

SCALES OF SEXUALITY AND THE MIGRATION OF FILIPINA OVERSEAS CONTRACT WORKERS

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INTRODUCTION

The magnitude of labor export from the Philippines, both in volume and geographic scope, is without parallel. In 2000 alone, a total of 841,628 migrant workers from the Philippines were legally deployed; spatially, they found employment in over 160 countries and territories. Apart from the sheer size of the Philippines' overseas employment program, an additional noticeable feature is the predominance of female migrants. In 2000, for example, nearly 72 percent of all newly-hired contract workers from the Philippines were women. Patterns of Philippine overseas employment, thus, are consonant with other identified systems of international migration, namely, the increased "feminization" of transnational mobility.

As one of the most striking economic and social phenomena of recent times, the feminization of international labor migration raises crucial policy issues and concerns. Lim and Oishi (1996) point out, for instance, that the status of female migrant workers - as women, as migrants/non-nationals, and as workers in gendered segregated labor markets - makes them particularly vulnerable to various forms of discrimination, exploitation, and abuse. Accordingly, scholars of migration have acknowledged more so than ever the political ramifications of these migration trends. Indeed, Hollifield (2000) has announced the birth of a new field of study in the 1980s and 1990s, one he labels the *politics of international migration*. In particular, Hollifield contends that a more concerted effort has been forwarded to incorporate the state into theories and studies of international migration. However, when attention is directed toward specific migratory systems, such as the Philippines' program of overseas employment, few political [and other social]

scientists, much less public policy and administrative specialists, have attempted to apply their theories and models to explain the political, policy, and administrative dimensions (Gonzalez, 1998) of international labor migration. More seriously, the inter-relationships of migrants' human rights, gender and feminization, among other issues, remain understudied.

To address these research gaps, I provide a case-study to address the construction of policies by a labor-exporting state. Broadly, my concern is how a scaled sexuality figures into the political discourses surrounding policies of overseas employment. More narrowly, my focus is on the deployment of female migrants from the Philippines. The Philippines Senate has identified female overseas performing artists and domestic helpers as two of the most vulnerable sectors of overseas contract workers, (male seamen being the third). Accordingly, a substantial corpus of regulations and procedures has been enacted to protect the rights and welfare of these workers. Minimal attention, however, has been devoted to analyzing migrant workers conditions using a gender perspective, thus calling into question the basis of policy formulation. I forward the proposition that a politics of scaled sexuality might contribute toward the establishment of gender-sensitive policies. My immediate purpose in this paper, therefore, is to examine the intersection of scale, gender, sexuality, and female labor migrants. Drawing insight from Kevin Cox's (1998) dualism of "spaces of dependence" and "spaces of engagement", I consider how sexuality and gender are reworked at corporeal, national, and global scales, and how these inform our understanding of migrant vulnerability and policy construction.

SCALES, SPACES, AND STATES

Systems of international labor migration are not reducible to simple push-pull factors; neither is international migration simply a neo-classical demonstration of people moving from impoverished countries to more economically prosperous countries. Rather, a myriad of social networks and institutional organization combine to pattern systems of migration. Indeed, as ample research has affirmed, numerous participants, including migrants and their families, labor recruiters, non-government organizations (NGOs), and assorted state apparatuses all play substantial roles in the patterning of international migration.

Recently, scholars have questioned the role of the state in international migration. This question itself is situated within larger debates on globalization and the presumed decline of the nation-state (cf. Ohmae, 1990). However, as Abella (1992, 1993) and Lim and Oishi (1996) detail in their research, the

state and particularly sending-country states continue to assume a critical role in systems of international labor migration. O'Neill (1997) contends that the state plays an indispensable role in the creation, governance, and conduct of markets, including at the international scale. He argues that because the state is always involved in the operation of markets, the salient debate should be about the nature, purpose and consequences of the *form* of state action, rather than about questions of magnitude of intervention (O'Neill, 1997).

Although most scholars have, arguably, acknowledged the importance of state activities in systems of international migration, the actual *form* of the state is less certain, with form referring to how the specific state structure is constituted by, and evolves within, a given social formation. Accordingly, scholars should direct their attention toward a more theoretical and empirical understanding of state apparatuses, in other words, that set of institutions and organizations through which state power is exercised (Clark and Dear, 1984). Any conceptualization of state apparatuses must be cognizant of a politics of scale. As Marston (2000) identifies, a scale is not necessarily a preordained hierarchical framework for ordering the world - local, regional, national and global. It is instead a contingent outcome of the tensions that exist between structural forces and the practices of human agents. Swyngedouw (1997a) concurs, noting that spatial scale has to be theorized as something produced, a process that is always deeply heterogeneous, conflicted, and contested.

