

Organizing for domestic worker rights in Southeast Asia: Feminist responses to globalisation¹

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The forces of globalisation increasingly compel feminist activists to engage internationally, either through their involvement in transnational networks and social movements, or by incorporating understandings of the ‘global’ into local and national practices. Globalisation collapses both time and space, thus fundamentally altering the types of political and economic relationships that states maintain with both citizens and a range of ‘others’. For this reason, Rochelle Ball and Nicola Piper (2002: 1031) assert that non-government organisations (NGOs) “will increasingly play a pivotal role in lobbying nationally and transnationally for greater state and multi-lateral institutional accountability to both national and global citizens”. However, as differently situated actors with diverse agendas and priorities come together to address women’s rights within a transnational frame they face a range of challenges and contradictions. Rather than simply transcending the ‘national’, transnational feminist activists must pay particular attention to the roles played by nation-states and national governments in mediating the relationship between local and transnational groups. It is this embeddedness of the national within transnationalism that is often overlooked in romanticized accounts of global civil society.

This paper examines the limits of transnational feminist activism in Southeast Asia by focusing on NGOs that have developed in Singapore and Malaysia to address the rights of female domestic workers. Specifically, it addresses the role of The Working Committee 2 (TWC2) in Singapore, and Tenaganita in

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Malaysia. The comparison of Singapore and Malaysia is important because it provides an opportunity to consider the ways in which different national contexts impact on the opportunities for domestic worker NGOs and networks to advocate for workers' rights. The countries share a common heritage that includes British colonial rule and ethnically diverse populations. Both have witnessed strong economic growth in the last two decades. However, while both countries are recognised as having strong authoritarian governments that tightly control access to a small sphere of civil society activity, migrant worker rights organisations in Malaysia are greater in number and have a more visible presence (Gurowitz 2000). Comparative analysis is important in order to move away from simple assertions of 'authoritarianism' as both a descriptor and explanation for the shape of civil society in both countries. Comparison also highlights the role that relations between nation-states play in shaping civil society. Malaysia and Singapore have a history of chequered relations with the two major sending countries of foreign domestic workers – Indonesia and the Philippines. These relations have undergone change over time, and are influenced by the character of other bilateral and multilateral ties (eg. relations with the United States and other 'western' countries), as well as relations between Singapore and Malaysia.

While previous studies of NGO activism in Singapore and Malaysia document state constraints on civil society, none have discussed these processes in the context of the life histories of specific organisations. As a result, there is a tendency to treat civil society as a homogeneous space characterised by consistent state-NGO interactions. My previous research in Singapore, however, has shown that different groups are able to negotiate their relationship with the state in different ways (Lyons 2004, in press). Closer attention to these differences is necessary in order to develop a better picture of the complexities of state-civil society relations. For example, in some contexts, local activists may find it politically safer to avoid transnational interactions, or to restrict their involvement to groups with similar goals and objectives. The first part of this paper provides a brief overview of the literature on transnational feminist activism. In the second part, I give an overview of issues surrounding the feminisation of transnational labour migration, before turning to the two case studies.

Transnational feminist activism

Transnational activism can be defined as "regular activity crossing national borders that involves at least one nonstate actor", in contrast to 'international' activism which primarily involves state actors (Clark et al. 1998: 3). Although women's movements have a long history of engagement in the international arena (Daley and Nolan 1994; Rupp 1997; Rupp and Taylor 1999), it was not until the 1990s that women's rights advocates began to organize on an unprecedented scale transnationally (Friedman 2003). A number of recent studies have sought to document the diverse activities of such groups (Meyer and Prügl 1999; Basu 2000; Mitter and Rowbotham 2000; Moghadam 2000; Mackie 2001; Sperling et al. 2001; Naples and Desai 2002). This work forms part of a growing body of research on the role of transnational NGOs, advocacy networks and social movements in the emergence of global civil society (see for example Guarnizo and Smith 1998; Keck and Sikkink 1998; Della Porta et al. 1999; Anheier et al. 2001).

For Valentine Moghadam, the creation of transnational feminist networks is indicative of the emergence of ‘global feminism’, defined as “the discourse and movement of women aimed at advancing the status of women ... through transnational forms of organizing and mobilizing” (Moghadam 2000: 62). Examples of such networks include Development Alternatives with Women for a New Era (DAWN) and Women Living Under Muslim Laws (WLUML). These groups “engage in information exchange, mutual support and a combination of lobbying, advocacy and direct action toward the realization of their goals of equality and empowerment for women and social justice and societal democratisation” (Moghadam 2000: 62). Moghadam sees their emergence as a direct response to the processes of globalisation. On a cautionary note, however, Vera Mackie (2001: 188) reminds us that the “transnational public sphere, if it can be said to exist, is a gendered, raced, classed and ethnicized public sphere”. It is not unsurprising then, that the relationship between ‘grassroots’ and/or community-based activists and transnational groups is often fraught. A number of studies have begun to document the numerous problems facing transnational feminist activists (Basu 2000; Mitter and Rowbotham 2000; Moghadam 2000; Sperling et al. 2001). Few studies, however, have attempted to identify the particular strategies used by local and transnational activists to build cross-cultural, trans-national alliances or coalitions (but see Lyons 2001; Sperling et al. 2001).

