

**Migration, Gender and the Political Economy of Care: The Exclusion of Migrant  
Domestic Workers and the Limits of Civic Nationalism in Taiwan**

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*Abstract:*

My thesis asks why Taiwan does not facilitate a path to citizenship to recent immigrants, despite the obvious advantages to do so, as the government's attempt to promote its society as a model of civic nationalism in Asia, in relation to the pressing need to address labour shortages caused by population aging. I argue that the political economy of care provision that seeks to address the latter problem trumps concerns over national identity. I will look at the changes in the supply of labour in the sector of care since the 1990s as the evidence. Taiwan illustrates the case of East Asian nations' rapid transition to post-industrial societies, which are now confronted with acute socio-demographic and care crises stemming from aging populations, low fertility rates and a traditional reliance on the family to provide social welfare. This thesis argues that this change in the supply of labour represents a key indicator of the multiple dimensions of the question of exclusion faced by migrant domestic workers in Taiwan. Civil society actors promoting Taiwan's civic nationalism in the feminist and labour movements and in a few religious associations are unable to address the rights of foreign live-in caregivers because of the dynamics of the political economy of care in Asia and its dependence on migration for reproductive labour.

*Dedication and Thanks:*

I would like to thank my parents, Zakia Kabiche and Kamel Allouache and my grandparents for their patience and unreserved encouragement.

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## **Chapter One: The Question of Exclusion of Migrant Domestic Workers in Taiwan**

### Introduction:

This thesis addresses the question of exclusion faced by migrant domestic workers, known as “foreign live-in caregivers” (外藉家庭看護工) in Taiwan from citizenship rights. This occupational category was initially constituted in majority of Filipina migrant domestic workers. However, the past two decades saw a steady increase of recruitment from Indonesia, who now has surpassed them in becoming the largest group of migrants in Taiwan. To examine their exclusion, this thesis brings together key concepts from a multidisciplinary literature to explain migrant domestic workers’ exclusion from equal citizenship and legal protection by seeking to understand the meaning of this pattern of recruitment in Taiwan.

For the Taiwanese nation, this pattern speaks to a cycle of dependence on a cyclical migration of low and unskilled domestic workers for reproductive labour. The very same institutional framework that could empower this particularly vulnerable group of migrant women contributes to their exploitation and reify social exclusion and creates barriers for their integration. Taiwan appears unable or unwilling to develop a coherent plan in terms of welfare and social policies to tackle its acute socio-demographic changes and care crises, which relies on migrant workers who make an immense contribution to helping address them.

The dynamics of the political economy of care in Taiwan will try to *explain why* no changes in laws to favour the integration of migrant workers as new citizens despite its civic aspiration and inclusive national identity discourse. Consequently, the lack of fair treatment for migrant domestic workers undermines Taiwan’s image as a civic nation that promotes equal citizenship.

### The limits of the idea of “New Taiwanese” (新台灣人) : A New Puzzle

Taiwan, as a case study, is an interesting laboratory for social scientists to explore socio-political questions. It is a proud democracy with a vibrant civil society and without discounting the imposing shadow that Mainland China casts and the tense nature of Cross-Strait relations,

Taiwan and Canada as liberal democracies share much in common in their political ideals. Both nations consider themselves to be ‘civic’- built on values of freedom, equality, and tolerance, demonstrated through individual rights and equal citizenship. From a comparative perspective, Taiwan also joins Quebec, Scotland, and Catalonia as virtual nations with the common goal of political self-determination, seeking social justice by democratic means. This civic aspiration is unequivocal when it comes to Taiwanese politicians’ self-praise for their democratic institutions, viewing Taiwan as a democratic guidepost for Chinese societies, as well as their desire for recognition and participation in the international community.

Taiwan’s modern political history includes the mixed legacies of colonialism and authoritarianism where an amalgam including the legacies of imposed Japanese and Chinese nationalisms has nurtured the creation of its ethnic and cultural identity. In the aftermath of the Chinese Civil War, the Nationalist Army’s relocation of the government of the Republic of China (R.O.C.) to Taiwan set in motion the lasting two-state separation of China. Following the R.O.C.’s expulsion from the United Nations in 1971, the KMT (國民黨) opted to democratize on its own terms. Gradual political liberalization began with the presidency of Chiang Ching-Kuo (蔣經國)(1978-1988), transforming the political landscape to a multi-party system and implementing Taiwanization policies. The consolidation of the R.O. C’s sovereignty on Taiwan was a necessary step in managing relations with a hostile People’s Republic of China.

The fruitful outcome of these reforms and Taiwanization identity policies were largely credited to President Lee Teng-Hui (李登輝)(1988-2000). As the KMT was now a Taiwan majority party, in the 1996 presidential elections, Lee became the first democratically elected President of the R.O.C. born in Taiwan and of local heritage. In 1995, on the eve of the anniversary of the February 28, 1947 Incident<sup>1</sup>, Lee became the first Taiwanese head of State to publicly speak on

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<sup>1</sup> The February 28<sup>th</sup> Incident began on its eve when government agents confiscated contraband cigarettes from a woman named Lin Jiang-Mai and beat her publically and at once prompting protests the police on the following day. Unrest quickly followed this all over the island. Within a week, Chiang-Kai-Shek dispatched troops to respond to this by large-scale military suppression and massacre of civilians. This will be further discussed in the fourth chapter.

the topic. In issuing his formal apology, he paved the way for open discussions and investigations on the events. This mandate given to him by Taiwanese people testifies to the progress made since the authoritarian era and the gradual adoption of civic values to face the challenges ahead in consolidating Taiwan's democracy. Remarkably, following his victory in 1996, Lee coined the expression "New Taiwanese (新台灣人)" (Lee, 1999, p. 200) to express that Taiwanese of all origins and political allegiances share a common destiny of preserving Taiwan's sovereignty and democracy (Schubert: 2004: 540). In light of this history, Taiwan has undoubtedly moved away from the "waishengren" (外省人) and "benshengren" (本省人)<sup>2</sup> cleavage and flourished into a "civic consensus" aimed at creating a bridge across ethnicities and prioritize a shared common view of democracy (Schubert, 2004; Cabestan, 2005; Rigger, 2006). Since then Taiwan saw two Democratic Progressive Party presidents take office. First, Chen Shui-Bian (陳水扁) by a narrow victory in 2000. However, he did not have a full mandate. Second, the current president Tsai-Ing Wen (蔡英文) in the 2016 general elections. Taiwan has crossed a new milestone for the consolidation of its democracy. This "Civic Consensus" is a sovereigntist one in the sense where, irrespective of the party coalition (Pan-Blue, KMT pro-reunification or DPP, Pan-Green, DPP pro-independence), the priority must be the development of Taiwan as *de facto* independent nation-state. This meant that Taiwan needed to improve its diplomatic relations, strengthen its democratic institutions and that any important political decision, particularly one that would be on the status of Taiwan, must be put before the Taiwanese people.

Taiwanese presidents often speak about their nation's tolerance, inclusiveness of diversity and religious freedom. President Tsai-Ying Wen has taken this a step further and acknowledged the

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<sup>2</sup> *waishengren* (外省人) represents Mainlanders who moved to Taiwan in the 1940s. On the other hand, *benshengren* (本省人) refers to the people who were in Taiwan before, generally traced back to the 17th century migration from Fujian Province. Sympathizers of Taiwanese independence will see these terms as controversial due to the fact they both refer to Taiwan as a province (省).

important contribution of Southeast Asian migrant workers promised for a push in reforms regarding their situation and elder care during her electoral campaign.

In fact, over half a million migrant workers are now in Taiwan building public infrastructure, working for private companies, and caring for families. The Taiwanese capital, Taipei, exemplifies the many ways in which this migration fosters a multicultural turn of the Taiwanese urban landscape. Whether it is at the hospital, near an elementary school or at the nearest public park, one thing is observable; a migrant domestic worker accompanying an older or picking up the children after school. This observation testifies to the crucial roles performed daily throughout the past decades by these migrant women and sheds light on the new lives and principles they voluntarily accept, all to contribute to the welfare of their families in their country of origin.

However, despite the crucial social function migrant domestic workers occupy, they enter Taiwan with predetermined entry and exit terms and face unreasonable working conditions (Cheng 2003). Most workers are indebted to their broker agency, carrying significant loans they will spend years paying back as they are in a situation of “legal servitude” restricted in the sector of employment and contractually to their employer (Lan, 2007, 2008a). Equally, the home-based nature of care work makes most likely to be victims of psychological and sexual abuse (Cheng, 1996; Lan, 2003). A clear majority of them come from Indonesia, the Philippines and increasingly Vietnam (Loveband, 2009; Liang, 2011; MOL, 2016). After decades of doing dirty, dangerous, and demeaning work, treated as disposable labour, they form one of the most exploited and marginalized groups of women in the “international division of reproductive labour” (Parreñas, 2000, 2001)

This research problem seeks to analyze this puzzling reality of exclusion and marginalization with the civic, inclusive and multiculturalist discourse explained earlier. Also, domestic workers and live-in caregivers’ fight for equal rights and fair treatment is not one without support. Many feminist labour and religious civil society actors and advocacy groups go to great lengths to raise

awareness of their situation within Taiwanese society and try to keep this issue on decision makers' agenda and the public's radar. On many occasions and with very little resources, they can stage protests in front of key institutions such as the Ministry of Labour, offer policy recommendations and launch campaigns to educate the Taiwanese public against some biases and discriminatory practices and migrant workers themselves to raise their confidence on their rights. Nonetheless, the fact that this has yielded very little result needs further investigation. This thesis problematizes the lack of fair treatment of migrant domestic workers as one of many important limits to civic nationalism and inclusiveness in Taiwan. The rest of this thesis will elaborate on the key components and the literature used for this research and work its way towards a specific explanation that accounts for the political factors of this exclusion.

*Research Question and Hypothesis:*

Why Taiwanese feminists, religious associations, the labour movement, and civil society actors have been unsuccessful in obtaining for migrant workers the possibility of access to citizenship? And given Taiwan's aspiration to be a civic nation, what will account for Taiwanese State's inaction on behalf of migrant domestic workers? In other words, why are migrant domestic workers kept in a position of exclusion despite their performance and involvement in the reproductive work of the Taiwanese society for decades? As the exclusion of migrant workers represents an important limitation to civic nationalism in Taiwan, it is then also necessary to ask what factors explain this despite the demonstrated need for immigration caused by population aging and acute socio-demographic changes. This thesis will discuss these important guiding questions but it is a look at the nationality of migrant workers and an observation on the pattern of recruitment that adds a layer of complexity to this issue and brings us the specific research question.

The official Ministry of Labour statistics on "foreign live-in caregivers" in the "social welfare" category show that this occupation initially consisted in majority of Filipina workers but this is

no longer the case. The past two decades saw a steady increase of recruitment from Indonesia, who now has surpassed the Philippines as the sending country with the largest group of migrants to Taiwan. Why did Taiwanese institutional actors and labour brokers choose to progressively recruit more domestic workers and foreign live-in caregivers from Indonesia at the expense of their Filipina counterparts? What political factors can best explain the change in the *direction* of recruitment?

To this specific question, this thesis presents the hypothesis that the dynamics of the political economy of care best explain the exclusion of migrant domestic workers and live-in caregivers from equal citizenship in Taiwan. Precisely, Indonesian and Filipina migrant domestic workers are maintained in this position of exclusion from legal protection regarding national labour standard laws and access to citizenship because the cost of this legal obligation is deemed too high to bear for the Taiwanese state and institutional actors in the care economy, such as brokers and employment agencies. Taiwan lacks public provision for elder care and retrenched its welfare state. To justify this effort aimed at cutting public spending, even after decades of performing the reproductive labour of the Taiwanese society, the deployed guest worker policy and the many restrictions imposed to migrants keep them in a situation of ineligibility. This situation is produced by a framing that thinks them inadmissible and culturally incompatible with Taiwanese society and its national identity is used to justify this situation. The combination of these factors explains state mechanisms which have a rigid view of migrants as only being “temporary guests” and worthy of being treated as “disposable labour.” Then, we can conclude that this framework’s intended goal is to specifically prevent the integration of migrant domestic workers and enforce their temporariness, choosing to value their status as “temporary guests” instead of “new immigrants” (Lan, 2007; Tseng & Wang, 2011).

Furthermore, operating within the premise of the processes and dynamics of this political economy of care, Indonesians became to be the most desirable domestic workers and live-in caregivers and have been framed as such by labour brokers. This exposes a hierarchal structure

of the migrant labour market where some nationalities are more desirable than others. This thesis argues that there is a clear political factor explaining this: Indonesian migrant women are viewed as more exploitable given the lack of a strong support network from civil society actors in Taiwan in comparison to Filipina counterparts where their activism and vocal communities in advocating for better working conditions, higher wages and equal rights had the opposite of the desired effect, resulting in the decrease of their recruitment.

To understand how Taiwan, a liberal democratic state can use migrant women's labour without offering any recognition nor protection, is to unpack the dynamics of the political economy of care showing that Taiwanese society's dependence on this cyclical migration for reproductive labour.

#### Methodology:

This thesis presents a multi-causal explanation to the exclusion of Indonesian and Filipina domestic workers and foreign-live caregivers in Taiwan. Empirically, it employs *Process-Tracing*, which is a fundamental method and tool of qualitative analysis that provides decisive guidelines to describing socio-political phenomena, identifying causal puzzles, developing hypothesis and evaluating causal claims. Process-tracing is not only "commonly defined by its ambition to trace causal mechanisms" (Beach & Pedersen, 2013, p.1) but also allows us to "peer into the box of causality to locate the intermediate factors lying between some structural causes and its purported effect" (Gerring, 2007, p.45) Therefore, the chapters of this thesis are divided along the lines of the explanatory variables identified for this multi-causal explanation of exclusion.

