both migrations are attributable to US imperial legacies in the Philippines, specifically the formation of the neocolonial Philippine state as a labor brokerage state. The globalization of Filipinos is linked to the globalization of US capital and the expansion of its military-industrial complex. If Filipinos labored for the American empire
from the turn of the century to the present in the United States and its territories, as the American empire globalizes, Filipinos are laboring for empire globally, and the neocolonial labor brokerage state has facilitated that process.

Accounting for the legacies of empire in the formation of the neocolonial labor brokerage state in our understandings of the contemporary Filipino labor diaspora in the United States and beyond, I would offer, opens up the development of what Campomanes calls a radical epistemology, a Critical Filipino Studies, an intellectual project that is especially vital today if we hope to fully grasp the new complexities of the Filipino migrant experience.

Notes

4. The notion of “waves” has been in wide currency in studies of Filipino immigration to the United States for several decades. Even scholarship that does not explicitly discuss Filipino immigration in terms of “waves,” I would argue, rests on historical demarcations on which wave scholarship depends.
10. Espiritu, for instance, discusses how, the “ferocity of U.S. (neo)colonial exploitation, the mismanagement of the Philippines by the country’s comprador elite, and the violence of globalized capitalism have flung Filipinos ‘to the ends of the earth,’ as contract workers, sojourners, expatriates, refugees, exiles and immigrants” (p. 23).

Works Cited