Opportunities for transnational activist groups to advocate on behalf of women’s rights are frequently constrained by states that tightly control access to the politically sensitive arena of civil society. Local and transnational groups must pay attention to the complexities and contradictions of civil society as they consider what kind of alliances to forge and resources to accept. Despite the important role played by the state, few studies have focused their attention on the limitations posed to feminist transnationalism by local state forces (but see Gurowitz 2000; Uhlin 2001). Instead, there is a tendency for scholars and policy-makers to unproblematically project a romance of ‘more’ civil society as ballast against coercive state power and its excesses (Phillips 1999). This partly explains the continuing commitment of international funding agencies towards strengthening civil society and thereby addressing ‘women’s rights’. In these approaches, civil society is often treated as a monolithic whole with a unity of purpose rather than as a space occupied by range of actors with divergent agendas (Howell and Mulligan 2003). In some contexts, local activists may find it politically safer to avoid transnational interactions, or to restrict their involvement to groups with similar goals and objectives. Many groups have found that it is the language of transnational feminism, whether it is reference to ‘gender’, ‘feminism’ or ‘rights’, which makes such relationships politically fraught at the local or national levels.² This paper seeks to explore these complexities through a comparative study of two groups seeking to address the needs of migrant women working as domestic maids.

Feminisation of transnational labour migration

Global demand for female domestic workers continues to grow. Women from the Philippines, Indonesia, Malaysia, Burma, and Thailand have joined the ranks of transnational female migrants working as domestic

² There is a large body of literature that deals with the debates over language in relation to global feminism. See Lyons (1999; 2000a) on Singapore, and Stivens (2003) and Foley (2004) for a discussion of Malaysia.

maids across the globe. Although there are no precise figures on the numbers of transnational domestic workers, some estimate that there are between 4.2 to 6.4 million Filipinas working abroad as domestic helpers and entertainers (Wee and Sim 2003: 2).³ While these women typically migrate to the Middle East, Japan, Europe and North America in search of work, many find employment in Southeast Asia as increasing numbers of women in the newly industrialising countries of the region enter paid employment outside the home. For example, in Singapore, where women's labour force participation is 53.9% (Singapore Department of Statistics 2003), there are estimated to be over 140,000 foreign domestic workers (Chiam 2003). Huang and Yeoh (2003) claim that there are almost equal numbers of women from the Philippines and Indonesia working as maids in Singapore, with a significant minority from Sri Lanka. This equates to approximately one foreign domestic worker to every seven households. In Malaysia, there are more than 161,000 documented domestic workers, the majority of whom hail from Indonesia and the Philippines (Chin 2003). In addition, there are estimated to be many thousands of 'illegal' migrant women working as maids in Malaysian homes.

The feminisation of transnational labour migration has attracted considerable scholarly attention. Much of this work focuses on the tenuous position of female domestic workers in relation to labour laws and citizenship rights. Female migrant workers face difficult working conditions, poor remuneration, and constant surveillance by both the state and their employers (see for example Heyzer 1986; Huang and Yeoh 1996; Yeoh and Huang 1997; Chin 1998). Despite their dependency on the labour and remittances of migrant workers, sending and receiving states have been slow to address these issues. For this reason, NGOs have begun to play a significant role in both disseminating information and providing assistance to migrant workers. While some migrant worker NGOs are associated with local or transnational women's movements, others are affiliated with religious groups, unions, civil rights groups, and even government organisations. Some adopt gender-specific responses to the plight of domestic workers, while others organise around religion, class, as well as race/ethnicity or nationality (i.e. advocating on behalf of women with a common country of origin).

Much of the literature on migrant worker NGOs has focused on groups based in Hong Kong and the Philippines (Law and Nadeu 1999; Law 2003). These groups have received the most scholarly attention not only because of the significant proportion of female domestic 'maids' from the Philippines who work in the Hong Kong, but also because in comparison with other national groups, Filipinos have the strongest transnational advocacy networks (Piper 2003). Several writers have also examined the role of NGOs advocating for migrant rights, including domestic workers, in Japan (Gurowitz 1999; Mackie 2001; Ball and Piper 2002). However, despite the fact that Malaysia and Singapore are major receiving countries for female domestic migrant workers, migrant worker organisations in both countries remain under-unexplored.⁴

³ Data on transnational migration in the region is extremely difficult to verify due to the large numbers of 'illegal' or 'unofficial' migrants.