As *process-tracing* is arguably the only method suited to examine causal mechanisms, this research employs an *Explaining the Outcome Process-Tracing* sub-variant conceptualized by Beach and Pedersen (2013) with the purpose to help theorize a causal mechanism and address "problem-oriented research attempts to craft a minimally sufficient explanation" (pp. 3-11) To structure this mechanistic explanation, given Taiwan's civic aspiration, the particularly puzzling

outcome in this specific case is the exclusion of Filipina and Indonesian migrant domestic workers from legal rights and equal citizenship. For this process-tracing sub-variant, the argument and causal claim that is presented must answer the following indispensable question, “What mechanistic explanation accounts for the outcome?” (Beach & Pedersen, 2013, p.11) In this case, to summarize the hypothesis that was put forward, “the political economy of care” not as expressed through the supply and demand of domestic workers and live-in caregivers in Taiwan but also as a feminist concept which analyzes the management of migrant women by the state, is itself the lens of this study and the explaining factor of the outcome of exclusion. Specifically, it is the cost of legal obligations that could emanate from recognizing the rights of foreign labour in Taiwan that constitutes the causal variable and *explains* their exclusion.

This socio-political inquiry is the product of a yearlong stay in Taiwan, in my capacity as a Chinese language student where the goal was to better understand the social, cultural, and political situation of migrant domestic workers and their communities in Taiwan. The field data collection is derived from participant observation, field notes, informal discussions during migrant workers’ weekend gatherings, participations to public symposiums organized by Taiwanese NGOs on topics such as long-term care in Taiwan and my overall personal experience of living in Taiwan and paying attention to the discussions generated by these issues in the media and public sphere. Other secondary sources such as government official statistics proved to be key as indicators of the conceptualized independent variable. Many Taiwanese newspapers which debate issues relevant to migrant domestic workers were compiled for over a year as well as commentaries and opinions published on social media. At last, the diversity of these observations and documentary sources made this process suitable for a constant triangulation of the information presented. Nonetheless, the central data used is the academic literature from migration studies, gender studies, East Asian welfare states and social policies as well as literature civic nationalism as a concept and Taiwan’s modern political history and national identity debates.

*Contribution, Limits, and Scope of the Research:*

Given the country in question, this research faced a few limitations that need to be acknowledged. An obstacle that is personal in nature is that I do not fluently read Mandarin yet. Therefore, the literature review of this present research does not incorporate Mandarin language sources as it would be extremely time consuming. In addition, this research did not seek to reproduce the in-depth sociological and ethnographic studies it uses for its argument. Some sociological and ethnographic inquiries discuss the specific situation of foreign live-in caregivers in Hong Kong and Singapore. However, when it comes to Taiwan, the literature has a strong focus on the historically dominant Filipina migrants in Taiwan and very little focus on Indonesians. In addition to this, very little to no literature explores the question of Islam and the history of its communities in Taiwan in relation to Indonesian migrant domestic workers. An important contribution of this thesis is the finding that the fragmentation of Muslim communities along generational lines and competing views regarding the practice of Islam between the main Muslim associations and organizations in Taiwan explains the weak support network of Indonesian migrant domestic workers and foreign live-in caregivers in comparison to Filipinas.

Also, political scientists have not taken a great interest in the structural factors for the supply and demand for care work and even less regarding the exclusion of migrant domestic workers in Asia. Often, culturalist arguments are cited explaining this by the homogenous ethnic configuration of the region or by lumping Taiwan together with Japan and South Korea. This thesis also discusses this by the multidisciplinary nature of this research question and literature it consults as few have considered feminist critiques of the globalization of care work and the gendered pattern of this migration as an approach to frame and analyze the exclusion of migrants from citizenship rights within the nation-state. This research discusses these gaps by looking beyond the nation-state level to explain changes within it and vice-versa; its specific

contribution lies at the interaction of the macro and meso-level dynamics that constitute this multi-causal argument. This argument aims to fill this gap by bridging together literature on Taiwanese national identity debates, the evolution of welfare and social policies and how this is worsened by the acute sociodemographic changes that are felt in East Asia and Taiwan, as well as gender and feminist studies who have conceptually tackled the gendered and racialized effects of this migration.

In summary, this thesis presents a mechanistic argument that unpacks the rationale of Filipina and Indonesian live-in caregivers' exclusion in their adoptive society. What is explained here, besides the broader guiding question of the inability to access citizenship, is the logic of this newfound pattern of recruitment where the state looks for other potential sources of cheap, low and unskilled labour when a certain group of migrant workers becomes too "costly", which means when migrant communities become better organized, vocal and increasingly established within the Taiwanese civil society landscape. It is argued that the best argument to comprehensively explain this is one that bridges together national identity debates with the evolution of welfare politics and socio-demographic changes in Taiwan situated within a gendered and feminist framing that has observed key global political and economic changes and processes in the past few decades. This framing will be unpacked and contextualized in the next theoretical framework section.

### Chapter overview:

After this first chapter which serves to delimit the topic and questions guiding this research, the second chapter discusses the theoretical framework of the "political economy of care" and the instrumental concept of "global care chains." Chapter three speaks on the evolution of welfare politics and socio-demographic changes in Taiwan to present the debates and the nature of the

East Asian ‘family-based’ welfare regime. By presenting the history of the Taiwanese welfare regime and the historical lack of investment in elder care, I argue that the outsourcing of care through the recruitment of foreign labour was the only policy choice given the productivist imperative and legacy of these policies and imminent high demand for the work of care caused by population aging.

The fourth chapter will discuss Taiwan’s precarious international status, the arrival of new migrant communities and the convergence of these factors at a time of important national identity debates in 1990s to analyze the practices of the Taiwanese state. The visible social tension is the widespread belief that the Taiwanese state must assert its sovereignty and maintain the viability of its nationalist project by the promotion of a civic national identity, while on the other hand, it must address its socio-demographic challenges by the recruitment of foreign labour. The guest worker policy, being a tool by institutional actors to reconcile these pressures, positions migrants as “unwanted but necessary guests” in Taiwan. Therefore, this chapter details the practices of this institutionalized exclusion. The fifth and final chapter will describe the social history of Filipina and Indonesian migrant workers in Taiwan. Then, compare the differences in the capacity of these two groups to rally social and civil society support, proving the most salient explanatory variable to be the dynamics of the political economy of care in Taiwan. The analysis operationalizes the cost of legal obligations in terms of the demands of migrant domestic workers such as access to equal citizenship rights, higher wages and better working conditions, and proves that once a community is viewed as being too costly, the direction of recruitment changes.

## **Chapter Two: The Political Economy of Care in Asia and Expanding “Global Care Chains”:**

### *A Theoretical Framework:*

Building an understanding of the exclusion of migrant domestic workers invites a reflection on the relationship between migrant women and institutions within the broader context of the

“feminization of international migration” (Oishi, 2005; Parreñas, 2001). This position of exclusion is a by-product of political and economic processes that lie at the intersection of the “global” (macro-level) and the “domestic” (meso-level) with significant transnational elements. Situated in the globalization of the market economy, migration and migrant labour has become “a private solution to a public problem” (Castles & Miller, 1998, pp. 8-9). As Sassen (1999) puts it “migration is not simply an aggregation of individual decisions but is a process patterned and shaped by existing politico-economic systems.” (As cited in Lan, 2006, p. 31)

East and Southeast Asian labour has been an important part of international migration since the 1960s. However, it is only since the 1980s and 1990s following the unprecedented economic growth generated by East Asia’s “Four Tigers” (Taiwan, Hong Kong, Singapore, and South Korea) that these countries began implementing institutional mechanisms and policies to ease the recruitment of foreign labour. This has made them important destinations for low and unskilled workers from neighbouring Southeast Asian countries who have labour-surplus economies (Lan, 2006, pp. 30-33).

East Asian nations, in their transition to post-industrial societies became confronted with acute socio-demographic changes and “care crises” (Hochschild & Ehrenreich, 2002; Isaksen, Dave & Hochschild, 2008) stemming from aging populations, low fertility rates, women increased participation in the workforce which often results in “delaying childbearing” (Chen, 2012) and inadequate welfare and social policy programs (Peng & Wong, 2008; Michel & Peng, 2012; Song, 2015). Changes to the traditional reliance on the family to provide social welfare where dual-income households became the norm is also an equally important factor (Zhan & Montgomery, 2003; Lan, 2006; Razavi, 2007).

The liberalization of international trade and women’s entry in the labour market has transformed their socioeconomic role. The need of help in addressing their care responsibilities served as a catalyst for macroeconomic restructuring towards service-oriented economies. It has generated a demand for labourers to occupy manufacturing and “3D”s (Dirty, Dangerous and

Demeaning) sector jobs (Anderson, 2000) and in “global cities” (Sassen, 1998) to do the work that allows middle and higher income households to maintain their lifestyle. In Taiwan, it is fair to say that these are positions that women were simply no longer willing to fill themselves as access to good higher education leads to better-paying jobs. For employers, hiring migrant workers that can be paid less than national minimum wage laws provide an attractive solution. Consequently, since the 1970s the foremost policy response has been the implementation of programs to attract workers from Southeast Asian countries (Wang and Tseng, 2011). Following neighbouring Hong Kong and Singapore, Taiwan’s program began in the early 1990s, and its foreign-born migrant population has now surpassed half a million<sup>3</sup>, representing a 50% increase from a decade ago. This has significantly altered the face of Taiwan’s demography. The majority are migrant domestic workers from Indonesia and the Philippines and increasingly Vietnam (Loveband, 2009; Liang, 2011)

Equally, as Lan (2006) has observed, the mechanisms and policies which make Asian migration regimes have as a consequence the commercializing and commodification of migrants, making them to be viewed as “temporary guests” who are not entitled to any permanent status like in North America. In fact, “(...) the contract workforce is constantly replenished with new blood, and employers and workers alike lack sufficient information about the other party.” (Lan, 2006, pp. 30-33) Therefore, as “State-to-State” hiring was swept away with the liberalization of Asian economies, both parties rely on private agencies as brokers, who themselves make significant profits in this process of recruitment and placement (Lan, 2006, pp. 30-33). Tseng and Wang (2011) accurately point out that although these “guestworker programmes” may differ in the degree of restrictions imposed to migrants across Asian countries, they all share a common

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<sup>3</sup> According to official Ministry of Labor [statistics of March 2017](#), there were 639, 326 foreign workers in Taiwan. Out of this total, 242, 397 were categorized in “social welfare” where 186,983 are from Indonesia, followed by 30,919 from the Philippines and then 23,944 from Vietnam.  
R.O.C. (Taiwan) Ministry of Labour, *Foreign Workers Statistics “Foreign Workers in Productive Industries and Social Welfare by Nationality”* <http://statdb.mol.gov.tw/html/mon/c12030.htm> (Last update on 2017/4/20)

underlying assumption: the temporary status of migrant workers as “guests.” Additionally, Soysal (1994) had pointed out that the assumption “(...) that guestworkers can be sent back at times when the labour markets do not need them” (As Cited in Tseng & Wang, 2011, p. 2) shows the rotational expectation or cyclical ideal of these programmes which in the case of European countries has been shown to be a false one. In fact, as Castles (1986) had observed then “guestworker systems inevitably lead to permanent migration in the long run” (As cited in Tseng & Wang, 2011, p. 3)

Yet, despite the crucial social function they occupy performing the “reproductive labour”<sup>4</sup> of their adoptive societies, migrant domestic workers and live-in caregivers face unreasonable working conditions, with predetermined entry and exit terms (Cheng, 2003; Wang & Tseng, 2011). Most workers are indebted to their broker agency, carrying significant loans they will spend years paying back. (Lan, 2007, 2008a) The sector of domestic work is often unrecognized as “real” work or not considered of equal importance as “productive” labour industries deserving of equal protection. Additional to this, the vulnerable nature of home-based care puts migrant women in an inherently vulnerable position, making them likely to be victims of psychological and sexual abuse (Cheng, 1996; Lan, 2003; Kofman and Raghuram, 2009). After decades of doing demeaning work, treated as disposable labour, they form one of the most exploited and marginalized groups of women in the “international division of labour” (Parreñas, 2001).

This first part of this theoretical framework served as a backgrounder while the next will define the specific lens and concept used to build and demarcate an understanding of the factors which define the position of exclusion that migrant domestic workers find themselves in globally. The thesis also argues that this is best done through a gendered lens as gender is a structural determinant for women’s migration and migrant domestic workers in building an “international

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<sup>4</sup> Yeates (2012) defines reproductive labour as “(...) essentially what creates labour power as opposed to commodities or products. Reproductive labour can accommodate an incredibly wide range of activities ranging from highly intimate social, health and sexual care services to less intimate ones such as educational, cooking, cleaning, ironing and general maintenance work offered on a waged and/or non-waged basis in domestic (household) and/or institutional settings.” (Yeates, 2012, p.151)

transfer of caretaking” (Parreñas, 2000)

The centrality of gender as an analytical lens is essential to understand the exclusion and the labour exploitation because the logic of the subcontracting of domestic and care labour is built on unequal social relations, class divisions and racialized views of different groups of migrant women (Yeates, 2005, p. 232; Tierney, 2011) The “international division of reproductive labour” speaks to a gendered system of transnational capitalism, or more precisely a transnational trade in domestic labour, where “young women from poorer Asian countries typically travel to richer countries of Asia (...) to work in various branches of the international care economy” (Yeates, 2005, p. 230) Therefore, applying “the global political economy of care”, a gendered political economy lens as an approach is better suited to harnesses the centrality of care needs and policies in globalizing economies (Yeates, 2005; Razavi, 2007; Kofman & Raghuram, 2007; Mahon & Robinson, 2010) This concept and framework emphasize the “(...) care deficit consequent upon women’s employment and an ageing population, in the developing world (...)” which then “place enormous burdens on women who are expected to do the caring with very little infrastructure support.” (Williams, 2010, p. 391) In broad terms, this centrality of care needs is understood as the need “to link individual care practices in different countries to social, cultural, and policy discourses and contexts at local, national, regional and global levels” thoroughly the three interrelated (macro-meso-micro) levels of analysis (Mahon & Robinson, 2010, p. 38) Within the broader context of the globalization of domestic and care work, this approach is argued to be best suited perspective to understand this exclusion within the global and multilevel relations surrounding the work of care (Yeates, 2005).