To articulate a form of scaled politics, I employ Cox's distinction between spaces of dependency and spaces of engagement. Theoretically, Cox offers a conceptualization of local politics that recognizes its embeddedness in processes occurring at higher and lower levels of abstraction and reality (as cited in Martson, 2000). Cox (1998) defines *spaces of dependency* as those social relations upon which firms, peoples and agencies depend for the realization of their activities. These include place-specific conditions. Cox provides, as example, the housing developers. These individuals acquire a knowledge of local markets, of subcontractors, and develop reputations with local lenders and builders. These social relations are spatially circumscribed. That is, although it may not matter where these individuals develop properties within a particular geographical area, they cannot operate beyond that areas since their knowledge and reputation are not portable elsewhere.

People, firms and state agencies organize in order to secure the conditions for the continued existence of their spaces of dependence. However, in doing so they have to engage with other centers of social power: local

government, the national press, perhaps the international community (Cox, 1998). Cox calls these spaces *spaces of engagement*. These spaces are more variable than spaces of dependence, and may be spatially more extensive and/or restrictive. Above all, however, these spaces include social relations that are established to galvanize support or to deflect criticism from the operations of firms or agencies. In other words, any individual or institution must, periodically, engage in other social relations that may be narrowed or broader than their spaces of dependence. An agency focused on local concerns may have to engage in negotiations at state or regional levels; conversely, multinational corporations, whose spaces of dependence are clearly global in scope, must often enter into negotiations at local levels. In short, what the work of Cox and others indicate is that the *level* of analysis is far from fixed; rather, institutional action and intervention must be approached from a position of contextualized processes as opposed to a stable, rigid scale. Swyngedouw (1997b), for example, argues that the ontological priority for process-based view removes the necessity of using either the global or the local as the starting point for analysis and explanation. Rather, he (1997a) contends that spatial scale has to be theorized as something that is produced, a process that is always deeply heterogeneous, conflicted, and contested.

A focus on a scaled politics of state apparatuses does not suggest that human agency is irrelevant. Indeed, institutions are not monolithic, autonomous entities, but rather are composed of numerous agents who draw on structures to guide their everyday activities. Structure, as defined in this paper, represents the long-term, deep-seated practices which individuals use to guide their daily activities or conduct of business. Moreover, as Giddens (1984) identifies, a structure has no existence independent of the knowledge that agents have about what they do in their day-to-day activity. Consequently, to the extent that patriarchy, sexism or any other structure is embedded within a given society, these same structures will become manifest *in some fashion* within any given institution.

THE PHILIPPINE STATE MIGRATORY APPARATUS

In an earlier paper (Tyner 2000a), I drew the theoretical insights on Jessop (1982) and Clark and Dear (1984) to sketch out the dimensions of the Philippine state migratory apparatus. I contended that, within a context of broader struggles over the political economy of the Philippines, the state migratory apparatus emerged as a conduit for economic growth via the export of labor, and that this was consonant with the promotion of cheap labor in the global economy (for other discussions on the administrative

structure of the POEA, see Ball, 1997; Gonzalez, 1998; Tyner, 2000b). The large-scale government involvement in overseas employment began in 1974 with the passage of the Labor Code of the Philippines. Two government agencies - the Overseas Employment Development Board (OEDB) and the National Seamen Board (NSB) - were created to promote and regulate the deployment of land-based and sea-based workers, respectively.

From its inception, the Philippine program of overseas employment was never intended to become institutionalized within the country - a fact that has dramatically influenced the subsequent form of the Philippine state migratory apparatus. As Asis (1992) and Ople (1979) explain, overseas employment was initially envisioned as a temporary program designed to promote economic growth within the country, generate foreign revenues from mandatory remittances, and reduce levels of unemployment and underemployment. Accordingly, regulatory policies were largely reactive, formulated or modified in light of unintended crises (Asis, 1992). Gonzalez (1998) concurs, noting that the 1974 Labor Code was never really developed to anticipate (more so address) the complicated and large-scale social problems that would surface with the significant growth of overseas contract migration. However, as Giddens (1984) points out, the flow of action continually produces consequences which are unintended by actors, and these unintended consequences also may form unacknowledged conditions of action in a feedback fashion. In other words, the formulation of a policy, in reaction to a given crisis and based on imperfect information, may contribute to subsequent unintended problems.

In 1982 the evolving Philippine state migratory apparatus was re-structured; in that year, the OEDB and NSB, along with the Bureau of Employment Services, were merged to form the Philippine Overseas Employment Administration (POEA). Currently the POEA is the main government agency tasked with the overseeing of contract labor migration. According to the POEA web-site, an average of 3,000 clients are served daily by the main POEA office headquartered in Manila; many hundred more clients are served by the numerous regional offices of the POEA located throughout the country.