⁴ In the case of Malaysia, the work of Tenaganita, Women's Aid Organisation (WAO), SUARAM (Voice of Malaysians) and All Women's Action Society on migrant worker rights issues has been referred to by Gurowitz (2000) and Chin (2003). These studies limit their discussion to a brief description of each NGO, rather than an in-depth analysis of the history of their emergence or the scope of their activities. In Singapore, Lyons (in press) has written

The Case Studies

Singapore and Malaysia are both characterised by the presence of a strong, authoritarian state and a weak civil society sphere. The activities of migrant worker groups in both countries are curtailed by strict rules governing the formal registration of NGOs, a strong interventionist stance by the state, restrictions placed on the activities of international NGOs and other agencies, and often-fraught diplomatic relations with many migrant-sending countries (Singam et al. 1997; Gurowitz 2000; Koh and Ooi 2000; Chin 2003; Weiss 2003). In both countries, the Internal Security Act (ISA) is used to discipline the actions of groups seen to be politically threatening. The Act was introduced during British colonial rule and used against suspected communists. It allows arrest and detention without trial for up to 60 days, and unlimited extensions beyond the initial detention. Both the Singaporean and Malaysian governments have used the ISA against those individuals or groups that they consider a threat to national security.

The Societies Acts of both countries are another significant colonial legacy. In Singapore, while the Constitution guarantees freedom of association (Article 14) in principle, organisations with more than 10 members or committees with more than five members are required to register under the Societies Act or the Companies Act (Tanaka 2002: 208). Individuals who participate in groups that are not officially registered face the threat of arrest and imprisonment for participating in ‘illegal assemblies’. All registered organizations are expressly prohibited from engaging in ‘political activity’. This combination of legislation and government policy has restricted the emergence of activists groups.⁵ As a consequence, most registered societies tend to be professional associations or welfare oriented groups. Article 10 of the Malaysian Constitution guarantees freedom of speech, expression, peaceful assembly and association. The Societies Act of Malaysia covers all groups of seven or more people except those covered by other legislation such as trade unions and co-operatives. The Act has been amended several times, most recently in 1983 after a campaign by NGOs to address the Act’s wide definition of ‘political activity’ (defined as any society that issues public statements). Although the narrow definition of ‘political society’ was subsequently removed, the legislation continues to restrict the activities of NGOs (Weiss 2003: 31-2).

Although the Societies Act of Malaysia requires all non-profit organisations to formally register, it has a much larger and vibrant NGO sector than Singapore.⁶ There are many groups active in the fields of women’s rights, the environment, consumer affairs, and civil and political rights. In direct contrast to Singapore, Malaysia also hosts several Asian regional NGO networks, thus contributing to the establishment of transnational links. Despite the wider diversity of NGO groups, Malaysia’s entrenched security legislation and wide reach of the ruling party has meant that these groups continue to face difficulties on the ground. For

about the relationship between The Working Committee 2 (TWC2) and the women’s movement, and Devasahayam (2004) has examined the role of Catholic organisations working to assist migrant workers.

⁵ For example, a group called ‘People Like Us’ representing the interests of gays, lesbians and bisexuals has twice been refused registration on the grounds that homosexuality is not socially acceptable in ‘conservative’ and ‘traditional’ Singapore (People Like Us 2000).

⁶ It is much smaller, however, when compared to Thailand, Indonesia and the Philippines.

example, the 1971 Sedition Amendment Act limits their activities by removing from public discussion four issues: Malay rights, citizenship rights for non-Malays, the status of the national language and Islamic religion and the rights and privileges of the King and Sultans (Eldridge 2002: 93). The Printing Presses and Publications Act 1984 has also been effectively used to reduce public criticism or reportage of issues or events that question the ruling party.

While activist groups in other countries mobilise around international support and standards, the anti-West/anti-US position of both the Singaporean and Malaysian governments, as evidenced in the rhetoric surrounding ‘Asian values’, has made such connections more complex. On migrant rights issues both states have demonstrated “little tolerance for public discourse that casts its practices in a negative light” (Chin 2003: 65). In Singapore, foreign-based NGOs find it difficult to become formally registered, and without registration cannot operate locally. Locally-based NGOs in both countries are wary of receiving funding from overseas sources for fear that this may result in government suspicion about their activities (Perera and Ng 2002; Weiss 2003). This has resulted in a very small international NGO presence and very few transnational linkages between local, regional and global groups. In Singapore, this may be changing with recent government support for improved regional links between NGOs and the suggestion that Singapore may become a ‘hub’ for international NGO offices (The Straits Times 2004). In Malaysia, local NGOs have found that the state has taken a particular interest in their international connections and any financial support received from overseas. Nonetheless, many groups have been able to develop effective transnational links, particularly on Third World or Islamic issues (Eldridge 2002). For example, Sisters in Islam has distanced itself from western feminist models of global sisterhood preferring instead to forge strategic alliances with women’s organisations in other Muslim countries (Ong 1996).