A desire to further conceptualize this saw Williams (2010) discuss a “transnational political economy of care” to capture “several simultaneous transnational processes” (Williams, 2010, p. 391) For example, there is the movement of care labour but also “(...) ‘the transnational dynamics of care commitments’ as people move to different countries and leave behind people to be cared for at a distance, or, in their turn, have no family locally to care for their needs”

(Parreñas, 2001; Williams, 2010, p. 391) This is then extended to the transnational movement of care capital which “refers to those commodifying trends that have accelerated the intervention of the private market in health and social care and made care big business” (Williams, 2010, p. 391) This framing also allows us to observe the “transnational influence of care discourses and policies” such as the “(...) discourse of ‘choice’ and the use of the private sector to generate cost efficiencies” and conversely the “transnational activity of social movements, non-governmental and grassroots organisations” which represent migrant domestic workers. (Williams, 2010, p. 392) This serves to contextualize the impacts of these processes on migrants’ experiences and allows us to ask questions about their rights, their capacity to lead fulfilling lives. It also leads us to ask, “(...) how gender equality is framed and understood by policy makers and what kind of global strategies are necessary to challenge global inequalities in the provision and needs for care.” (Williams, 2010, p. 392)

Employing a gendered political economy framework also exemplifies a paradoxical outcome for migrant women: On one hand, there is an increased mobility of care and reproductive labour, whereas on the other, this mobility represents a bounded global market with significant gender patterns and racial specificities in this high demand for domestic workers and live-in caregivers (Lan, 2006) Consequently, this thesis argues that the rationale of domestic workers and live-in caregivers’ exclusion in Taiwan is best explained through a closer look on their position as commodified low wage labourers in a global economic reality motivated and greatly affected by socio-demographic changes causing an ever-increasing demand for the work of care.

As introduced earlier, an understanding of this exclusion must consider the meso-level and take a closer look within the nation-state. Not only is it the result of the combination of these broader global and national socioeconomic processes but its policy choices have direct localized impacts. The dimensions of this gendered approach also point to the governance and control of migrant women and the relationship with the reproduction of the nation, ideas of nationhood and membership and what is viewed as a threat to the viability of nationalist projects (Yuval-Davis,

1993, 2003)

The meso-level also refers to “national or transnational institutions, networks or practices that sustains or constrain these processes of work, care and migration” (Williams, 2011, p. 22) For example, a key contribution is Cheng’s (2003) argument which vows that, despite the globalization of domestic service, the economic structuring it incurs and the strong pressure it carries “domestic service, while increasingly associated with a gendered transnational labour system globally, is constantly reconstituted as a new labour regime locally” (Cheng, 2003, p. 166)

This relates to the states’ governance and imperative in controlling alien migrant labour subjects to mediate the impact of this reluctant but necessary influx of labour in a way that is customized to nation-state and nation-building goals. Therefore, in showing “how the question of the nation is codified into state policies and translated into concrete household practices” and specific restrictions towards migrant women, Cheng combines multiple levels of analysis from the globalization of domestic work, to the discourse of politicians and employers in justifying exclusionary practices all the way to the pivotal 1990s context in Taiwan to conclude that “nationalist projects shape household dynamics, and household dynamics are often a reflection of larger nationalist politics as well as state policies” (Cheng, 2003, p. 170). Thus, the macro-level conceptualizations that fall within this political economy outlook offer a set of conditions that can constrain and pressure institutional actors at the nation-state-level to make certain policy choices enforce strict exclusion or to broker inclusion depending on the acuteness of demographic changes and the dependence on migration for reproductive labour.

This brings us to a central concept of this framework. The tying of the macro and micro-level processes together amounts to the concept of “Global Care Chains” (GCC) which is deployed to operationalize the framework for this thesis (Parreñas, 2001; Isaksen et al., 2008, Yeates, 2012). GCC encapsulates the gendered dimension of this migration. It is explained as “an older daughter from a poor family who cares for her siblings while her mother works as a nanny caring for the children of a migrating nanny who, in turn cares for the child of a family in a rich

country” (Ehrenreich & Hochschild, 2002; Isaksen et al., 2008; Williams, 2010, p. 131). In other words, it is best defined as “a series of personal links between people across the globe based on the paid or unpaid work of caring” (Parreñas, 2001, pp. 61-79) This concept, in this terrain of intertwined social class, “race”/ethnicity as well as gender inequalities, offers a perspective on how the political economy of care captures the social organization and reorganization of care and the divisions of reproductive labour across countries at different levels of “development” (Yeates, 2005, p. 232) This powerful feminist analysis of globalization is successful at locating the discordance in the assumption that production systems can operate without systems of reproduction. Yeates (2009) proposes the expansion of GCC to focus on wider range of care services and “the restructuring of health and welfare provision in the source as well as destination countries” (p. 176), which brings her to criticize the lack of consideration for the role of the State in the production of these GCCs. She does so by looking at the role of state strategies to develop export-oriented industries of skilled, qualified, and even “internationally mobile nursing labour” (Yeates, 2009, p. 176) Since the 1970s, the case of the Philippines is a strong example of this policy of production of nurses for export as a development strategy. Yeates explains that this infrastructure expansion for emigration is rooted in the State’s failure to generate employment opportunities domestically (Yeates, 2009, pp. 178-179). Therefore, the role of the state is central to understanding exclusion and will always be discussed as an intermediary factor and meso-level of analysis that has generated many variables that contribute to the maintenance of domestic workers and live-in caregivers in a position of exclusion. Yeates (2009) correctly point out the role of this policy as a development strategy and the negative side of capital-centred policy calculations: “In promoting the export of nurses, Asian States are not only prioritizing (dubious) economic development policies over national health development policies, but they are implicitly prioritising the healthcare systems of foreign countries over their own healthcare systems and their population’s health.” (p. 185)

To complement the portrayal of GCC as the guiding concept to this object of study, Parreñas

(2000, 2001) shows that this concept is an analytical continuity and “extension to the international terrain” of sociologist Nakano Glenn’s (1992) concept of the “racial division of reproductive labour” (As Cited in Williams, 2010, p. 389). This conceptualization builds on the work of care as a traditionally understood responsibility of women within the household, to its newfound reality as a gendered commodity bought by class-privileged women. This creates a two-tier class and a “hierarchy of womanhood” where women free themselves from reproductive labour only to purchase it from women of the global south. In other words, this transfer of caretaking is an outcome of global capitalism which reify patriarchy through the macro structural forces that jointly determine the subject positions of migrants (Parreñas, 2000). For example, Parreñas’ (2000) seminal study of the comparative situation of Filipina domestic workers in the United States and Italy connects these ‘micro’ and ‘macro-level’ processes to demonstrate, despite their different contexts of reception, the common experiences of marginalization and alienation of migrant women as low wage labourers in the global economy. Thus, GCC reflects the complex networks of service production and supply and invites a reflection on how inequalities along gender and racialized lines are reproduced on a global level given the increased demand for reproductive labour by advanced economies around the world (Mahon & Robinson, 2010).

However, as much as the ‘international division of reproductive labour’ gives an opportunity to these women to contribute to the welfare of their families. It is important to understand that the impact of this migration has far exceeded a certain economic “push-pull” logic, which only factor monetary incentives and remittances, painting migrants as “actors of change” and for development (Yeates, 2009). The question about “what happens to the care tasks left behind?” is central (Kofman & Raghunan, 2009, p. 12) This continuous transfer of care capital via migrant labour has “eroded the commons” in these Southeast Asian countries, meaning that they are now themselves suffering from “care drain” due to the increased emigration (Isaksen et al., 2008, p. 406) This notion of “care drain” encapsulates the dynamics of the “erosion of commons”

in the global south which stems from the “care crises” in the global north. As a result, this socioeconomic process has a concrete social impact in the communities of origin of migrant women. This is to say that we must reflect beyond the dualistic nature of the “migration-development” nexus meaning that this is not a mere transfer of a migrant’s care capital to middle or higher income families in the global north. It has a much more profound impact and incites the erosion of social capital ties and the natural extension of social relations. This can be expressed as a global redistribution or even a “misdistribution” of women’s care labour power (Isaksen et al., 2008, p. 420).

Indeed, there are many difficulties in the conceptualization of care as an analytical tool to unpack socio-political dynamics within the global economy and how this “force of domesticity” constrains women in hosting and sending countries (Parreñas, 2008). This also speaks to the culture of patriarchy, state austerity and how neoliberal economic globalization “relies on the construction of women as secondary wage earners” (Parreñas, 2008, p. 42). So far, GCC as a concept began to unveil what market derived concepts prevent us from grasping and shed light on some of the hidden injuries of global capitalism regarding reproductive labour. However, as much as market principles are fundamentally different from those of the nation-state, Gasper & Truong (2013) recognize, “the two sets of principles are widely combined in hybrid policy regimes which seek to maximize profit while minimizing perceived costs to national identity in richer states. These hybrid regimes draw on migrant labour while minimizing the rights granted” (pp. 367-368). In addition, this concept encompasses global inequalities and cultural norms as its central dimension as it is specifically defined as “women from poorer regions of the world to work as carers for the children, households, or older family members of employed women in the West in order to support their own children, whom they leave in the care of female relatives in their country of origin” (Williams, 2011, p. 22). Consequently, this human ecology of care has created post-industrial household structures with pre-industrial values and a market solution for reproductive labour along patrilocal structures (Parreñas, 2000, 2001) From this perspective,

we begin to see this recruitment of migrants to perform care work as necessary for domestic nation-state-welfare building goals (Mahon and Robinson, 2010, p. 37)

Although the guiding framework is the global political economy of care, to unveil biases and unfair treatment of migrants, the nation-state level must be kept in the discussion as it has the power to mitigate the localized impacts of these macro-structural forces and truly affects the capacity of migrant women to lead fulfilling and meaningful lives in their adoptive society. To build a comprehensive argument on the question of the exclusion of Indonesian and Filipina migrant domestic workers in Taiwan, additional explanatory and intermediary variables must be unpacked. The issues pertaining to labour migration to Taiwan must discuss its unique position as a *de facto* independent country yet unrecognized nation, its national identity debates and how the guest worker policy serves as a tool to reconcile many of these issues. This will be developed in the following two chapters. In summary, the concept of GCC provides a key approach to the object of study. As Lan (2006) summarizes it “(...) Market forces of supply and demand are only part of the machine that shapes foreign labour policy Taiwan. The formation of immigration policy weaves together social values and cultural discourses associated with the understanding of membership in a given country (Brubaker, 1992; Soysal, 1994)” (p. 37). This begins to illustrate a cycle of dependence with converging factors from sending countries surrounding structural adjustment policies and austerity measures of the State and receiving countries which are the regressive and retrenchment of welfare state regimes.

#### *The Political Economy of Care as an Exploitative Circuit of Transnational Capital:*

The point of entry of the global economy of care resides in a distinguished feature of global migration in recent decades, and an imposing pattern observed in Asia since the 1970s. The “feminization of international migration” under the form of temporary contract work speaks to the resurgence of an important pattern of domestic and care work in the private sphere of industrialized countries (Oishi, 2005; Liang, 2010). This pattern is partly caused by important

social changes and changing family patterns given the increased dual responsibility of women worldwide both as earners and carers. Although economies have encouraged the increased participations of women in the labour force as a policy to tackle labour shortages, certain norms prevailed and gender ideology which perpetuate the uneven distribution of reproductive labour was also upheld.

Under this predominant structure of temporary contract work and predetermined entry and exit terms, high unemployment and poverty in developing countries have made Southeast Asian countries such as Indonesia and the Philippines suppliers of migrant women labour to other developed countries in Asia. Williams (2011) discusses that “as many of those who carry out this work are migrant women, this reveals the movement of women seeking opportunities created by the changing patterns of postcolonial migration to financially support their families” (p. 21)

To this, East Asian states in the region increasingly sought to mediate sociodemographic changes, labour shortages and other socioeconomic changes by promoting policies which take a structural advantage of macro-level dynamics and global economic processes. For instance, the promotion of neoliberal policies and labour emigration as a model of economic development by these same developing countries above to address these pressing needs at home. The rules of this migration “(...) construct the legal, social, and civil rights of migrants in different ways, in tandem with employment policies that may serve to deregulate the economy and to increase the casualization of labour” (Williams, 2011, p. 21). This goes hand in hand with the promotion of a commodified view of care work “(...) where care cultures favour home-based/surrogate care, reliance on the low-paid end of the private market is more common” (Williams, 2011, p. 21)

In East Asian countries, this has been done through the pairing of the retrenchment of their welfare states and their historical non-investment in elder care, acute demographic changes and pressing labour shortages to build a political rationale to allow the recruitment of outsiders to occupy the many crucial jobs that nationals themselves did not want to take on.

Therefore, an important starting point of the feminization of international migration as a concept in illustrating the complex situation of migrant women, who have had their labour power incorporated in global capitalism working in households of host societies, is that this is not a depoliticized phenomenon resulting from market dynamics. This must always be properly contextualized and understood within a framework that accounts for the gendered and racialized practices and preferences of a complex transnational network of actors, from states to labour brokers, within the global patriarchal capitalism. The profit of migrant labour brokers and agencies capitalizes on the structuring effects of “(...) a local patriarchal system and a gender ideology that not only confines women’s roles to reproductive labour but also devalues women’s status in both spheres of production and reproduction” (Liang, 2010)

The third chapter serves as the groundwork for this understanding by exploring how the structuring dynamics of cultural norms have been used by political actors to inform welfare formation over time in Taiwan and choose a privately outsourced social organization of care. The social organization of care remained faithful to its productivist ethos and capitalizing as a nation-state on the abundance of migrant women’s labour from neighbouring developing countries.

Building on this, the fourth chapter discusses key events of Taiwan’s modern political history to raise an important question which serves as the point of entry of this research: if Taiwan is a civic nation, why doesn’t it extend legal protections and labour law protection to migrants?