Similar to most government entities, the POEA is a complex, multi-structured apparatus. Consequently, as a first step, it is best to consider not simply the spaces of dependency/engagement of the POEA as a whole, but instead to consider the spaces of the POEA's various offices. As of 2002, the POEA is composed of four main sub-offices: Pre-Employment Services, Welfare and Employment, Licensing and Regulation, and Adjudication.

The Pre-employment Services Office (PSO) is mandated to accredit principals, verify and approve job orders (labor contracts), process contracts, market and promotional activities (Tyner, 1999). Its space of dependency is international in scope.

The Welfare and Employment Office (WEO) provides, among its many duties, welfare assistance, maintains manpower registry, helps with government hiring, and works also with employers. This office also conducts pre-employment orientation seminars for potential contract workers prior to their overseas employment. The spaces of dependency for the WEO are thus both local and global.

The Licensing and Regulation Office (LRO) evaluates application for licenses and renewal, monitors licensed agencies, and assists victims of illegal recruitment. Spaces of dependency for the LRO are decidedly local; indeed, since more than 90 percent of all licensed private recruitment agencies are located in the Metropolitan Manila region, the space of dependency for the LRO is concentrated on this one region.

Lastly, the Adjudication Office (AO) resolves problems associated with violations of recruitment regulations, and disciplinary cases; and monitors complaints, abuses of both migrant workers, foreign employers, principals, and recruitment agencies. Hence, similar to the WEO, the spaces of dependency of the AO are both local and global, depending on the given crises at hand.

The POEA, albeit the principal government agency tasked with overseas employment, is certainly not the only state apparatus involved in labor migration. Administratively, the POEA itself is a sub-apparatus of the Department of Labor and Employment (DOLE). The DOLE, among other charges, works to ensure that labor and social welfare laws in foreign countries are applied fairly and equally to migrant workers. In its regulation of international labor migration, the POEA also works closely, with the Overseas Workers Welfare Administration (OWWA) as well as the Department of Foreign Affairs (DFA). The OWWA is tasked with overseeing the provision of welfare and other forms of assistance to migrant workers and their families, while the DFA works to protect the migrant workers overseas. Additionally, the DFA assumes various functions in the negotiation of employment opportunities.

It can be seen, thus, that an extensive administrative system is in place to monitor and regulate overseas migration in the Philippines, the bulk of day-to-day operations - the training, recruitment, and deployment of workers -

is carried out by private recruitment agencies. The spaces of dependence for private labor recruitment agencies operate similar to that of housing developers discussed by Cox (1998). Previous research has indicated the existence of labor-niche specialization, based either on specific local labor markets in certain countries (e.g., only deploying workers for Taiwan) or on particular occupations (e.g., only deploying nurses). Accordingly, private recruiters may develop spatially (or occupationally) circumscribed spaces of dependency.

Multiple participants impose multiple goals, aspiration, motivations, and interpretations. As Battistella (1999) clearly explains:

Employment agencies view NGOs as discouraging migration and diminishing their earnings. NGOs view agents as only interested in profit-making, regardless of what happens to the migrants. The government posts appropriate warnings, but it cannot hide its interest in reducing unemployment and increasing foreign exchange. Migrants themselves process the information they receive according to their own interests (p.243).

PATTERNS AND PROBLEMS OF PHILIPPINE OVERSEAS EMPLOYMENT

Patterns of Philippine overseas employment have become increasingly "feminized" over the last decade, primarily as a result of spatial shift in labor market demand. During the 1970s and much of the 1980s, employment opportunities were overwhelmingly concentrated in the oil-rich, but labor-scarce, countries of the Middle East. Accordingly, patterns of labor export from the Philippines were dominated by male migrants, employed predominantly in construction and production sectors. Beginning in the 1980s, however, and carrying into the 1990s, two shifts occurred: First, labor demands in the Middle East began to change, with an intensifying demand for female service workers. Second, Asian labor markets were liberalized resulting in a corresponding increase in labor imports. The more recent Asian labor markets - dominated by Singapore, Hong Kong, Taiwan, and Japan - have employed mostly women engaged in both service and professional sectors. Those classified in the service sector are, for the most part, employed as domestic helpers. Indeed, on average (between 1992-2000) there are approximately 72,000 Filipinas deployed as service workers; of these, nearly 78 percent are classified as domestic helpers. The other major category of deployed female workers in the Asian labor markets are classified as overseas performing artists (OPA). The POEA defines OPAs as professional workers, and include such occupations as

dancers, choreographers, musicians, singers, and so forth. However, many scholars and NGOs contend that the label OPA is merely a euphemism for entertainer and that in actuality many of these female migrants are engaged in some aspect of the sex industry, whether it be a strip club, massage parlor, or brothel. Thus, whereas on average there are over 38,000 Filipina professionals deployed annually, just under 80 percent of these women are employed as performing artists. Geographically, these women are employed principally in just one location: Japan. In 1997, for example, of the 30,114 Filipina performing artists deployed globally, 29,890 (99 percent) were working in Japan.