In both cases, opportunities for NGOs to advance their causes depends in large part on the extent to which their goals are congruent with the state’s own ideology and interests (Lyons 2000c; Weiss and Hassan 2003). Moderation, consultation, and consensus are key modes of operation by NGOs as they negotiate the constraints of state-civil society relations. When NGOs threaten the ruling party’s political foundations, however, the state uses both legislation and other means to clamp down on activists.

The Working Committee 2 (TWC2) in Singapore

For many years, the plight of foreign women working as domestic maids in Singapore has remained ‘off-limits’ to civil society groups. Like many taboo topics, the issue of domestic workers has not been publicly identified by the state in its official statements as a topic that is ‘out-of-bounds’, but its association with the ‘Marxist Conspiracy’ has meant that few NGOs have been willing to address it.⁷ The Marxist Conspiracy is a

⁷ The governing elite refers to ‘Out-of-bounds markers’ (OB markers) as points that delimit acceptable civil engagement. Ho (2000: 186) describes these as “issues that are too sensitive to be discussed in public for fear of destabilising or jeopardising public peace and order”. The ruling PAP government is responsible for determining the limits of the OB markers, a task that it largely performs retrospectively with the result that what actually constitutes ‘unacceptable political engagement’ is unclear.

term used to describe the arrest and detention under the ISA of 22 people in May 1987 for threatening the state and national interests (Rodan 1993: 92). Those arrested included Catholic social workers and lay workers at the Geylang Catholic Center for Foreign Workers. The Geylang Centre's workers lobbied for higher wages, social security benefits, job security and employment conditions for all foreign workers (Mauzy and Milne 2002: 130). At the time of their arrest, the government claimed that Catholic organisations were "a cover for political agitation" to "radicalise student and Christian activists" (cited in Haas 1989: 59). The Geylang Center was subsequently closed. Of those workers arrested, some were later released, while others were detained for varying periods. Those charged had to admit to being a Marxist as a condition of their release. They were 'rehabilitated' with an agreement not to enter into politics.

Some members of Singapore's main feminist organisation, the Association of Women for Action and Research (AWARE), were involved in the so-called Marxist Conspiracy. The organisation was silent on the arrests, and many members still believe that they narrowly escaped arrest and the closure of the organisation. The arrests were interpreted by the membership as a clear signal that domestic worker rights were 'off-limits' and that for AWARE to address the issue would be extremely risky. This partly explains the reluctance of the local feminist movement to address the needs of foreign women working as domestic maids. AWARE adopts a cautious and conservative approach to its activities. Working within the framework provided by the OB markers, members are never completely sure how the organisation's statements will be received and are forced to respond carefully (see Lyons 2000c, b). Fear of negative perceptions or closure means that AWARE tempers its public statements or limits its activities to avoid criticism.

The labour movement has also been silent on issues surrounding migrant labour in Singapore. Most independent unions were closed down or weakened in the 1960s, and replaced by a state-sponsored National Trades Union Congress (NTUC) that acts as an umbrella group for affiliated organisations that are largely supportive of the government's economic and labour policies (Rodan 1996: 100). In the absence of a local or international NGO presence in Singapore to deal with the rights of domestic workers, religious groups and foreign embassies stepped in and filled the void. Their actions, however, were largely ad hoc. During the 1990s, concerned about the linkage between Catholicism and the Marxist Conspiracy, Christian churches were extremely careful in their public dealings with domestic workers. As the numbers of Indonesian foreign workers rose, several mosques began to provide support and training services to Muslim maids through their women's programs.⁸ Both groups acted informally to assist 'runaway' maids to contact embassy officials when they needed assistance. These ties became stronger in the 1990s as increasing pressure was placed on sending countries by overseas workers and their families to address the needs of their citizens working abroad. In Singapore, these claims were crystallised around the arrest and execution of a Filipina domestic worker, Flor Contemplacion, in 1995. The execution caused a diplomatic rift between the Philippines and Singapore as speculation mounted over her guilt.⁹

⁸ Such activities include religious instruction as well as English language tuition.