Although Taiwan is in fact a civic nation that promotes a civic national identity and that has democratized despite a long history of ethnic tensions, conflict, and authoritarianism, if we take a closer look at the treatment and management of migrant (domestic) workers and why they are maintained in this position of exclusion, explaining this has more to do with the pressing needs of labour shortages caused by demographic changes which underpins its dependence on migrant labour, preferably at the lowest possible cost through outsourcing care below national minimum wage rates. Despite being a liberal democracy the Taiwanese state mediates the influx of

migrants by restricting migrants' access to the membership to its citizenry through a multitude of efforts, such as laws, employment restrictions, lack of oversight on brokers, and overall by seeing them as compatible with the national imaginary of their host society and culture of the nation, it is because it seeks to continue to profit from the availability of this cyclical migration. As a nation-state under threat, Taiwan must strike a balance and continue to pursue its nation-building project of the Republic of China in Taiwan. Externally, given its precarious international status, it must show itself to the international community as a model of civic nationalism, tolerant of religious diversity and multiculturalism. Internally, it must maintain its economic viability and address labour shortages and demographic changes. These forces paired with public biases and national anxieties regarding the question of immigration, the weight of culture as a structural constraint, results in Taiwan managing these pressures by internalizing the borders of the nation to migrants and seeking to mitigate the perceived negative impacts of this migration.

This has been particularly true of marriage migrants from mainland China, who represent a threat to national security, as it is for southeast Asian low-skilled workers, especially foreign live-in caregivers who work in the intimate sphere of the household easing the care responsibilities of the current generation and raising a new one. As gendered labour and marriage migration represent in the words of Lan (2008b) "parallel recruitment and structural continuities" (p. 1803), these forces and concerns about the growing influx of migrants are reconciled through a strict guestworker policy as a regulatory and oppressive mechanism which maintains migrant women in a situation of exclusion. Unfortunately, this limits their capacity to lead meaningful lives in their adoptive society, fulfill family reunification or obtain appropriate compensation and equal rights. Here lies the explanatory power of this feminist analytical framework, as it addressed the dependence of advanced economies on cyclical and migrant labour for reproductive work within the context of globalization and neoliberal economic policies which commodify migrants' labour.

This feminist framework is particularly useful as an approach to this study in its capacity to harness how the transnational dynamics of the political economy of care emphasize the centrality of care needs within globalization and migration processes. The significant presence of Indonesian and Filipina domestic workers in Taiwan shows what Truong (1996) had observed: “(no) production system operates without a reproduction system and it should not be surprising that the globalisation of production is accompanied by its intimate “other” i.e. reproduction” (p. 47) and argued that these service economies are organized on a transnational scale, rather than a national one.

As a key dimension of reproductive labour, care and its important position in social policy and what it reveals about social organization and relations, must be placed on the centre stage to understand global relations of welfare formation and care (Yeates, 2012, p. 136) Therefore, to observe the consequences of neoliberal policies and the globalization of paid and unpaid reproductive labour on the livelihoods of migrant women, it is important to realize that reproductive labour (biologically, physically, emotionally and systematically) is what creates labour power and reproduces families, thus emphasizing our dependence on it (Yeates, 2012, p. 151)

The guiding concept of “Global Care Chains” refers in its most basic network sense to a series of “personal links between people across the globe based on the paid or unpaid work of caring” (Hochschild, 2000, p. 131). It sheds light on the precarious situation of migrant women by focusing on the transfer of emotional labour needed at different scales to perform this labour.

In other words, Yeates (2012) expands and explains:

“a woman living in a rich country, with one or more dependent children who finds herself unable to fulfill her ‘domestic duties’ without working a ‘second shift’. To free herself from this additional labour, she recruits another woman to do it on her behalf. This other woman is drawn from a poorer household, increasingly, it is suggested, from abroad.” (p. 137)

GCC is also better understood within another emerging structure and level of analysis, that of the “global city” (Sassen, 1998) as the scene where it is situated. From observing the growth of service sector economies and in parallel, domestic and care labour sectors, GCC frames the dynamics of this migration to address the physical and emotional labour needed of white-collar and professional workers (Parreñas, 2001).

Furthermore, Chang and Ling (2000) and Parreñas (2000, 2001) had first analyzed the rapport observed between global capital mobility, flows of labour migration and the global migration of, at first, predominately Filipina domestic workers. The results of this GCC became increasingly apparent and present, what is at its core, a circle of negative outcomes at the bottom of the chain which are deeply rooted in unequal relations of economic development as “by migrating to take up aid domestic labour the migrant woman finds herself unable to discharge her own ‘domestic duties’ because she is geographically distant from her children and her home, creating a need for someone else to do.” (Yeates, 2012, p. 137) It is a representation of network methodology analysis in the context of care transnationalization which analytically focuses on social interactions between female migrants as actors in networks and their structural outcomes. Yeates (2005) had noted early on that as we go ‘down’ the chain the value ascribed to the labour decreases and often becomes unpaid at the end of the chain because another family member must substitute for the migrant mother and family member in providing unpaid care (pp. 2-3).

This has an emotional and economic value:

“outsourcing mobilizes care labour supply through kinship (and non-kinship) networks, as well as through the market mechanism, while internationalization (in the case of households in sending countries) takes the form of emigration by the mother to take up care work overseas, or in the case of households in destination countries) the recruitment of overseas labour.” (Yeates, 2012, p. 137).

Migrant women are at the centre stage of multiple oppressive systems in various host societies which have largely been ignored making GCC an important concept in “decentering the nation-state as the foundational unit of analysis” but also in discussing the intangible transfer of emotional labour and enacting as a mechanism which extracts “emotional surplus value” from migrant women to satisfy the needs of the elderly and children in host societies.

However, it is important to reiterate that GCC privileges a specific scale of analysis and ignores the dynamics of internal migration and does not speak to the phenomenon of rapid urbanization and the breaking of extended kinship networks which often precede international migration. What is interesting is the role of the state in this approach, in terms of whether it is external to, or integral and playing a key role at all stages in the governance of interactions between the multiple actors in the care chain. This why the framework of the thesis speaks on GCC as an *approach* to the object of this study. Some authors like Yeates (2004) have looked to expand this and have done so by looking at global nursing chains, but in the interest of explaining exclusion in this specific nation-state case study, we must dig deeper than GCC to further identify the complex layers of these global economic and migratory processes. The reality of intersectional social divisions of not only gender, but class, ‘race’ and ethnicity is ignored and arguably reified as most of the work of GCCs focuses on the link between the global (migration of women) and the micro (transfer of emotional labour) in a way that does not question the borders upon which it is built. As these belong to the realm of the state, to best explain exclusion it is important to unpack the role of the state to shed light on the many other sub-layers, in moving away from the global towards the local, involved in reifying exclusion within GCCs.

Therefore, to complement this guiding concept, multitude of actors who constitute this oppressive system transnationally, nationally, and everywhere in between across different jurisdictions must be nuanced. Non-state intermediaries who operate within the national and transnational spaces capitalizing on the supply and demand for care work in the form of migrant

labour are in the business of profiting from this as a private endeavour. Similarly, the State benefits from this by distancing itself from the direct responsibility of this national and public issue by not deprivatizing the outsourcing of care work, which could then diminish the inequality of care by unbounding it from the private domain as women's responsibility. Directly applicable to the exclusion of Indonesian migrant domestic workers is that many employers, often at the recommendation of labour brokers, express preference for care workers from certain countries based on racialized, religious and culturalist traits which they believe affects the quality of the care and reciprocally undermines the treatment of care workers and their capacity to earn higher wages.

As GCCs expresses relations of interdependence, it might ignore how these cross-cutting identity segments and preconceptions, often fuelled by public biases, lead some migrant women to be more exploitable than others. Therefore, GCC speaks to a pattern and a phenomenon that is framed within the concept of global patriarchal capitalism, in which a gendered system and global capital work simultaneously to exploit women's labour (Fang, 2011). Consequently, GCC does not speak to the multilayered structure and the confluence of political and economic interests of these various actors with the states.

Hochschild (2000) and Isaksen et al. (2008) propositions of GCC and the relationship between care and migration within the context of globalization needs to be substantiated with an understanding that migration and care are a function of, and are directly shaped by, social policies, immigration and employment policies (Michel and Mahon, 2002; Razavi, 2007; Williams, 2010). Even more so, States who have high demand for migrant care workers and chose to adopt a policy of ignoring and underregulating the dire employment conditions of migrants (Hondagneu-Sotelo, 2001) Denying migrant domestic workers the benefits and legal protections and inclusion comparable of those granted to a citizen is a policy of "demand and denial" (Michel and Peng, 2012). GCC does not encapsulate the operations underneath it that

create more inequalities around class, nationality and the capacity to facilitate migration from the cheapest source of labour possible.

In fact, during the first decade of the new century, Indonesia had emerged as the leading source of domestic workers for Taiwan, a position that was previously held by the Philippines. To get closer to an understanding of the change of the direction of recruitment, Rosewarne (2016) provides valuable insight when describing the “*organized*” multilayered, institutional architecture that ‘supports’ international migrant workers” which functions as an “exploitative global circuit of capital” that runs parallel to the global care chain, allowing a multitude of actors to lay claim to migrants’ wages (p. 199). Thus, the political economy of care in Asia and the high dependence and supply of migrant labour and the cycle of dependence it creates, that best explains their exclusion from citizenship rights and legal recognition must include this institutional architecture. This means that it is not only a global care chain of gendered division of emotional and physical labour reproduced along patrilocal structures, but most importantly a “circuit of capital” from which states and brokers profit and are incentivized to look for cheap labour sources and cut costs as they depend on cyclical migration for reproductive labour through the construction of a “guest worker category” by building the false assumption of “temporary” status (Subject of the next section). The emergence of this “circuit of capital” is paired with a “migration-remittances-development nexus” discourse and many other actors (moneylenders, labour recruiters, deployment and placement agencies, the state bureaucrats and the money transfer agencies) which are crucial to the mechanism of GCC:

“(…) There are multiple actors who are crucial to the institution of ‘Global care chain’ and who lay claim to the flow of funds that are generated from the commodification of reproductive labour. The workers’ home states promote offshore employment as an export-revenue generating strategy, and the policies of most host states – and all host states in Southeast and East Asia and the Gulf states that are the principal destinations for Asia domestic and

care workers – circumscribe migrant workers’ employment and proscribe opportunities for settlement in ways that both impel and oblige workers to repatriate their income.” (Rosewarne, 2016, p. 200)

Consequently, like Rosewarne (2016), I agree that a richer understanding of the globalization of domestic work requires the acknowledging that GCC and the transnational transfer of emotional labour it represents as a mechanism, is also built on a “transnational chain of money flows, or a global (exploitative) circuit of capital” which provides a stronger explanatory power, and is just as consequential in this research, to the approach of the political economy of care. This brings us closer to a real explanation to the exclusion of migrants and to a deeper understanding of the financial and economic interests which are the forces continuously advocating to maintain migrants in a precarious situation, treated as disposable labour.

This is a theorization that is visible through the unsuccessful cases of Hong Kong and Taiwan, where attempts by civil society actors in Hong Kong to obtain permanent residency status for migrant workers failed, and for the case of Taiwan, where civil society actors protested and exerted internal pressure on the government to extend the legal coverage of national minimum wage laws and labour standard laws to migrant workers have also, thus far, failed. Therefore, migrant domestic workers and foreign live-in caregivers find themselves in a situation of “legal servitude” (Lan, 2007) as the terms and conditions of employment, as paid domestic work, are not subject to any legal protection other than the signed contract brokers by intermediary agencies and employers, often to the great disadvantage of migrant women.

For instance, it is only until recently (Aug. 2016) where a law was drafted to give foreign domestic workers at least one day off a week as a result of the embarrassment of Taiwan, which so vocally presents itself as a nation of religious tolerance and pluralism, being named in a US department state report on International Religious Freedom saying that “migrant domestic helpers and live-in caregivers in Taiwan are not ensured at least one day off per week, preventing from participating in religious activities” (“Domestic Workers (...)”, 2016). Had

migrant domestic workers been included in the Labor Standard Act, a weekly rest day would have already been guaranteed. This is without forgetting the overall precarious employment situation and that, since they are live in, they are de facto on call 24/7. As there are multiple claimants on migrants' labour and wages, the work of migrant worker organizations and advocacy groups is more important than ever in pressuring governments of labour-exporting and labour-receiving countries to enforce laws who are often already in place but also to promote workers' interests and rights. However, migrant women are caught in an exploitative global circuit of capital where they are likely to have much less agency than discourses of international organizations or themselves are likely to think (Rosewarne, 2016, p. 216).

The role of the Taiwan state, in concert with broker agencies, mediates these effects and managing the influx of migrants with its guest worker policies by dividing and recomposing the migrant labour force in a way that pits nationalities and groups one against another, where the group of migrants which has the weaker civil society support network is likely to be subject to additional exploitation.

### **Chapter Three: The “East Asian Welfare Model” and The Productivist Legacy of Taiwanese Welfare Politics:**

To this day Esping-Andersen’s “Three Worlds of Welfare Capitalism” (1990) remains a fundamental heuristic tool and starting point for examining welfare and social policy regimes. However, one of its main criticisms is that it does not discuss Asian countries or has failed to include them. The growing recognition of the economic miracles of East Asia’s “Newly Industrialized Countries”, Hong Kong, South Korea, Singapore and Taiwan, were accompanied with a belief in the superiority of their welfare model relative to those of Western countries. This was translated into many debates in the literature under the banner of a newly founded 4<sup>th</sup> ideal-type of “Asian welfare model” (Kwon, 1997; Goodman et al., 1998; Holliday, 2000; Gough, 2004; Walker & Wong, 2005; Aspalter, 2005, 2006; Lee & Ku, 2007; Peng and Wong, 2008; Chan, 2008). Those who support that model often sees Western welfare models as “stifling economic growth, inflating social expenditure and failing to target those in genuine need” while on the other hand, the Asian welfare model addressed social needs, fostered a harmonious society and kept the levels of social expenditures low “down to an average of 4-5% in 1980 and 10-15% in 2000” (Chan, 2008, p. 302). However, there is a specific problem that this chapter seeks to address that was overshadowed by this debate.