What these patterns indicate, certainly, is the widespread prevalence of a gendered international division of labor. Local labor markets, whether in the Middle East or Asia, generally subscribe to well-established forms of sex segregation. Institutionally, both labor recruitment agencies and government organization conform to these patterns (see Constable, 1997; Tyner, 1996). The disproportionate concentration of women, however, in just two sectors (domestic work and entertainment) contribute to their increased vulnerability. As I have argued elsewhere,

Women's labor in overseas contract work has been largely relegated to service sectors, such as domestic work and entertainment. These positions are usually independent, in the sense that workers often perform their duties alone and in private. Additionally, these positions place women in subservient roles, where the very job description is either to serve or to entertain. Combined, these two conditions contribute to women's increased vulnerability and exploitation in overseas contract work (Tyner, 1994: 590).

SCALED POLITICS AND MIGRANT EXPLOITATION

The Philippine state migratory apparatus is tasked with two seemingly contradictory missions: (1) the marketing of migrant workers so as to increase revenues for the country; and (2) the protection of migrant workers. Tensions arise, as Ball (1997) argues, when state-to-state negotiations compel the Philippine government to prioritize either a lucrative labor market or the welfare of its citizenry. Accordingly, members of the Philippine state migratory apparatus attempt to discursively re-create the contexts in which policies are articulated and legitimated. Empirically, I concentrate on key policy changes between the late 1980s and late 1990s with the intent of highlighting a scaled sexual politics.

In the late 1980s the Japanese Government was concerned with the number of illegal entertainers who were working in Japan. Likewise, legal Filipina workers, as well as other Filipina ex-patriots in Japan, were concerned with the position of illegal Filipina entertainers. Consequently, the DFA, the POEA, and the Japanese Embassy officials met. Of concern was the stereotyping of *all* Filipinas in Japan as prostitutes or as *Japayuki*. As Suzuki (2000a) details, magazines, tabloids, and newspapers voluminously disseminated allegories of these commodifiable *Japayuki* subjects, linking sex work both with eroticized bodies and with organized crime syndicates. Elsewhere, Suzuki (2000b) reaffirms that the continuing domination of such pervasive prostitute image of Filipinas symbolically places *all* Filipinas in the time-space confinement of the sex industry. Accordingly, efforts were (and are) forwarded to counter the representations of Filipinas as either willing victims, prostitutes, or immoral women. In the late 1980s, for example, legally-deployed Filipina entertainers spoke out on the proliferation of illegally deployed entertainers working in Japan. In a statement submitted to the Japanese Women Parliamentarians held in Manila in the late 1980s (unpublished mimeograph, submitted by Renato Luz, n.d.) it was explained that:

There are discrimination of Filipino women in the Japanese society because Filipino women are termed JAPAYUKI-SAN and they are working as either hostesses and entertainers whom Japanese women believe are out to destroy the Japanese family life.... There is an over-sensationalization of Filipino women as prostitutes in Japan. According to the Japanese, all Filipino women who go to Japan work as prostitute. This over-sensationalization creates stigma to those women who have decent and legitimate jobs in Japan.

In response to local pressure in Japan, both the Japanese and Philippine governments were impelled to revise their policies. Efforts were launched to professionalize and legalize the entertainment sector. The POEA, DFA, and the Japanese Embassy met to discuss measures to stem the flow of illegal migration into Japan. Concern was also raised over the discriminatory (both social and financial) context of Filipina entertainers in Japan.

In March 1988 the Japanese Government announced a set of new regulations. These included an increase in the food and beverage tax for foreign entertainers, size restrictions on Japanese night clubs, increased salaries for entertainers, and a lifting of the six-month waiting period before foreign entertainers can re-enter Japan after the expiration of their worker's visa. Patently, these measures were directed first and foremost at the

economic aspects of the entertainment sector. The lifting of the waiting period ban, for example, would permit entertainers to be more quickly re-deployed to Japan. More pressing, however, was the concern of Filipina entertainers that two provisions - the beverage tax increase and the size requirement - would adversely affect the hiring of foreign entertainers. According to regulations, Japanese businesses would be required to pay a beverage tax of 300,000 yen before they could qualify to hire a foreign entertainer. Filipina entertainers, however, objected to the newly proposed regulations, claiming that with increased costs, employers in Japan would either stop hiring foreign entertainers to avoid paying the tax or would transfer the tax onto the entertainers.