⁹ For a discussion of the Contemplacion case, see Hildson et al. (2000) and Yeoh et al. (1999). As a result of this, and other cases, migrant worker welfare became a significant issue in for bilateral relations between receiving and sending countries throughout Southeast Asia. The Philippines Government established the Overseas Workers Welfare Administration (OWWA) as part of the Department of Labor and Employment. The OWWA runs a range of services

In a recent attempt to formalise its involvement in migrant workers issues, the Catholic Archdiocese of Singapore established the Commission for Migrants and Itinerant People (CMI) in 1998. One of its goals is to reach out to ‘strangers’ (including migrant workers, foreign students, travellers and refugees) “who have experienced injustice, oppression and alienation” (The Commission for Migrants and Itinerant People 2001). In addition to services aimed at assisting domestic workers, the CMI has also worked with the Singapore Ministry of Manpower to run workshops for employers on ‘How to establish a Harmonious Working Relationship with your Foreign Domestic Helper’. Both groups operate in partnership with the Singaporean government to address the question of individual treatment of domestic workers by employers, rather than dealing with broader questions of labour law, immigration law, or citizenship rights.

As the numbers of domestic workers entering Singapore has risen, so too have reports of physical and sexual abuse of maids by their employers, maid deaths, as well as incidents of assaults or theft carried out by maids. Despite concerns about overstepping the OB markers in relation to maids, the increasing visibility of these issues has made them difficult to ignore. In December 2001, a 19-year old Indonesian woman, Muawanatul Chasanah, died after months of brutal assault by her employer Ng Hua Chye. Ng’s neighbour, Mr Neo, was quoted in the media as saying: “Even if I knew, I wouldn’t have called the police, it’s not my business. He can do what he wants, that’s his problem” (Ho and Chong 2002). These comments prompted a number of Singaporeans to meet informally with the goal of addressing attitudes towards and treatment of domestic workers in Singapore, and The Working Committee 2 (TWC2) emerged in late 2002.

The TWC2 was modelled on the short-lived ‘The Working Committee’ or TWC that was formed in late 1998 and disbanded a year later (see Singam et al. 2002). The TWC operated as an informal network of individuals and representatives of NGOs and voluntary welfare organisations (VWOs). Its goal was to build links between differently situated civil society actors, and thereby participate in both re-assessing and re-invigorating the sphere of civil society in Singapore. Unlike other NGOs, the TWC was not formally registered through the Societies Act, but operated as a loose affiliation of individuals and organisations. By deliberately limiting its life span to one year, and focusing its activities on ‘network building’ rather than pursuing the interests of a particular client or membership group, the TWC was able to avoid the otherwise restrictive requirements of registration under the Societies Act.

The TWC provided an important alternative model of civil society engagement for other groups to consider. Several members of the TWC joined together with other activists to establish TWC2 with the aim to “promote respect for domestic workers through education, and secure better treatment of domestic workers through legislation and other means” (The Working Committee 2 2003). Like its predecessor, the TWC2 was formed as an ad-hoc group of individuals and organisations with a one-year limited life-span. International Day to Eliminate Violence against Women on 25 November 2003 marked the culmination of

for overseas Filipino workers, including refugees for maids in a number of countries. In Singapore, the OWWA half-way house for runaway maids through the Philippines Embassy.

its year-long efforts. Braema Mathi, a Nominated Member of Parliament¹⁰ and member of AWARE, chaired the committee. AWARE was listed as ‘partner’ organisation and hosted the TWC2 web-site.

The TWC2’s activities were organised under the banner ‘Dignity Overdue: Respecting the rights of maids’, and included workshops, public forums, and exhibitions. The issue of domestic worker ‘rights’ focused on three interrelated topics – reducing demand for domestic workers; employment contracts (including wages and conditions); and treatment by employers (built around a notion of respect for human dignity). Consistent with other NGOs in Singapore, rather than adopting a direct lobbying role in relation to legislative change, the TWC2 focused its activities on public education. For this reason, part of the group’s activities were focused on drawing attention to the gendered division of labour within the home, and finding alternative solutions to Singapore’s reliance on the labour of domestic workers.

In relation to employment contracts, the TWC2 encouraged employers to provide a day off per week to their employees. Members organised a ‘Sunday Off Campaign’ that included a Block Party¹¹ for workers and their employers, and a photography exhibition of maids on their days off (Tee 2003). Members also used the forum pages in the local media to raise the issue of standardised contracts for foreign domestic workers (Price and Lim 2003). These, and other initiatives, were successful in raising public awareness of the issues surrounding conditions of work. The PAP government, however, continues to argue that the matter of working conditions is an issue to be negotiated between individual employers (or agents) and employees because of the individual nature of the duties required in each household (Tan 2003a, b).