This chapter argues that the productivist legacy of economy-led welfare and social policies, which was exacerbated by acute demographic changes and visible primarily through the lack of investment in elder care, has made Taiwan dependent on migration to fulfill its high demand in reproductive labour. This chapter addresses this important explanatory variable by first providing context on (1) the pattern of welfare politics visible in East Asian states in the literature about the “Asian welfare model” and the claim that its characteristics are an important explanatory factor accountable for the successes of NICs. This viewpoint is then put to the test by (2) revisiting the modern history of Taiwanese welfare politics, to discuss the finding that (3) the lasting and structuring effect of this productivist and economy-led policy paradigm explains

the institutional continuity in the lack of investment for social services, notably, elder care in Taiwan. As result of this, the underlying assumptions and shortcomings of this welfare model shows that this economic growth was achieved as the expense of vulnerable populations by cutting costs in public services, promoting cultural norms of family self-help, having for consequence to aggravate social inequalities.

Thus, this chapter aims to answer *why* did Taiwan choose to outsource care labour in the 1990s via the policy model of a guest worker program and through the recruitment of foreign labour by providing an explanation about the reasons that the privatization of domestic and care work became an attractive option to Taiwanese institutional actors. It argues that this choice is made mostly to avoid extremely costly public spending on an already aging population. This is demonstrated by exploring the lack of investment in elder care, and how this is an important and understudied pattern in Asia welfare states. The choices made in Taiwan means that the focus of social policy is on the role of the market and the family, not as much on the individual nor the State as these measures were jeopardizing public finances and increasing public spending (Aspalter, 2006, p. 299). Therefore, avoiding extremely costly public spending has incited outsourcing via the privatization of care.

### *The 'East Asian model' and Patterns of Social and Welfare Regimes in East Asia:*

#### *A Conceptual Overview:*

To explain how the Taiwanese State in the early 1990s came to implement a guest worker policy at a crucial decade for its democratization, welfare reform and national identity debates, we must examine the East Asian developmental state in postwar Taiwan but also the antecedent policy choices and orientations of social policy that made this privatization of care an attractive choice for institutional actors. In return, this will allow this chapter to demonstrate the structuring effect of productivist welfare policies, despite electoral promises in highly competitive elections, and show that economic concerns reinforced the existing productivist

orientations. Esping-Andersen (1990) had identified three groups of welfare regimes; the “social democratic” such as those seen in North European countries (Sweden, Norway and Finland) with strong traditions of left-wing parties and class coalitions which have yielded universal entitlements and decommodification of welfare benefits. The second, the “conservative-corporatist” regime, contains the greatest number of parameters like the Asian welfare model (based on a threefold case comparison of Taiwan, South Korea, Japan), a similarity most obvious in the context of postwar Taiwan’s Nationalist government. France, Germany and Italy fall within this type as they offered access to welfare benefits, according to one’s status and occupation. This approach determines access to benefits and welfare programs on existing social classes and status differentials, which moves this system away from any larger objective of wealth redistribution based on a given conception of social rights. It is said that “such systems have negligible redistributive effects” (Ku and Huang, 2011, p. 763). Lastly, Liberal regimes, such as the United Kingdom, The United States and Australia have states that encouraged the private provision of welfare and are generally market-oriented, and as a result, stigmatize those who receive benefits.

Using Esping-Andersen’s framework could account for the evolution of welfare and social politics in Asian cases because a flexible interpretation of his typology would position the East Asian cases of Taiwan, Japan and South Korea, in the conservative-corporatist model. But other distinctive features from these three societies have inspired moving away from Esping-Andersen’s original framework for a comparative analysis resulting in the body of literature focused on the grouping of these East Asian countries. The next section follows with some contextualization, looking at the evolution of Taiwan’s welfare politics through its modernization from the postwar developmental context, the democratization era and now its post-industrial challenges as a consolidated liberal democracy.

Considering characteristics that were not identified in Esping-Andersen’s framework, Holliday (2000) examines what he calls the “world of productivist welfare capitalism” as “capitalist states

that do engage in social policy, while also subordinating it to other policy objectives (...) here, social policy is strictly subordinate to the overriding policy objectives of economic growth.” (p. 708) This would help explain the economic success of Asian countries as being derived from their economy-led welfare regimes and the influence of market ideologies in encouraging people to sell their labour as a commodity and value productive elements in society (Holliday, 2000, p.708) The common feature in East Asian cases is the presence of a growth-oriented state where the purpose of social service provision is to promote economic growth and to maintain a healthy workforce. The promotion of welfare as a social or citizenship right is minimized in a way that state-market-family relationships are directed towards the imperative of economic growth, thus subordinating all aspects of state policy, including social policy, to economic/industrial objectives (Holliday, 2000, p.709). This is not to say that there is a common Asian welfare model across East Asian cases, even within this world of productivist welfare capitalism different clusters exist. Holliday identifies Taiwan as “developmental-universalist” because, although it is productivist in orientation, as we are going to see in the following section, the State did step in to create universal welfare programs and extend social rights for the unproductive sectors in society. This shows that there is an “aristocracy of labour,” a situation that is relevant to our understanding of the situation of migrant workers, and the analysis regarding the varying degree of migrants’ exclusion (Holliday, 2000, pp. 709-710) that will be done later.

In her structural approach, Jones (1990, 1993) found another distinctive feature in East Asian welfare systems. Namely, she emphasized the central role of the family in welfare provision and as cultural determinants. She wrote about the “Oikonomic” or “Confucian” welfare state and the “household economy” as the pursuit of economic success for “everyone’s sake”. This culturalist approach contends that “Success - in these most modern of Chinese societies – is deemed to rest on the exercise of informed authority by some over others, complemented by the said others’ recognition and performance of their duty (...) It is the pursuit of prosperity which here calls for discipline and duty no less than family ambition” (Jones, 1990, p. 462). Described here is the

importance of families and kinship ties in providing solidarity and support. The primary importance given to these values is used to accentuate a logic of self-reliance and the inter-generational reciprocity of the family as the dominant unit, *vis-à-vis* the State and in terms of the arrangement of welfare provisions, which is already enforced by a strong social control.

Therefore, the common heritage of Confucianism and its lasting structuring effect, conceptualized this model of Asian welfare as a distinct one with its central characteristic being that state assistance becomes minimal and conditional on the absence of other sources of support (Jones, 1990; Goodman and Peng, 1996; Le, Truong and Khuat, 2014, p. 91).

For instance, Yeh et al. (2013) empirical study using large scale cross-national data to evaluate the implications and influences of contemporary filial piety in China, Hong Kong and Taiwan finds filial piety, especially reciprocal filial piety (RFP), to have remained “potent” among all three societies despite the diverse sociopolitical developments in each of them (p. 292). Yet, despite the importance and lasting effect given to cultural norms, this same study shows that this was not a determining factor as the paths towards modernization of China, Taiwan, and Hong Kong, differed sharply from each other, giving prevalence to the importance of their sociopolitical systems. The lasting social importance given to filial piety (Xiao 孝) and the stigma of filial failure in Confucian societies provides some support for this culturalist angle. However, this ideal of family self-reliance is not a trait unique to Confucian societies. Michel & Peng (2012) have also shown that Mediterranean societies today also incarnate this “migrant in the family” pattern of care work, making the overarching pattern more of a familialistic one in nature which takes root in, and expresses the outcome of, insufficient supply of public or market provisions for elder and child care paired with dramatic sociodemographic changes. This pattern contends that hiring outsiders is acceptable to answer “family needs” because it avoids institutionalized care, which in Confucian societies would see as the stigma of filial failure. This approach reflected a political context in the early 1990s, when “political Confucianists” argued that special circumstances in East Asia societies may justify arrangements for differential rights (Thompson,

2015, pp. 875-876). In their view, the practice of hiring migrant domestic workers is a better fit with the Confucian cultural heritage in East Asia “which may not be shared elsewhere” (Bell and Piper, 2005, p.1). In fact, when they claim that welfare is “unAsian”, this discourse masks the fact that many Asian governments exploit Confucian philosophy. They rationalize their economy-led social policies rather than truly follow Confucian philosophy teachings (Chau and Yu, 2005, p. 41).

It turns out that proponents of the “Asian values” discourse are in great majority government-linked intellectuals of the authoritarian regimes in the region before the 1997-98 Asian financial crisis struck. Until then, this family-based “Asian values” was credited for the economic rise of NICs. This was all part of a broader debate that Hoon (2014) explains regarding “cultural particularism as opposed to universalism, the nation-family versus individualism, social and economic rights over political rights, and non-interference in a country’s domestic affairs rather than the enforcement of international norms” (As Cited in Thompson, 2015, p. 877). Therefore, over the past decades’ East Asian regimes have discourses that emphasized the importance of familial duty and obligation as the core unit in welfare provision rather than associating the delivery of these services with state responsibility.

The debate on the East Asian family-based welfare regime is divided between those who endorse cultural norms and those who emphasize political and economic imperatives. Before addressing a third way, a more plausible account based on political and institutional determinants and providing an updated critique to this debate, the following section will describe the evolution of Taiwanese welfare politics to argue that this productivist and economy-led policy paradigm explains the institutional continuity in the lack of investment for social services, notably, elder care, which makes the recruitment of migrant domestic workers much more attractive than increasing state responsibility for the welfare of the elderly.

*Political Determinants and Evidence of the Productivist Legacy of Welfare Politics in Taiwan:*

The case of Taiwan is the epitome of how strategies of economic growth shape future social policy choices. Beginning of the 1950s, shortly after the arrival of Chiang-Kai Shek's troops and government's officers, Taiwan underwent drastic economic transformations from an agricultural to an industrial economy, and then from manufacturing to a high-technology industry (Hill & Hwang, 2005, p. 147). Taiwan's postwar economic miracle can be tied to an essential characteristic of the developmental state: a very successful land reform that occurred in the late 1950s which dismantled the landlord class. This parting of the ways with previously dominant social classes endowed the state with the necessary power and autonomy to jump-start Taiwan's postwar economy. Wong (2016) reminds us that it is because of this success that "land reform and agricultural productivity increased rural wages, paving the way for economic growth with relative equity in Taiwan, one of the key differences between the East Asian and Latin American experiences in postwar development" (p. 202)

During the postwar period, the East Asian developmental state and the imperative of catching-up with a world already in full industrialization was a priority. As Taiwan had to catch-up in the immediate postwar period by promoting policies that led to industrial modernization, other societal transformations occurred which result into a reluctant and limited initiation of the Taiwanese welfare State as workers began to be absorbed in cities. From 1950 to 1958 took place a set of separate social insurance schemes, "The key social policy measures in Taiwan before 1987 involved the setting up of a cluster of separate social insurance schemes. These grew steadily after their inception, and provide a framework that still dominates the social policy system today." (Hill and Hwang, 2005, p. 149) In 1950, the labour insurance scheme (LI) was introduced. Then, the Government Employees insurance (GEI) in 1958 followed by the Scheme for retired government employees in 1965 and for teachers and staff in private schools in 1980. (Hill and Hwang, 2005, p. 156) However, the KMT's rule in Taiwan was autocratic until the 1970s and wholesale democratization only began after the lifting of the martial law in 1987.

Despite that, the strong focus on export-oriented growth and the manufacturing industry resulted in almost uninterrupted economic development until the late 1990s. Deyo (1989) notes that “to maintain economic competitiveness that not only served to achieve industrialization, but also to legitimate their authoritarian characters, working in Taiwan were also subject to ‘extreme political subordination and exclusion’” (As Cited in Hwang, 2012, p. 182).

Since the February 28, 1947, incident’s subsequent repression of separatist dissent and the anti-communist campaign known as the “White Terror Period” (白色恐怖) that lasted for decades, the KMT regime was plagued with legitimacy problems given the massacres and crackdown targeting local intellectual elites, educated middle class, indigenous people and other oppositional forces on the island. This period constituted the first phase of the postwar KMT Taiwanese welfare and developmental state in full effect. The 1960s and 1970s main priorities were economic development, political legitimacy and postcolonial reconstruction, meaning that the purpose of social policy was rewarding productive sectors of society, and thereby facilitating industrialization and economic growth (Peng & Wong, 2008, p. 70).

The Martial Law period (1949-1987) saw social policy developments pivot around the dominant productivist coalition actors and benefited government employees, military officials and occupational sectors that served the imperatives of economic growth, and not as social protection for the poor. This can be explained by the ulterior motives of eradicating any communist risk and loyalty akin to socialist ideas because of the Chinese Civil War, advocating the stability of the State and finally establishing strong economic planning institutions, all to cement loyalty (Holliday, 2000, p. 714; Hwang, 2012, p. 12)

The fact that these different insurance schemes were administered by different ministries maintained status differences and made them matter. For instance, “In Taiwan, retired government employees were eligible to receive both a pension and continued medical coverage. Retired workers from industry, on the other hand, forfeited health care coverage if they opted to receive their old-age retirement benefits.” (Peng and Wong, 2008, p. 73) From 1945 to 1987, the

social insurance model became locked to only those who were engaged to economically productive sectors during that time. This is also true in Japan (1960s and 1980s) and South Korea (1965-1987), where social policies became stagnant over a long period of time given the reluctance of governing regimes to raise benefits or to implement new social welfare programs. The decision-making process was centralized around the KMT leadership and societal actors were excluded from the process altogether. State response to internal pressure by societal actors was to extend social insurance to key political and economic constituencies that are of strategic importance for the support of the military regime such as civil servants, military personnel and low-ranking district and block officers who were of utmost importance during local, provincial and national elections (Aspalter, 2006, p. 294; Peng & Wong, 2008, p. 73)

In 1985 the government of President Chiang Ching-Kuo began testing health insurance schemes for farmers loyal to the KMT regime. This was followed by an announcement of a national health insurance program for the year 2000. In 1990 and 1991 additional health insurance programs were implemented to target low-income families and persons in a situation of disability. However, the creation of the Democratic Progressive Party (DPP) at the eve of the lifting of Martial Law in 1986 increased party competition, and changed those dynamics. The electoral promise of the DPP was worrisome for President Lee Teng-Hui, who then lobbied to pass the National Health Insurance Law and made it go into effect the following year, on the eve of the first direct presidential election in the history of the Republic of China (Aspalter, 2006, p. 294). Similarly, the DPP, as the opposition party, had begun to address the issue of poverty among the elderly and promised a universal old-age allowance scheme once elected.