In response to these developments, in May 1988, a Senate Resolution (No. 174) was introduced:

Whereas, the attention of the Senate has been called to an alleged new policy to be adopted by the Government of Japan on 1 June 1988 to regulate the flow of foreign workers seeking employment in their country;

Whereas, said new policy is alleged to be prohibitive and discriminatory against Filipino entertainment workers whose dollar remittances from abroad are a primary source of much needed international reserves needed by our economy;

Whereas, there is a need to inquire into this alleged prohibitive and discriminatory new policy in order to make the proper representation with the Government of Japan to help Filipino entertainment workers, therefore, be it

Resolved by the Senate, to direct the Committees on Foreign Relations and Labor and Employment to immediately conduct a joint inquiry into the alleged discriminatory policy of the Government of Japan against Filipino entertainment workers with the view of aiding said workers through proper representations with the Japanese government.

Within this resolution, Filipina entertainers are recognized as a valuable source of revenue for the Philippines; there is no mention, however, of the social context of employment, nor of any potential abuse or exploitation. In its *Inquiry Report on P.S. Res. No. 174*, the Committee on Foreign Relations explained that in a follow-up consultative forum between the Philippines and Japan, the regulations on the deployment of entertainers were modified

and clarified. The beverage tax increase, for example, was still in place, although the increased tax applied only to the first foreign worker hired; for each subsequent worker the establishment would pay only 100,000 yen. The Committee on Foreign Relations also recommended at this time that the DFA and the DOLE discuss with the Japanese government the possibility of opening up the Japanese labor market to other Filipino professionals. Hence, the market opportunities of Japan, and the desire to retain Japan as a destination for entertainers, were paramount in the Senate discussions. Discussions of sexuality and gender are conspicuously absent; entertainers were posited as sources of income.

Such was the context of senatorial concerns in late 1980s. However, with the death of a 22 year old Filipina entertainer, Maricris Sioson in 1991, and the execution of Flor Contemplacion in 1995, the tenor changed. Deployed on six-month contract, Sioson was legally employed in a Japanese nightclub. During her stay in Japan she became increasingly ill and admitted herself into a hospital. Within a week Sioson died. The official cause of death, according to Japanese authorities, was multiple organ failure arising from fulminant hepatitis. The remains of Sioson, upon inspection in the Philippines, suggested traumatic head injuries, raising the possibility that Sioson was murdered.

The Flor Contemplacion case also raised questions over conspiracies and cover-ups. Flor Contemplacion was hanged in Singapore on March 17, 1995. She had been convicted of the 1991 double murder of Delia Maga - a Filipina domestic worker and Nicholas Huang, a 4-year old Singaporean boy in Maga's care. Although Contemplacion signed a confession, admitting guilt to the murders, she later claimed that she had been coerced into confessing. Rumors surfaced that Contemplacion was the victim of an elaborate cover-up, and that it was Maga's employer who had killed the domestic worker after the child had accidentally drowned.

Similar to the Sioson case, the Philippines National Bureau of Investigation examined the remains of Maga and concluded that she had died not from asphyxiation due to strangling, but rather by head injuries. Moreover, it was forwarded that the brutality of her death suggested that the murderer was, in fact, a man. Politicians, facing elections in early May 1995, seized on the issue, condemning Singapore and calling for action by the Philippine government (May, 1997). Prior to Contemplacion's execution, Philippine President Fidel Ramos made an appeal for clemency to Singapore President Ong Teng Cheong, but this was not granted. Catholic Church leader Cardinal Jamie Sin sought also Pope John Paul's intervention; other organizations,

including Amnesty International, the United Nations Commission on the Status of Women likewise launched efforts to spare the life on Contemplacion: all to no avail.

Following Contemplacion's execution, the cavalier dismissal of President Ramos's plea produced an explosion of anger in the Philippines (May, 1997). Tens of thousands of people took to the streets nationwide; in Manila, protesters marched to the Singaporean embassy. Singaporean flags and books were burned outside the embassy. The political economic fall-out was widespread: high-ranking Philippine officials were dismissed; Singaporean products were boycotted; and President Ramos recalled the Philippine ambassador to Singapore. Ramos also downgraded (and threatened to sever) diplomatic relations with Singapore, accepted resignations from high-ranking officials of the DFA and DOLE, imposed a temporary ban on domestic helpers destined to Singapore, and postponed a planned Manila visit of the Singapore Prime Minister. Equally important was that President Ramos issued EO 231 mandating a Presidential Fact-Finding and Policy Advisory Commission on the Protection of Overseas Filipinos (Gonzalez, 1998). One task of the Commission was to "make recommendations with a view to improving the protection afforded by the Philippine Government to overseas Filipinos, consonant with international conventions and standards" (Gonzalez, 1998).