The TWC2’s interest in the treatment of domestic workers focused on the issue of violence. The group’s activities culminated with a series of events focused on International Day to Eliminate Violence against Women and Singapore’s first ‘White Ribbon Campaign’.¹² The campaign was supportive of the state’s own interest in developing a gracious and more civic-minded citizen, in contrast to the image of the ‘ugly Singaporean’ conjured up by images of maid-abuse. The interrelated issues of citizenship, marriage, residence, and family migration, were largely unaddressed. In part, this reflects concerns about overstepping the state’s OB markers. But, it also points to an inability to address violence as an issue of power embedded in social relations, rather than as an individual, isolated act. The focus on violence also meant that the rights of the vast majority of workers who do not face violence in the workplace, were also overlooked.

At the end of its year-long activities, a new group consisting of former TWC2 members announced that they would establish a Maid Resource Centre to deal with,

all issues relating to maids, whether these are raised by workers, employers or recruitment agencies. ... It plans to be a one-stop centre for maids, providing information on the industry, a training centre for skills upgrading, as well as a coordination point to link workers, employers, foreign embassies and employment agencies (Hooi 2003).

¹⁰ The Nominated Member of Parliament (NMP) scheme was introduced in 1990 to co-opt alternative non-partisan voices into parliament. NMPs are nominated by members of the public, NGOs or Voluntary Welfare Organisations (VWOs), and appointed by the government for a term of 3 years. While NMPs share the same parliamentary privileges and immunities as normal MPs, they have limited voting rights and do not play a role in the running of town councils.

¹¹ Block here refers to a housing apartment block, the main form of housing in Singapore.

¹² The White Ribbon Campaign is an international program organised by men where ribbon wearers pledge ‘never to commit, never to condone and never to remain silent about violence against women’ (White Ribbon Campaign 2003).

In signalling its intentions to extend the TWC2's work, this group raises the possibility of a stronger, more formalised NGO presence in the field of domestic worker rights. The new group, retained the original acronym but changed its name to 'Transient Workers Count Too'. It applied for formal registration under the Societies Act in January 2004, but received in principle approval subject to revisions to its proposed constitution. Braema Mathi recently stated that to address the concerns of the Registrar of Societies would significantly undermine the organisations ability to assist migrant workers but neither party has released details of the constitutional clause of concern, and negotiations are still underway (Lim 2004). At this stage, it is too early to tell whether they will be successful, and what implications this will have for both domestic worker rights and the expansion of civil society in Singapore. It may be that the 'maid-economy' is now such a public issue for discussion and debate, that a more formal NGO presence and/or the incorporation of domestic worker rights into pre-existing NGO activities (such as those of AWARE), will not be seen to be overstep the OB markers.

Tenaganita in Malaysia

Workers' rights organisations and trade unions in Malaysia are much greater in number and more diverse than their Singaporean counterparts. Although they were quite militant in the early post-Independence years, most trade unions have had their activities curtailed to suit the economic needs of the government. Enterprise-based unions and agreements have replaced industrial trade unions. Enterprise-based unions lack resources for effective negotiation and are discouraged from forming federations (Eldridge 2002: 96). Unlike Singapore, labour organisations in Malaysia have been active in mobilising migrant labour. The Trade Union Act allows legally resident migrant workers to become union members, although this right is often excluded from workers' individual contracts. Sahabat Wanita, a national organisation of women's workers, does not deal specifically with migrant women workers, but refers them instead to migrant worker organisations. At the same time, however, Sahabat Wanita sees its role as one of education and changing the mindsets of local workers about the needs and conditions of migrant workers, who are often perceived as taking away local jobs (Cabrera-Balleza 1999).

Tenaganita (or 'Women's Force') was formed in 1991 to "promote and protect the rights of all women and migrant workers within a globalized world" (Tenaganita Admin 2004: n.pg). Tenaganita's activities are organised under seven programs that seek to "empower, organize and consolidate migrant and women workers not only in Malaysia but regionally" (Tenaganita Admin 2004: n.pg). These programs are: 1) National Focal Point – collates and shares information through a website, newsletter and publications on migration, migrant workers and women workers; 2) Migrants Rights and Health Desk – an advocacy and support service; 3) Community Based Interventions to Promote Health care and reduce HIV/AIDS Vulnerability; 4) Domestic workers Program; 5) Arrest Detention and Deportation – legal support and campaigns; 6) Women, Chemicals and Cancer; and 7) Trafficking in Women and Children. Since its

creation, Tenaganita has been successful in establishing reform amendments to rape laws, model contracts for overseas domestic helpers, and a domestic violence act (Claude and Issel 2004).

Since its inception, Tenaganita has adopted a focus that deliberately links the local, national, regional, and international. Within this framework, the rights of women workers, both Malaysian nationals and foreigners, and migrant workers more generally, are explicitly linked to processes of globalization. Tenaganita's slogan is "Join us today to humanize globalization and bring dignity to workers and women". What is striking, is that while both Tenaganita and the TWC2 address the issue of 'dignity', in the case of Tenaganita, dignity is broadened to include the needs of women and workers everywhere, whereas in the case of the TWC2 it is narrowly interpreted to refer to the humane treatment of foreign domestic workers in Singapore only.