The KMT under President Lee Deng-Hui also made the establishment of a universal old-age allowance scheme an electoral promise. President Chen Shui-Bian of the DPP introduced it on a national scale in 2002 but that was not the case for pensions under the KMT government as it saw it as too expensive. The incoming DPP government in 2000 also further pushed back the start of the national pension plan as “government finance was not deemed at that time to be able

to cope with such a great responsibility” (Aspalter, 2006, p. 294). Despite the political liberalization that occurred in the 1980s and the internal pressure of social movements and other societal actors, social policy was only pursued as a channel to increase support for the governing KMT regime, and making some social movements more successful than others. Looking back at the political and institutional determinants, we begin to see how, irrespective of whether the ruling party is the KMT or the DPP “both have applied a strategy of promising social welfare policies in highly competitive elections, while the realization of those promises has been rather paltry” (Ku, 2004; Aspalter, 2006, p. 295). Political determinants such as party competition in democratic elections and pressure stemming from social movements explain a vital increase in welfare commitments as a political strategy for both the KMT and DPP. In echoing this, Aspalter (2006) contends that both major parties “belong to the conservative family of political parties and hence put forward a conservative social policy stand that has also been prevalent in other parts of the East Asian region” (p. 295)

The welfare state in Taiwan is now universal and emphasizes social rights regarding healthcare provisions. For example, the National Health Insurance was introduced in 1995 but when it comes to matters of addressing the demographic changes of its population, it has yet to implement significant policy solutions to counteract its significantly aging population and low fertility rates. Existing pension provisions are lump-sum benefits that are paid and criticized as inadequate (Hwang, 2012, p. 195), and governments in Taiwan have repeatedly promised and delayed the pension reform and it is at the top of the agenda of the current Tsai Ying-Wen administration.

The historical element discussed above reveals that developmental states did in fact promote and extend social welfare, but only in times of political need and according to the ideologies of the governing elites which were looking for a harmony between economic and social developments where social policy must not hinder economic growth (Aspalter, 2006, p. 297).

Specific to Taiwan are issues pertaining to the KMT’s legitimacy to rule and increased domestic

dissent, which has forced them to open the party to Taiwanese, bring in other societal actors in the decision-making processes but remaining fundamentally productivist. The democratic transition in Taiwan changed the “rules of the game” and integrated new actors in the policy-making process due to the dynamics of electoral competition, which invalidates the earlier authoritarian pact of “economic growth in exchange of undemocratic rule” (Peng & Wong, 2008, p. 76).

This final section will address a vital contemporary issue in Taiwan: socio-demographic changes and the conditions which made the recruitment of foreign labour an attractive option to address the lack of services for elder care. This is done while continuing to deconstruct the Asian welfare model by showing how the priorities and structure of welfare fail to address this changing reality of Taiwan with policies that are inadequate with the current post-industrial era.

*The Consequences of Economy led-Welfarism: Demographic Changes and the increasing Demand for Outsourced Social Care in Post-industrial Taiwan:*

Literature on welfare policy in East Asia has been polarized around the notion of the family and the cultural expectations and norms bound to it. It sees the societal unit of the family as playing the most important role and the state as playing a subsidiary one. However, as suggested earlier, more and more people refuse to take for granted the idea that welfare provision is a familial responsibility. Authoritarian regimes themselves may question this idea. They may also exploit Confucian philosophy by framing Western-style welfare states as ‘unAsian,’ but they implement policies aligned with Western-based capitalist ideologies, whose effect undermines these very same teachings of solidarity and other collective values of community (Chau & Yu, 2005). As Chan (2008) wrote: “It may be true that kinship ties in some Asian countries are stronger than those in the West. However, this is not generally true: there are great variations across countries and periods. Family structures and family relationships are changing, not static, entities.” (p. 305) It is just that we *perceive* them to be stronger in East Asia in comparison to the West.

Second, a welfare system that relies on the family as the primary network of welfare provision has clear gender implications in its assumption of a static and traditional context where women are the main care providers within a family. The East Asian context illustrates rapidly aging populations, changes in the family structure, declining birth rates and increased dependency ratios to which states have responded by encouraging the increased participation of women in the workforce without accompanying this effort with policies to support families in their decreasing capacity to take care of themselves. In addition, notwithstanding variations in family and welfare policy among Asian countries, there are some common socio-demographic changes after four decades of high economic growth. These include aging population, declining or low fertility rates, delayed marriage and rising female labour participation.

As the family welfare system is undergoing dramatic changes with modernization and urbanization, East Asian societies witness an erosion of cultural norms in supporting parents. Rapid urbanization has generated migration, internally and internationally, as well as the dismantling of the extended family network. For example, the proportion of three or more generation households has declined in East Asia and was even more rapid in Taiwan (from 25.1% to 16.4% between 1990 and 2000) than in Japan or South Korea and speaks to the changing family patterns and the erosion of the traditional living arrangement “wherein elderly people live with and are cared for by their adult children and their families.” (Peng & Wong, 2004, p. 13) On the other hand, Yang and Yi (2001) also point to the increase of single person households “from 12.2% to 18.9% during that same period.” (As cited in Peng and Wong, 2004, p. 14).

The proportion of elderly people in Taiwan is due to account for 20% of the total population, or about 6.42 million, by 2025 “which would mean one out of every five people in Taiwan would be in the group (...) the one-to-five ratio means Taiwan would be a ‘hyper-aged’ society” (“Elderly tipped to hit 20%...”, 2015). Taiwan’s case is representative of a regional trend among East Asian countries who are on the verge of catching up with the likes of Japan, where 22% of its

population is 65 years of age or older (“Japan’s Demography...”, 2014). Moreover, Taiwan’s birth rate, although it has increased from the historic low of 0.91 in 2010 to about 1.11 children per woman in the past few years, remains one of the lowest in the world, only arriving ahead of Singapore, South Korea and Japan in Asia (Chen, 2016).

These sociodemographic changes represent a worrisome trend that cannot be ignored. It underpins the public demand for welfare support and social services for elder care and other vulnerable population groups which exert pressure on existing social security systems. Given the absence of policy encouraging immigration, this also threatens the viability of East Asian economies, as they are more likely to experience labour shortages given their shrinking national populations (Peng & Wong, 2004, p. 15).

Chan (2008) summarizes “the rapid social changes in Asian countries have transformed traditional family patterns and relations, and have significantly diminished the family’s capacity to care of its members” (p. 306). To continue, “(...) the rapid economic growth in Asia may have given women greater economic freedom, but the dismantling of traditional family ties has increased their responsibilities as caregivers.” (p. 307) Also, Mackie (2003), Chan and Wong (2004) and Chang & Kim (2005) all points that “many studies have shown that, in Asia, gender inequality is not diminished by a growing economy; it remains potent even though it may manifest itself in less direct and conspicuous ways” (As Cited in Chan, 2008, p. 307). Therefore, rapid economic growth does not eliminate gender inequality and ethnic tensions but accentuates them. In fact, Willis and Murphy-Shigematsu (2008) contends that “although these cities claim to be international, they lack culturally sensitive policies, and the attitude of their residents towards new arrivals and migrant workers is often prejudiced” (As Cited in Chan, 2008, p. 307). Stimulating economic growth at the expense of vulnerable population groups in a globalized world will be increasingly met with resistance and demands by these very same groups and the civil society actors who support whom and have shared democratic ideals. A strong claim by Chan (2008) is that “The ‘success’ of the Asian welfare model is not based on the existence of a

truly harmonious society, but on silencing the disadvantaged. Suppression is the means adopted by Asian countries to create a seemingly harmonious society.” (p. 307).

To further challenge the productivist ethos of Asian welfare regimes, Chan (2008) wrote: “it can be argued that the productivist welfare model is counterproductive.” Unfortunately, “according to conventional economic measures, a worker with a full-time job is productive, whereas a mother taking care of her children at home is not.” (p. 301) This bias in the productivist perspective is key to understand the attitudes and debates concerning welfare dependency: “Work that is performed by low-paid workers is labelled unskilled or less productive to rationalize the poor remuneration” (p. 310) In other words, women, new immigrants, minority groups, the elderly, young people can expect to be marginalized, still be regarded as unproductive and see the exploitation of their labour rationalized without recognition for their contribution. The productivist welfare model is based on outsourcing, an abundance of cheap and unskilled labour force, and most importantly in the context of this study “the cutting back or controlling the growth of social services” (Chan, 2008, p. 310).

Moreover, despite short-term economic growth, it creates problems that are very costly to solve, “such as unemployment, unstable employment, lack of social security and retirement protection, poverty, and pandemic diseases due to overproduction” which are burdens that are unevenly distributed among the population (Chan, 2008, p. 310). Therefore, as Chau and Yu (2005) argue that:

There are three reasons for the notion that social welfare is un-Asian: ‘social welfare in Asia is underdeveloped; the underdevelopment of social welfare contributes to the economic success of Asian countries; and “Asian” values, which are influenced by Chinese culture, specifically Confucianism, do not promote the development of social welfare. (p. 22)

As much as in the past the established structure of this model of expansionism and productivism at all cost has benefited Asian countries, Asian governments were overwhelmed with the Asian

financial crisis of 1997 as these social problems are costly to solve. Goodman et al. (1997) had correctly pointed out the nature of policy patterns of East Asian states: “its welfare systems tend to reinforce socio-economic inequalities. If you are weak, vulnerable or poor, you are not only in trouble but even stigmatized for being so.” (As cited in Chan, 2008, p. 303.)

As the employment rate among women continue to increase in Taiwan, Japan and South Korea, this indicates shifting relationships regarding gender norms in the household and the labour market. Given the lack of public provision and the stigma of institutionalized care for elders, female employment patterns directly influence the increasing demand for women in outsourced care work and services. This has caused advanced industrialized countries to rely on the migration of foreign care workers to meet the high demand for outsourced care work as a policy to increase female employment. In the case of Taiwan, which had opened its doors to unskilled workers from a few designated southeast Asian countries in 1992, we can add to this the extremely sensitive question of national identity and their nationalist project to which they have responded by strictly prohibiting the hiring of co-ethnic workers from mainland China. Altogether, policymakers have taken a cautious approach to the inflow of low-skilled foreign workers in their countries (Lan, 2006, pp. 37-39; Song, 2015, p. 377)

To conclude, what explains the emergence of this pattern of hiring migrant domestic workers in Taiwan, just like Mediterranean countries, bears many similarities: First, increase the outcome of insufficient supply of public or market provisions for elder and child care, paired with dramatic socio-demographic changes (increased participation of women in the labour force, aging population and declining birthrate) and most importantly “an insufficient supply of public or market provisions for either elder- or childcare, a demand for private, home-based care workers that native-born workers were unwilling to fill” (Michel & Peng, 2012, p. 407) These characteristics speaks to the lasting paradigm of productivism and privatization combined with the lack of policy alternatives. The exclusion from legal protection of migrant domestic workers, their poor treatment and the reluctance of institutional actors to pressure employers and labour

brokers to improve their employment conditions derives partly from the assumption of this productivist expectation and logic. Since they are deemed as “non-productive” by operating outside the formal productive structure and in the home, they are actors of the “social welfare industry” and thus of family responsibility which is not deemed to merit equal recognition and employment protection.

By framing the issue of elder care along cultural norms and by upholding them as a family responsibility, this attitude of institutional actors informs welfare policies that build narrow coalitions where vulnerable population groups lose, including migrants who are sought out to perform elder care but find themselves doing much more and earning much less than expected.

Consequently, the state covertly withdraws itself from the ultimate responsibility of welfare service delivery, making citizens forget that, looking after the most vulnerable population groups is in fact the responsibility of the state and Taiwanese people adhere to this view that social services are a matter of right. Thus, despite the continuously high policy demand for investments in institutionalized elder, institutional actors still place the burden of care on families and households. Because of this, Taiwan has been caught up with acute socio-demographic changes emphasizing the flaws of its continuous productivist welfare policy approach, especially regarding elder care.

This chapter contextualized an important explanatory factor in the recruitment of foreign domestic workers: the lack of investment in elder care due to the productivist legacy of welfare politics in East Asia, notably in Taiwan, which has played up the notion of the family as a self-help institution, and as a cultural particularism unique to these East Asian cases. This chapter has noted that productivist welfare policies are not unique to Taiwan, nor are acute socio-demographic changes.

**Chapter Four: The Viability of Civic Nationalism and the Question of National Identity in Taiwan: In Between a ‘Civic Consensus’ and the Institutionalized Exclusion of Migrants**

*What is civic nationalism?*

First, it is necessary to briefly clarify a few key definitions in this order: the nation, nationalism, then the dichotomy between “ethnic” and “civic” nationalism which will then be discussed in the Taiwanese context. This will lead to the view that the culmination of Taiwanese modern political history into a “civic consensus” represents the foundational element of its democracy and current socio-political fabric.

To begin, Anderson (2006) in his 1983 definition of the “nation” speaks of a constructed political community, both imagined and imaginary when he writes that the “the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion.” (p. 6) This can be viewed as derived from Ernest Renan’s 1882 portrayal, who, looking at the aftermath of the French Revolution, frames the nation as “a soul, a spiritual principle (...) with one foothold in the past and the other in the present” (Forest et al., 1991, p. 50)<sup>5</sup> The dimension of the imaginary is central to understanding the nation, as he states “the essence of the nation is that individuals have many things in common but also that all had forgotten some things” (Forest et al., 1991, p. 38)<sup>6</sup> Hence, the nation is at its core, an abstract entity, where some elements of the past may be remembered and other even more emphasized in the construction of nationalist narrative. By Renan’s famous formula, “it is primarily seen as a political community held together by the democratic process, by an act of auto-constitution that transforms citizens into members of a nation.” (Wimmer & Schiller, 2002, p. 320) Concepts such as kinship and religion are often held

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<sup>5</sup> (Original in French) “une âme, un principe spirituel [...] L’une dans le passé, l’autre dans le présent”

<sup>6</sup> (In French) “l’essence d’une nation est que tous les individus aient beaucoup de choses en commun, et aussi que tous aient oublié bien des choses”

on to, while others are forgotten, and all equally important in constructing the present common social fabric.