In many aspects, the Contemplacion case mirrored the events following the death of Sioson. After Sioson's death in 1991, for example, the Philippine Senate came out with two resolutions. P.S. Resolution No. 1276 mandated the Committee on Human Rights to:

... conduct an investigation, in aid of legislation, on the real cause of death of Maricris Sioson and all other alleged torture, maltreatment and other violation *of human rights against Filipino expatriate workers in Japan and other countries* (emphasis added).

The second resolution, P.S. Resolution No. 1277, likewise called on the appropriate committees to:

... immediately investigate, in aid of legislation, the circumstances surrounding the death of Maricris Sioson... to look into the mechanisms by which the Philippine Embassy in Tokyo monitor and deal with problems concerning Filipina workers abroad with the aid in view of securing justice and restitution for the heirs of Maricris Sioson and *affording through appropriate legislative*

measures additional protection to Filipino women working overseas (emphasis added).

The Senate resolutions of 1991 are significant in their framing of the issue into a question of broader migrants' rights, particularly those of female workers. Meanwhile, Ramos's EO 231, alluded to international conventions and standards and to an even larger context of human rights. Accordingly, the Philippine State as represented by Ramos and the subsequent Gaycanco Commission entered into an international space of engagement: to view the trial and execution of Contemplacion not simply as one person, or a crisis between two sovereign states, but as a larger international concerns.

Tensions in the Philippines were further heightened during the summer of 1995, with the reports of the trial of a Filipina domestic worker in the United Arab Emirates (UAE). Sarah Balabagan, a 15-year old girl who entered the UAE on a forged passport, was on trial for the murder of her 85-year old male employer. She contended that the employer had raped her in 1994, and that she killed him in self-defense. Following the trial, Balabagan was awarded US\$27,000 as compensation for being raped, but was also sentenced to seven years imprisonment. Both the prosecution and defense appealed and, at the conclusion of the re-trial, Balabagan was re-sentenced to death.

A subsequent round of protests swept the Philippines; officials, however, cautioned that public flag-burnings of UAE flags might hurt more than help Balabagan's case. Indeed, according to a Reuters New Release (17 September 1995), officials indicated that it may have been the burning of a UAE flag in Manila that provoked the Islamic court to impose the death penalty. In affirmation, on September 20, President Ramos cautioned that "Even if [there] are protests against an unfair sentence, we should not exacerbate the situation. We may be adding to her misery and eventual final conviction and punishment by such unreasonable displays of emotion" (Reuters, 20 September 1995).

As further testimony to the globalization of the Balabagan case, a Philippine congressman, Mar Roxas, proposed the exchange of three Pakistanis and two Iranians for the Filipina maid. Roxas (Reuters, 7 October 1995) explained that even if there is no UAE national who can be swapped for Balabagan, the Islamic community is an indivisible, borderless world and the simultaneous release of the prisoners will be a supreme act of mercy which the Koran itself recognizes.

Ultimately, the President of UAE stepped in and relatives of slain employer dropped their demand for execution in return for a monetary blood payment.

She was again re-sentenced, this time to 100 cane lashings and 12 months imprisonment (of which she served approximately eight months on top of 15 months already served). Women's groups and other sectors in the Philippines described the sentence as inhumane and sadistic, and called on the Philippine government to protest to the UN Commission on Human Rights. The sentence, however, was carried out (May, 1997).

REPRESENTING SCALED SPACES

The discursive spaces of Sioson, Contemplacion, and Balabagan were greatly expanded through political negotiations. Accordingly, these spaces provided legitimation and justification for the imposition of material-based policies. In the Contemplacion case, a team of U.S. forensic experts conducted a third-party autopsy on Maga's remains. The U.S. team supported the original findings of Singaporean authorities. This paved the way for the normalization of ties between the Philippines and Singapore. Moreover, a ban on the deployment of domestic workers to Kuwait and Saudi Arabia were put in place following the Contemplacion case; these bans were lifted later in the year on the occasion of President Ramos' visit to those countries (Battistella, 1999). According to a United Press International news release (24 April 1996), the ban on domestic workers deployed to Singapore costs the Philippines approximately US\$106 million in remittances. Po Gratela, Secretary-General of the International Alliance of Filipino Migrant Workers remarked in a May 1995 press statement that "it goes to show that the government is willing to sacrifice overseas workers for the sake of normalising ties with Singapore" (Gonzalez, 1998). Nena Fernandez, an officer of the Kanlungan Centre Foundation, likewise said in a Reuters News Release (15 July 1995) "that we believe that the issue of injustice to overseas workers will erupt in some other time."

Significantly, just as the Philippines was concerned over its representation in the public, so too were Singapore and the UAE. Editorials printed in the *Asian Wall Street Journal* and the *Far Eastern Economic Review* and the *Straits Times* provided a counter-representation of the Contemplacion incident. Barry Wain, writing in the *Asian Wall Street Journal*, noted:

... it was ... disappointing, distasteful and demeaning to see the country's most promising president in three decades hail a double-murderer as a national heroine, while fanning hostility toward an ASEAN ally (May, 1997, 70).