The transnational frame that informs Tenaganita's activities is apparent in the types of linkages that it has forged regionally and internationally. Unlike the TWC2 in Singapore, Tenaganita has formed links with a number of regional and international organisations. For example, several Tenaganita members have held executive positions in the Asia Pacific Forum on Women, Law and Development (APWLD). Coordination of Action Research on AIDS and Mobility (CARAM) Asia is an NGO based in Malaysia with partner organisations throughout South and Southeast Asia. CARAM Asia seeks to "empower migrant workers and their communities through the promotion and protection of their rights and the creation of an enabling environment at all stages of migration to reduce HIV/AIDS vulnerability" (CARAM Asia 2004). The idea for the formation of regional network of organisations committed to action-research on Mobility and HIV/AIDS was mooted at a regional workshop organised by Tenaganita in 1994. The network was formed as a Tenaganita initiative in 1997 after a series of workshops on Migration and HIV/AIDS. Free University Amsterdam played a key role in its establishment, and is listed as a 'special partner'.

Dr Irene Fernandez, Director and co-founder of Tenaganita, sees a direct links between national and transnational processes, as evident in the expansion of the global economy, and thus the importance of addressing global issues locally:

Decisions on the economy of countries are more and more determined by transnational corporations, with local elite and governments as parts of the process of promoting globalization. It benefits all of them, but contributes to the erosion of democratic rights (Irene Fernandez cited in Claude and Issel 2004: n.pg).

This quotation points to the centrality of globalization in understanding the place of women workers, including foreign domestic workers, in Malaysia. In contrast, the TWC2's activities pay little attention to forces of globalization, and few connections are drawn between local workers and migrant workers, except in terms of 'reducing demand'.

Irene Fernandez is the defendant in the longest running trial in Malaysia's history. She was charged in 1996 under Section 8A(2) of the Printing Presses and Publications Act (1984) (PPPA) for 'maliciously publishing false news'. Malice was defined as "whether or not the accused took 'reasonable measures' to verify the truth of the news" (Amnesty International 2000: n.pg). She was convicted in November 2003 and

is currently free on bail pending an appeal. If the appeal is not upheld, she may face a prison sentence. As a result of the police investigation, Tenganita's bank account has been frozen and its members harassed. Among the issues that Fernandez was questioned about during her arrest and subsequent trial were the connections the organization has with overseas groups, and particularly the source of Tenganita's funding (Multinational Monitor 1996).

Fernandez was arrested in March 1996 after she passed a copy of a Tenganita report entitled 'Abuses, Torture and Dehumanized Treatment of Migrant Workers at Detention Camps' to the Malaysian daily, the *New Straits Times*. During 1994 and 1995, researchers from Tenganita compiled over 300 interviews with undocumented migrant workers released from detention camps in Malaysia. The workers interviewed were mainly from Bangladesh, Indonesia and the Philippines. The report, issued in August 1995, documented cases of widespread ill-treatment of undocumented workers and "alleged patterns of human rights violations in the camps, including beatings, sexual abuse, malnutrition, dehydration, and denial of access to medical treatment" (Amnesty International 2003: n.pg). In some instances, these abuses led to deaths from malnutrition, beri-beri and other treatable illnesses (Amnesty International 1996). Tenganita called on the government to open the detention centres up for inspection and to set up an independent inquiry to investigate allegations of abuse. In September that year, the Deputy Minister of Home Affairs appointed an independent Visitor's Panel to study conditions in the camps, but the Panel's findings have never been released.

While Irene Fernandez's trial points to the extreme measures that the Malaysian government uses to silence public debate over the rights of migrant workers and the extreme difficulties facing civil society actors who work in this arena, the trial itself has become a focal point for intensified national and transnational activism. Fernandez herself recognises the importance of the trial in shaping national activism around women's and worker's rights:

The trial has had a consciousness-raising effect educating the people about what is really happening... When I walk down the street, people stop me and say, 'we believe in what you're doing'. Indeed, women's organizations and migrant groups are organizing at the grassroots level more than ever. So, while free speech may be suppressed, free association is taking on new life (Irene Fernandez cited in Claude and Issel 2004: n.pg).

As an indicator of the extent to which the Fernandez case has generated grassroots support, in November 2003, 91 Malaysian NGOs comprising women, consumer, human rights, environmental groups, peoples organisations and trade unions, came together to launch a campaign to support Irene Fernandez. Under the banner "Keep Irene Free, Defend the Defenders", the coalition aims to collect a million signatures nationally and internationally (Fernandez 2003). Their activities support the views of Meredith Weiss and Saliha Hassan (2003) who argue that collective action through broad coalition networks may provide one means for advancing social change in Malaysia. Amnesty International and other international human rights and migrant worker rights organisations have monitored the trial and campaigned for repeal of the PPPA legislation. The outcome of the appeal is still pending and may take several more years.