Ernest Gellner (1983) says that “having a nation is not an inherent attribute of humanity, but it has now come to appear as such.” (p. 6) He also speaks of the nation as people united with two things: “a common culture, understanding, meanings, etc.; and the acknowledgment that the other is a fellow national and the recognition of mutual rights and duties to each other in virtue of shared membership in it.” (p. 7) When it comes to “nationalism” Gellner holds it to be “primarily a political principle that holds that the political and the national unit should be congruent. (...) It is a theory of political legitimacy.” (Gellner, 1983, p. 1) He defines it as “(...) essentially, the general imposition of a high culture on society, where previously low cultures had taken up the lives of the majority (...) of the population.” (p. 57) In Gellner’s view, “the state is a prior requirement to nationalism; nationalism creates nations, not the other way around (p. 56)”. Anthony D. Smith (1995) traces the origins of the nation-state to 18<sup>th</sup>-century European modernity’s ideals, where a cultural and ethnic community, that is both sovereign and bound with state borders, became a sought-out accomplishment (p. 86) to which he credits the processes of industrialization and bureaucratic centralization that have taken place in 18<sup>th</sup> century Europe as a turning point of nationalism.

However, different foundations of nationalism lead to different outcomes. “Civic” nationalism distinguishes itself in its capacity to be deemed compatible with democratic values of freedom, liberty, equality and tolerance towards others. For example, the social contract theories of Jean-Jacques Rousseau (1712-1778) in 1762, by his conception of the “civil state” *L’État Civil* and the “General Will” *La Volonté Générale* are used in arguing for the “Common Good” *Le Bien Commun* as the end goal of such as state. This vision is shared by Renan, who defines the nation as an everyday referendum demonstrating the “will and desire to live together” *Le désir de vivre ensemble* which is also seen as a part of John Stuart Mill’s (1808-1873) tradition of liberalism and rationality (Forest et al., 1991, p. 50). Overall, civic nationalism is a non-xenophobic form of

nationalism where national identity plays a positive role because citizens need a sense of belonging that the state can provide in leading fulfilling and meaningful lives. Concretely, this form of nationalism describes national identities who are built on equal citizenship rights that are predominant in liberal democracies and its many constitutional forms which is the case in Taiwan since the 1990s just as it is in Canada.

In contrast, Smith (1995) touches upon the primordial conception of identity that represents the “ethnic” national conception. Ethnic nationalism qualifies a dynamic where the nation capitalizes on the sense of belonging to a common history stemming from a “myth of common origin” (Smith, 1995, p. 57). To understand this, one could ask the following: “why do so many feel an emotionally powerful sense of national consciousness and loyalty?” (Brown, 2000, p. 20) An ethnic nationalist conception of the nation would say that the political leaders in an ethnic nation will uphold a discourse that will draw from the belief that there is an intrinsic organic and common heritage that can be easily explained if one examines identity markers such as physiognomy, ethnicity, language and religion that all become factors that fuel this sense of belonging. Thus, the national community defines the individual and relegates him/her to a passive and reactionary role, whereas in a civic nation, it is up to the individual to construct his/her own political identity and adhere willingly to the state. It is important to note that this political ideal can be a fragile balance when, as seen in recent times, non-civic and very ethnic nationalist sentiments based on Islamophobia and anti-immigration sentiment capture the public discourse attention and try to gain political power. A civic nationalist state can make it possible for other citizens, given the chance, to become nationals of that country as well through naturalization. This would not necessarily be possible with a state invested with ethnic nationalism, this would depend on whether you could assimilate physiologically (physical traits), religiously, and stop being prejudiced. In both cases, nationalism can become a moral, emotional and ethical question, which in the worst case is instrumentally used to seek legitimacy through internal or external uses of violence. Ultimately, these two concepts describe national

conceptions, articulate different relationships between individuals and their state. Literature on nationalism and the comparative politics of identity presents a continuum of typologies of nationalisms rather than the eye-catching ‘good-civic’ vs. ‘bad-ethnic’ nationalisms dichotomy. To move away from these ideal types, it is more appropriate to examine national institutions and their policies. Institutions prove to be the space where nationalism is articulated in the values, culture and identity it promotes. This is also where accommodations of nationalisms occur, as institutions can shape identities, giving a chance to reconciliation in deeply divided societies.<sup>7</sup>

However, even in a liberal context, Will Kymlicka (1995) argues that this voluntary and neutral association by a community of individuals with their state is an unattainable ideal. He views the necessity to implement ‘group-differentiated rights’ to avoid subordination and exclusion of minority groups (p. 280). Therefore, citizenship is about belonging and its institutions, who structure that to enforce or legitimize exclusion. Political actors must want to integrate minority groups and that begins by the recognition that state inaction, by not allowing for a path to citizenship, reinforces migrant and minority groups’ social exclusion. Citizenship matters; it provides access to education, social services and mostly importantly for migrant domestic workers, protection by the law against situations of abuse and the right to earn the national minimum wage. Contemporary debates on immigration and integration of minority groups often emphasize that the problem lies within these groups’ capacity to integrate the nation and less on the obstacles that institutions, by their incapacity to change, exclude these very same groups. This proves to be particularly problematic in Taiwan’s aspiration to consolidate its democracy and uphold civic values.

Seminal works of nationalism studies by Anderson, Gellner and Smith spoke of culture, citizenship, origins and identity but have neglected the intrinsic gender component of the nation and nationalism. They omit to think about a fundamental question: ‘Who’ reproduces the nation biologically, culturally and even symbolically? In other words, “(...) Why, then, are women

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<sup>7</sup> This refers to consociationalism theory pioneered by Arend Lijphart (1968,1977,1999)

usually 'hidden' in the various theorizations of the nationalist phenomena?” (Yuval-Davis, 1993, p. 621) Indeed, *who* reproduces the nation is central to understanding the strict state control towards migrant domestic workers in Taiwan. Consequently, this perspective tuned to the inherent component of the framework for this study allows us to see how the control of women in nationalist projects is important, and even more so for migrant domestic workers, which are recruited as “alien subjects” governed by a very strict guest worker policy, to perform the reproductive work of the Taiwanese nation. Therefore, Taiwanese women are not only seen as biological reproducers, but also cultural transmitters and signifiers, which reproduce the national collective and when it comes to migrant domestic workers, they are viewed as “fertile brides but unfit mothers” (Lan, 2008a, p. 841). The following section will unpack a few additional historical elements explaining how various segments of the Taiwanese population came about to unite around a civic approach, to then bring all of this together and raise key questions that will be addressed in the case studies and analysis/discussion of the thesis.

#### *A Brief Introduction of Taiwan's Modern Political History:*

Taiwan's political history is characterized by ethnic tensions, mixed with the legacies of colonialism and authoritarianism. The sedimentation of these imposed experiences of Japanese and Chinese nationalisms has nurtured the formation of its ethnic and cultural identity. In the aftermath of the Chinese Civil War, the Chinese Nationalist Army's relocation of the government of the republic of China to Taiwan has set in motion the lasting two states' separation of China. Another milestone was, following the expulsion of the R.O. C (Republic of China) from the United Nations in 1971, which led to the gradual isolation of Taiwan in the international sphere. In the late 1980s, political liberalization transformed presidency the political landscape to a multi-party system and implementing Taiwanization policies.

Undoubtedly, as Muiyad (2012) puts it “since the 1980s, two major phenomena have transformed Taiwan's politics and economy: the rise of Taiwanese national identity and the

development of a close economic interaction with China” (p. 153). The first is a product of democratization after the lifting of martial law in 1987 and led to the first free election of the full Legislative Yuan by the Taiwanese people in 1992 after 40 years of dictatorship. The consolidation of the R.O. C’s sovereignty on Taiwan was a necessary step in managing relations with a hostile People’s Republic of China. Hence, like South Korea, Taiwan has been experiencing for a long time the threat of military confrontation with a neighbouring country, but the issue of national identity is having a salience greater than in Japan and South Korea. As a “virtual nation”<sup>8</sup>, non-recognized independent country by the international community, Taiwan has a much greater incentive to appeal to the international community by promoting its values of multiculturalism, freedom of religion and belief as well as its democratic and civic nation. Meanwhile, the P.R.C’s (People’s Republic of China) influence on the international scene had grown exponentially as it continues to block access to Taiwan as a member state to large international bodies. The PRC’s position, that Taiwan’s independence is as non-negotiable, is as fervent as Chiang’s belief that his conquest of the Mainland from Taiwan was only a matter of time in the 1950s. Chiang unequivocal refusal of having two “Chinas” at the United Nations caused Taiwan to lose its seat, and since then, despite its praised democratization, it is still unrecognized by most of the United-Nations member states.

Chiang-Ching Kuo’s decision in 1987-88 to begin allowing contact with the PRC for Taiwan families to visit their relatives who were separated after the war, beyond this humanitarian dimension, had two lasting and perhaps contradictory effects: “(...) while it reinforced the feeling of distinctiveness and separate identity of the Taiwan people, the relaxation of the political control over cross-strait exchanges also spurred the development not only of personal but also of business and economic relations with China” (Muyard, 2012, p. 154). At the turn of the century, Taiwanese investment in Chinese factories had soared in an effort to cut down on

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<sup>8</sup> Laliberté (2010) in “Taiwanese virtual sovereignty and challenges to the CCP’s views of the nation” employs the term “virtual nation” to qualify states who are not recognized as independent states in terms of international law but who have national projects of political self-determination through democratic means (p.209)

mounting labour costs. This had helped the PRC become an export-oriented manufacturing base and build its economy. These are two persistent and parallel developments: The KMT continued its political reforms and the fruitful outcome of these reforms and Taiwanization identity policies were largely credited to President Lee Teng-Hui which took on the work of Chiang Ching-Kuo. As the KMT was now a Taiwan majority party, in the 1996 presidential elections, Lee became the first democratically elected President of the R.O.C. born in Taiwan and of local heritage.

President Lee was succeeded by Cheng Shui-Bian, first president from the opposition Democratic Progressive Party (DPP) and who held office for two terms from 2000 to 2008. His election was possible due to the divisions within the KMT. President Cheng's pursued cultural and educational "de-sinisation" and promoted Austronesian cultures, raising the status of aboriginal languages. The promotion of a "post-modern multiculturalism (...) with the avowed aim of diluting the Chinese cultural legacy into a melting-pot (...)" served to counteract previous decades of "sinization" policies, viewing Austronesians, Mainlanders, the Hoklo and the Hakka as "distinct ethnic subgroups" within a "de-sinised" Taiwanese national identification (Cabestan, 2005, p. 2006) As much as this "nativist nationalism" proved to be successful in securing the presidency, it was ultimately costly in the general elections of 2004, when the parliament remained identical. This was partly due to the stigmatization of the mainlanders who were still very influential within key segments of society such as the army, academia and the opposition parties (Cabestan, 2005, p. 2006) This had also heightened tensions with the PRC who in 2005 implement an "anti-secession law" against Taiwan.

From 2008 to 2016, the KMT returned to power with President Ma Ying-Jeou (馬英九). President Ma was viewed as a safe and conservative choice that "is not equivalent to a vote for China, nor to a vote for unification," in an election where the question of national identity was not as salient. In fact, as Taiwanese people did in majority already identify as "Taiwanese" pressing on this issue was no longer a winning strategy for the elections. (Corcuff, 2012, p. 5)

His heavy-handed pursuit of closer economic ties and free trade agreements with the PRC proved to be the demise of his already unpopular presidency, ultimately decimating a party that ruled the archipelago nation for over 5 decades (Corcuff, 2012) In January 2016, President Tsai Ying-Wen (蔡英文) became the first female president and first president from the main pro-Independence opposition DPP party to secure majority in both Legislative and Executive Yuan, giving her a clear mandate with this full transition of power, further consolidating Taiwan's democracy.

This chapter builds on the elements so far to add a new facet to this multi-causal explanation by discussing differences, and positions Taiwan as a unique case study within this East Asian model that can further explain the exclusion of migrant domestic workers from a pathway to full citizenship and legal recognition despite promoting civic form of nationalism: the question of national identity and its precarious international status. The remainder of the chapter will proceed to discuss the rise of Taiwanese national identity since the 1990s and the meaning of its "civic consensus". This is to begin to see that, despite the advantages that Taiwan could benefit in including migrant workers as citizens, if not only in terms of the praise it could get on the international scene by presenting itself as a model of inclusion of migrant workers, it has chosen not to do so, directly contradicting in many ways the work it has done accomplished in the building of its democratic institutions and recognition of the contributions of its civic actors to further transitional justice and human rights.

The question of national identity and its precarious status explains the popular attitudes and deep national insecurity and anxiety towards immigration and the changing and increasingly multicultural Taiwanese landscape. Despite the reliance on migrant workers since the early 1990s and the promotion of a civic national identity based on overcoming past ethnic and racial tensions, the way to reconcile these issues has been the implementation of an ethnocentric framework to govern migrants via a highly restricting and racialized guest worker policy. As President Tsai is looking for avenues to diversify its economy and reduce its dependence on the

Chinese market, it is developing a new “Southbound policy” (南向政策) which once again brings attention to issues of human rights and the current exploitative system of migrant brokers as she now has acknowledged herself that “At present, there are still some foreign workers in Taiwan who are severely overworked, or are forced to work in highly hazardous or physically exhausting jobs,” (“Migrant workers (...)”, 2016)

*Taiwanese democratization and the culmination into a “Civic Consensus”:*

The section below presents a brief overview of Taiwan’s modern political history for understanding the origins and to reflect on the limits of its “civic consensus” regarding the exclusion of migrant workers in Taiwan. First discovered by the Portuguese, Taiwan had briefly been colonized by the Dutch (1624-1662) and the Spanish (1626-1683). In 1662, the fleeing Ming loyalist General Koxinga, also known as *Zheng Chenggong* (1624-1662), conquered the land and established a short-lived kingdom (1661-1683) who ruled parts of present day Tainan City in Southwestern Taiwan. Taiwan then fell under the control of the Qing dynasty after 1684, as a frontier zone. Taiwan’s colonial experience entered a new era with its absorption in the Empire of Japan following the Sino-Japanese War (1894-1895) and the signing of the Treaty of Shimonoseki (1895) that lasts until the capitulation of Japan in 1945.