Similarly, according to an unnamed UAE official, "People are angry over the country's image abroad" (Reuters, 21 September 1995). Another individual questioned: "Why so much attention? In the Philippines you can't walk the streets without fearing a killer or drunk. Then they question our laws and expect us to accommodate them". (Reuters, 7 October 1995). What becomes apparent, thus, is that the public in the United Arab Emirates was likewise scaling its discourse upwards. Significantly, a discourse developed that enlarged the murder trial from that of an individual, Sarah Balabagan, to a question of state sovereignty as well as religious tradition and identity. According to a UAA computer analyst, "This woman took a human life. She should be executed. This would make the state look like a joke. If this Filipina maid goes free, the rest will go around killing us". (Reuters, 7 October 1995). This time, *Filipinas* were represented not as victims, but as threats not only to the state, but also to citizens. Additionally, a unidentified government employee explained that "She should be executed in public as a warning to others. If you come here to work you have to respect our laws. This is the United Arab Emirates, not the Philippines or the West". (Reuters, 7 October 1995).

SYMBOLIC SPACES AND SCALED RESPONSES

Sioson, Contemplacion, and Balabagan all became gendered symbols of the nation. All women were viewed as victims of callous state governments at both national and international levels. Moreover, their deaths and near-deaths (in the case of Balabagan) embodied the plight of oppressed migrant workers world-wide. Thus, following the death of Sioson, Santos (1992) wrote in the *National Midweek* that

The gruesome death of a Filipino dancer in Japan has sparked public outrage in the Philippines against the government's failure to protect its 'Japayuki'.... Many people are pointing out that the government's lavish praise of the billion dollar-earning maids and entertainers are national heroines is mere lip service. And nothing illustrates the government's apathy better than the mysterious death of ... Maricris Sioson (p.12).

Likewise, Columnist Art Borjal wrote in the *Philippine Star* that "Flor Contemplacion has become a symbol of the oppressed Filipino... a victim of government callousness and indifference. Flor, in the minds of millions of Filipinos, was every Filipino who comes from the poorest of the poor" (May, 1997). May (1997) further contends that Contemplacion became a symbol of exploitation and oppression. A 42-year-old mother of four, who had originally gone to Singapore as an undocumented alien and had returned as

a documented OFW in 1988, she was seen not as an offender but as a victim of a hostile environment, an unsympathetic government, and unsupportive Philippine officials.

The bodies of women likewise were discursively seen as being sacrificed in the name of pesos. An unidentified spokesperson for the League of Filipino Students, for example, asserted in a Reuters News Release (18 September 1995) that "The regime pimps for our young women in the name of development." Indeed, government officials often made pronouncements that seemed to confirm these charges. Richard Szal, the International Labor Organization's Manila director, was quoted in a Reuter News Release (18 September 1995), in response to renewed demands for a ban on workers, "It would be like cutting off your nose to spite your face. It would be detrimental to the economy, both from the viewpoint of loss of remittances and the pressure it would put on the labor market here." Likewise, embedded within the 1991 Philippine Senate Report No. 1681, submitted by the tripartite joint committees on Women and Family Relations, Labor, Employment and Human Resources Development, and Justice and Human Rights, it was acknowledged that the Philippine government:

continued to allow the exodus of manpower very obviously because, first, it badly needed the foreign revenues and second, it could not provide enough jobs to the ever increasing workforce. The economic benefits overshadowed and took precedence over the social costs. It did not matter that the Philippines was already gaining notoriety as a country of domestics and prostitutes, or that a number of them were exploited and abused every now and then, as long as the monthly interest payments on the enormous foreign debt could be met. An unwritten policy of tolerance by need was thus, and presumably still is, practiced (p. 22).

Accordingly, alternative solutions were discussed, such as transferring responsibility away from the government per se, to other political levels. Roy Seneres, Philippine ambassador to the United Arab Emirates, explained in a Reuter News Release (14 July 1995) that "There cannot be a ban outright. Local [governors] should be morally responsible should anything unjust or evil happen to their female constituents while working abroad because of their failure to provide them with alternative employment." Moreover, Philippine Senate Report No. 1681 also clearly specified that the government, or more precisely government policy is not wholly to blame. Rather, the ailing Philippine economy was to assume part of the responsibility, as were the migrants themselves. Indeed, it is within the pages of P.S. Report No. 1681 that the Filipina is represented as a willing victim. According to this report,

Funnelled [sic] by an already burning desire to seek greener pastures abroad, and dazzled by stories of fat earnings and the beauty of Japan ... the entertainer is further pushed into doing almost anything to go abroad to earn money.... she would readily accept pay rates much lower than that stipulated in the contract... she would accept terms and conditions in clear contravention of her contract.... And to make ends meet, because *she has accepted pay rates lower than that stipulated*, and because of the pressure from her family at home, who are counting on her to deliver them from their economic hardships, she would in the extreme, turn to the easiest way of making money - prostitution. and hence, she herself becomes a willing victim (p.24).