Conclusion

The feminisation of migrant labour clearly is a transnational issue and many groups are working to improve the status of female migrant workers both globally and regionally. This study, however, points to problems that activists face as they attempt to advocate across national borders. Singapore and Malaysia are major receiving countries of migrant labour in the region, and like women elsewhere, domestic workers in both countries face a range of problems. Transnational actors seeking to advocate on their behalf not only face legal barriers to cross-border activism, but also the constraints of working in a narrowly defined sphere of civil society. In Singapore, local activists are understandably wary of associating too closely with international groups, and limit their activities in ways that support state-defined 'out-of-bounds markers'. The Working Committee 2 tests the boundaries of these markers through its activities. It marks one of the first attempts by local NGOs and activists in Singapore to address a transnational issue. However, it has done so by focusing specifically on 'national' issues and deliberately avoiding affiliations or alliances with non-Singaporean based networks or organisations. But what becomes defined as the 'national' also takes shape within the OB markers. Members of the TWC2, like other civil society actors in Singapore, must pay attention to the complexities and contradictions of civil society as they consider what kind of activities to engage in. The group's decision to remain 'ad-hoc' rather than go through the lengthy registration process points to an awareness of this.

While the TWC2's activities are creative, ultimately they remain non-confrontational and consensual. The group lacks radical potential because its members fail to address the substantive issues of class, gender and ethnicity that underpin the demand for domestic migrant labour, as well as the factors that constrain the rights of these workers. For example, although its work could have provided an important opportunity to address the intersection between domestic violence against all women, and the 'private' nature of violence against domestic workers (that is, a critique of the public/private dualism implicit in state policy-making), it remained largely focused on migrant women (thus reinforcing an us/them dualism). The campaign was also supportive of the state's own interest in developing a gracious and more civic-minded citizen, in contrast to the image of the 'ugly Singaporean' conjured up by images of maid-abuse. The interrelated issues of citizenship, marriage, residence, and family migration, were largely unaddressed. In part, this reflects concerns about overstepping the state's OB markers. But, it also reflects the conservative nature of the organisation's gender activism. Although there was scope in the discussion of housework to discuss gender inequality it remained focused on gender difference; that is, it focused on getting more men to do housework, rather than addressing the questions of women's role as mothers in the process of nation-building.

In Malaysia, women's and worker's movements are much more diverse and active than they are in Singapore. In part, this may be explained by the different historical trajectories of the two governments and the differential size, geographical spread and ethnic and religious make up of their populations. Unlike the TWC2, Tenaganita is a formally registered NGO with over 10 years of grassroots experience working with migrant and local workers. Rather than focusing on consciousness-raising activities, it addresses the needs of

migrant workers through policy, research and advocacy work. It explicitly employs a transnational frame into its activities by focusing on two issues: 1) the intersecting interests of national governments and multinational corporations in the exploitation of workers; and 2) the common experiences of workers, regardless of nationality. By focusing on structural issues rather than the abusive behaviours of individual employers, Tenaganita's activities transcend the implicit individualism of the TWC2's campaigns. The focus on globalisation is enhanced through Tenaganita's national, regional and international linkages.

This does not mean, however, that the ruling government plays a less significant role in shaping the nature of state-civil society relations in Malaysia. The Irene Fernandez case clearly shows that the Malaysian government is willing to use repressive legislation to crush alternative or critical voices. Rather than limiting the opportunities for transnational engagement, however, Irene Fernandez's trial has become another focal point for re-asserting a global focus to Tenganita's activities. At the grassroots level, it is a rallying point for coalition building among diverse NGOs. At an international level, the campaigning of human rights organisations has not only focused attention on the conditions of migrant workers and worker's rights activists, but also enhanced Tenaganita's interactions with a range of regionally and internationally based organisations.

In the rush to celebrate the emergence of global civil society, feminists must stop to remind themselves that transnationalism does not transcend difference but is embedded within it. As the two different case studies of the TWC2 and Tenaganita show, for transnational activism to be successful feminists must consciously delineate the boundaries of their engagement, paying close attention to the different situations 'on the ground' in those places where they seek to forge alliances. In some contexts this may mean developing creative responses to the limitations imposed by state forces. Here they can draw on the example of locally-based groups such as the TWC2. In other contexts local groups such as Tenaganita, which seeks to raise the profile of its work at the national level, may welcome limited transnational linkages. But these transnational engagements should proceed in such a way that they do not jeopardise local groups. Recognising the limitations of transnationalism, rather than celebrating its successes, may thus be the greatest challenge facing the future of global feminism.

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