Significant in this statement is the transfer of culpability away from the state, and even away from abstract structural conditions, to the behavior of the migrant women. Moreover, discussion focuses not on migrant workers in general, but explicitly upon female entertainers. Accordingly, it is only these female workers who willingly enter into exploitative situations. Implicit in these discourses is a portrayal of Filipina entertainers as immoral and irresponsible. This report, for example, also suggested that these women apart from turning to prostitution will often turn to drugs as well.

The 1991 Sioson case generated an overhaul of the POEA's policy of deploying entertainers. Correspondingly, there was a discursive shift from entertainers to overseas performing artists. The most far-reaching transference of responsibility, however, stemmed from the 1995 Contemplacion case and resulted in a decidedly more far-reaching re-orientation of the Philippines' overseas employment policy. This was the emergence of Republic Act 8042, or the "Migrant Workers and Overseas Filipino Act of 1995". This law, as Battistella (1999) contends, "states that overseas labour should not be taken as a tool for development" and, consequently, constitutes a declaration that the government does not export labour. Embedded within RA 8042 are numerous provisions that address migrant welfare. Perhaps more significant, though, in the context of the Philippine state migratory apparatus, is a call for deregulation. Following earlier attempts to decentralize the Philippines' labor export program (see Tyner, 1999), the call for deregulation threatened (and continues to threaten) the very existence of the Philippine state migratory apparatus. As such, the POEA and other agencies have attempted to discursively re-write the history and politics of overseas employment in the Philippines.

The discursive re-structuring of the Philippine state migratory apparatus constitutes a significant working of the spaces of engagement. The POEA,

DFA, and DOLE, for example, all operate chiefly at national and international levels. The Philippine Senate, likewise, facilitates bi-lateral negotiations. However, recommendations not uncommonly reflect back upon individual migrants. Recommendations tend toward issues of migrant culpability. In short, the state's spaces of engagement are narrowed to a focus on migrant workers' bodies. A corporeal discourse assigns blame to the migrants themselves. Migrant workers become either heroes or victims, but more so as a willing victim. Battistella (1999) rightly argues that the measure to deploy only skilled workers has been interpreted, not to exclude occupations considered unskilled (such as domestic work), to ensure that migrants possess personal skills to cope with possible crises. Following this line of reasoning, the concerns of the Senate and other state apparatuses from the late 1980s to the mid-1990s appear remarkably similar.

Concurrently, however, the Philippine state migratory apparatus also exists at the level of the global. This discursive scale, further deflects attention away from the government but significantly not to any other *tangible* participant. Dicken et al. (1997), for example, identify that "Globalization rhetorics are ... being deployed *prescriptively* by both political leaders and business strategists." They contend that such situations have the effect of naturalizing the global; of treating globalization as some sort of relentless and inevitable process, driven by the twin imperatives of capitalist competition and technological change. This is seen clearly in the Philippines. A recent in-house report (Casco, 1997), for example, states that:

Managing a global phenomenon starts with understanding the philosophy of humankind, dynamics of migration, history and natural laws which cannot be repealed (p.2).

Also:

The economic law of supply and demand is an irrepressible force in the global labour market, what more now with the globalization era. Unfortunately, this reality seems overshadowed by the application of national labour laws and administrative systems that perpetuate a pathological fallacy that labour migration is a program creation or innovation of government to address employment gaps (pp. 2-3).

The silences speak louder than the written words. In particular, the globalization debates are mute on issues of sexuality and gender. However, at the discourse of the body when female entertainers become prostitutes,

sexuality figures prominently. In other words the state is considered separate from gender or sexuality.

CONCLUSIONS

Migration is more than simply the movement of people from one place to another; rather, migration is discursive. May (1997) concludes that the Contemplacion episode illustrates the way in which essentially domestic forces can impinge on international relations and, conversely, how essentially external factors can impinge on domestic situations. Certainly, the Sioson and Balabagan incidents likewise demonstrate this juxtaposition of domestic and international. Combined, these cases indicate the significance of a scaled politics, as politicians and other officials must continuously jump from scale to scale in order to articulate their prescribed policies or legitimize their political economic positions. Apart from a domestic/international dichotomy, however, the locus of the gendered body within a globalized context becomes apparent. The POEA, following the passage of RA 8042, forwarded a simultaneous discourse of the body and global; citizens in the UAE likewise enlarged the debates from a single individual Balabagan to a question of state authority and cultural way of life.

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