The term Taiwanese is inclusive of Malay aborigines and mainly 17<sup>th</sup> century migrants from Guangdong and Fujian Province, a province “(...) which has always tended to turn away from the imperial capital” (Cabestan, 2005, p. 3). As a result of the Chinese Civil War, Communists took over Mainland China and, on the other hand, the Nationalist Army under *Chiang-Kai Shek* (蔣中正)(1887-1975) relocated its government, the Republic of China, to Taiwan. This aftermath set in motion the lasting two states’ separation of China. Chiang’s practices proved to be oppressive within a corrupt government. In viewing Taiwanese people, as conquered people by the Japanese, Chiang framed them as an inferior culture. Previously seen as a potential liberator

from the hardliner Japanese policies of cultural assimilation, he imposed no different authoritarian and assimilationist sinicization policies well documented in George Kerr's 1965 classic "Formosa Betrayed." Kerr was a teacher (1937-1940) in Taiwan, former US diplomat in Taiwan (1945-1947) and later a professor "who was an eyewitness to KMT forces' atrocities in the spring of 1947, which Kerr unequivocally described as the "March Massacre" in his book" (Pan, 2014).

Taiwanese people from all regions orchestrate annual commemorations on February 28<sup>th</sup> in remembrance of the 1947 Massacre, known as "228" (二二九). Chang (2010) describes the circumstances of "A tragic beginning":

On the evening of February 27, 1947, agents from the Alcohol and Tobacco Monopoly Bureau in Taipei went to a neighborhood to confiscate contraband cigarettes from a woman named Lin Jiang-Mai. One of the agents beat Lin on the head with a pistol, prompting the surrounding angry crowd to chase the agents. As the agents ran away, they fired their guns indiscriminately into the crowd, killing one person named Chen Wen-xi. The crowd protested to the police with no avail. On the morning of February 28, the angry crowd held another protest at the Monopoly Bureau Headquarters and later moved to present a petition to Governor Chen Yi. The crowd was met with machine-gun fire from the soldiers at the governor's office. (p. 3)

To what initially was a protest, the government forces responded by triggering a brutal repression:

On March 9, the troops dispatched by Chiang Kai-shek arrived in Taiwan. Military suppression and large-scale slaughter of civilians and young students continued until March 16. Many more lives were sacrificed in the island-wide "country sweeping" campaign between March and May of 1947.

The death toll was estimated between 10,000 and 20,000 people. (Chang, 2010, p.4)

The promulgation of martial on May 20, 1949, leads to over 38 years of suppression of political dissent under it. The history of 228 Incidents and the subsequent White Terror era (白色恐怖) were “political taboo and suppressed memory for generations of Taiwanese” and have catalyzed a Taiwanese identity away from the KMT and Chinese nationalist government (Chang, 2010, p.4). This government crackdown came to play an important role in the birth of the Taiwan independence movement and in the construction of a legitimate “we” which would help propagate the idea of an independent Taiwanese nation and by the early 1990s would pose a serious threat to the political legitimacy of the KMT regime (Fleischauer, 2007, p. 373).

A series of political reform were accepted by the regime in the final years of Chiang Ching-Kuo’s life, which brought increased freedoms and tolerance of dissent, notably allowing native Taiwanese to access government positions and political power. In 1986 President Chiang Ching-Kuo liberalized the political system by allowing for the official creation of the Democratic Progressive Party, a movement of democratic opposition that had begun in the 1960s. The KMT regime had also steered away from the courting of mainlanders, *waishengren* (外省人) and began to indigenize itself to Taiwan, looking to include *benshengren* (本省人), choosing the Taiwan-born Lee Teng-Hui as Vice-President.

Political reforms and Taiwanization identity policies were further developed by Lee (李登輝)(1923-), who had taken over after Chiang’s death, following the Constitution’s dispositions. Lee continued the change of the KMT as a Taiwanese majority party, until he presented himself as a candidate in 1996 to the first presidential elections by universal suffrage; he became Taiwan’s first democratically elected president. This mandate given to him by Taiwanese people testifies to the progress made of adopting civic values of freedom, tolerance and equality in

contrast with the Martial Law era, but also of the challenges ahead for consolidating Taiwan's democracy. Remarkably, following his victory in 1996, he coined the expression "New Taiwanese" (新台灣人) which he explains himself in his book:

Although the KMT originally came from the Chinese mainland to Taiwan, it has long ceased to be a so-called "party of the mainlanders." We, who are living together on this soil, first have to establish an identity with Taiwan... We have grown up and lived on this land together, irrespective of whether we are Aborigines, whether we came several centuries ago or only a few decades ago, we are all Taiwanese, we are all the true masters of Taiwan.<sup>9</sup> (Lee, 1999, pp. 263-264)

This expresses that Taiwanese of all origins and political allegiances share a common destiny of preserving Taiwan's sovereignty and democracy communicating a meaning of "new Taiwanese" that is more along the lines of "citizens of Taiwan" rather than the "native Taiwanese" (Schubert, 2004, p. 540). This a political orientation that he helped to build and that was essential to build a civic orientation for the future of Taiwan. The "228 Incident" was and remains a polarizing "symbol of the collective Taiwanese memory" and was used politically by the opposition to push for democratic reforms as it had reified ethnicity as the "most salient social rift and thus carried the highest potential for political mobilization. (...) The KMT had to find a way to prevent the converging of political confrontation along the lines of ethnic division." (Fleischauer, 2007, p. 385) Therefore his initial inauguration as president in 1988 marked a 15-year-long process of the gradual indigenization of the KMT with Lee as the leader of the moderate faction, though many mainlanders were still suspicious of his intentions of reform within the party. In addition, in 1997 a 288 Museum in Taipei opened its doors with the introduction of February 28 as a national day of remembrance.

Furthermore, this incremental democratization starting in the 1980s attests to the failures of Chiang's uncompromising policies, and resulted in the orientation of Taiwanese nationalism as State nationalism, representing a civic consensus. This consensus is sovereigntist in the sense where, irrespective of the party coalition (Pan-Blue, KMT pro-reunification or DPP, Pan-Green pro-independence), the priority must be the development of Taiwan as *de facto* independent nation-state. This meant that Taiwan needed to improve its diplomatic relations, strengthen its democratic institutions and that any important political decision, particularly one that would potentially be on the status of Taiwan, must be put before Taiwanese people.

By looking at these historical developments, Taiwanese nationalism can be argued to be unavoidable and geographically rooted in its insularity. This amalgam of experiences of imposed Japanese and Chinese nationalisms has nurtured the formation of its ethnic and cultural identity. The KMT opted to democratize on their own terms, implementing Taiwanization policies to create a bridge across ethnicities and developing common views of democracy.

Meanwhile, the People's Republic of China's influence on the international scene had grown exponentially.

The PRC's hostility, which doesn't exclude the use of military force, denied Taiwanese national and cultural identity. Taiwan's *de facto* sovereignty continues to pose a threat to the Chinese Communist Party "because it reminds Chinese that the party has not achieved its proclaimed goal of achieving national unification." (Laliberté 2010: 211) As the civic consensus also means safeguarding the cross-strait status quo, democratization has allowed for Taiwan's State nationalism and movement toward political self-determination to give reason to the classical theories of Gellner, in which the State precedes the nation (Cabestan, 2005, p. 2).

The 1990s represent an important moment when the convergence of key economic and political factors such as the liberalization of the political system, democratization and highly polarizing national identity debates saw the arrival of a new population group in response to a shortage of labour for jobs that most Taiwanese did not want to take. This final section narrows the focus

on the situation of migrant domestic workers and address the policies that govern them, in stark contrast with the hard-fought civic trajectory of Taiwan.

*Taiwan's Guestworker Policy: Strict State Control and Migrants' Institutionalized Exclusion*

The arrival of migrant workers to Taiwan happened as the struggle and public debates regarding Taiwanese independence and national identity deepened in the mid-1980s and 1990s. In parallel, 1991 saw the legalization of a labour importation program and 1992 migrant women were legalized to work as domestic workers and live-in caregivers (Cheng, 2003, p. 166). For instance, Cheng (2003) observes the following:

Foreigners have always worked in Taiwan as missionaries, English teachers, and white-collar professionals, and in other occupations. These foreigners usually have come from regions of high socioeconomic development, such as Japan, the United States, Canada, and Europe. Their presence has not stirred extensive public debates, nor has it compelled the state to institutionalize their legal status. (p. 172)

Therefore, it is important to note that it was not until the increasing presence of migrants from Southeast Asia that their arrival began stirring extensive public debates and “triggered all forms of discourses and control mechanisms about them” and a certain undesirable difference being felt (Cheng, 2003, p. 172).

Cheng's (2003) argument is that their arrival needs to be understood in the specific political context of the time. The domestic political climate of Taiwan was one of mending ethnic tensions through institutional recognition and direct elections to both houses and the presidency. Amid this sensitive process, a new term had emerged '*wailao*' ("*foreign labour*" in Chinese) referring to migrant workers, working mostly in the construction, manufacturing and fishing industries at the time from the Philippines, Thailand, Indonesia, Malaysia and Vietnam (p. 172). The term refers to south and Southeast Asian workers who are in demand for “dirty,

dangerous and unskilled jobs” that Taiwanese were no longer willing to perform and became associated by many Taiwanese to all sorts of social ills such as criminality, backwardness, contagious diseases and racial/ethnic conflict. (Cheng, 2003, p. 172)

Taiwanese institutional actors echoed this discourse of undesirable difference and implied causality expressed in parameters of cultural incompatibility, national security, and public safety dangers, while avoiding directly mentioning physical differences, mainly skin colour:

In September 1988, Legislative Yuan member Lin Tien-hsin argued that the importation of foreign workers, while temporarily reducing the pressure of labour shortage, would create social, educational, and cultural problems (Legislative Yuan 1988) (...) If they did stay permanently, he asserted, the cultural and racial differences between foreign and Taiwanese workers would definitely lead to social problems. (...) he asserted that foreign workers in Taiwan tended to be involved in crimes such as theft, assault, and murder. Their presence threatened public safety and national security. (Cheng, 2003, p. 172)

The fact that their presence continues to be problematized as such to this day speaks on the deep-seated national anxiety over a changing ethno-cultural landscape within its national boundaries as its national identity continues to evolve.

Taiwan must simultaneously manage the threat of an increasingly powerful international actor on the mainland which threatens its people with a forced incorporation into a state most Taiwanese want nothing to do with, and the arrival of immigrants. The result of these pressures partly explain why migrant workers in Taiwan are subject to many restrictions and must fulfill many requirements, such as records of good health proved through biannual tests, and good conduct to name a few. Moreover, domestic workers cannot change employers and there is no room for family reunification in Taiwan. It is only last year in 2015 that regulation was revised to remove pregnancy tests from the list of required medical examinations for migrant workers and

banning “(...) discrimination against or firing foreign workers if they are pregnant or give birth during their employment in Taiwan (...)” (“Firing pregnant migrant workers illegal (...)”, 2016) Before then, women constantly faced the threat of immediate deportation if they became pregnant or gave birth:

Once found pregnant at a medical checkup, migrants may be repatriated immediately. Some female migrant workers have resorted to abortions to avoid being deported under the pregnancy restriction. The rising abortion rate among Filipina migrants has become a concern for Catholic churches. (Lan, 2003, p. 23)

A policy like this has for effect of “incorporating sexuality and reproduction as relevant concerns for Taiwanese employers (...)” and “this intrusive surveillance helps relieve the state of its anxiety over the reproduction of alien labour and serves as indirect state control” (Cheng, 2003, p. 179) These tests were not only human rights violations, but violations according to Taiwanese laws regarding gender equality that were inapplicable to them as they are not R.O.C. nationals. Thankfully, the collective indignation among migrant worker communities and civil society actors culminated in the abolition of the controversial measure. This is precisely what this chapter seeks to bring to light: an important contradiction between the civic nationalist ambition and a set of policies governing migrant labour that represents a treatment that is a serious limitation to it. Cheng (2003) contributes to this view when she argues the following:

“(...) the exclusion of foreign labour from permanent settlement has been crucial to state control (...) The monitoring and surveillance of both their bodies and their emotions are integral to the state’s attempt to police national borders and ultimately to control the racial/ethnic composition of its citizenry. (...)” (p. 173) She continues with “(...) the invasiveness of state regulations over decisions concerning human sexuality, such as marriage and pregnancy, has a particular impact on migrant women. The regulation of their sexual activities

and reproductive decisions reflects the gendered as well as racial nature of immigration policies. The control of women's bodies becomes a means through which the state realizes its particular racial/nationalist project." (p. 174).

State practice of strict control and social exclusion are only as effective as the rhetoric they produce in the public and private spheres to invest the families as employers and on private recruitment by broker agencies with a responsibility to enforce them. This saves the state many costs and resources should this be a state-to-state recruitment and centralized enterprise. This chapter argues that, because of this framework and weak enforcement of the law with labour brokers and the disadvantageous contracts enforced by employers, this convergence of regulations, policies and restrictions make these along the guest worker program an institutionalization of the exclusion and marginalization of migrants. Domestic workers must live with their employer, confined to a private space, putting them in a vulnerable and exploitative situation. The household, as a private domain, deducts itself from the public scrutiny and state inspections, making itself a potential environment of violence for domestic workers and live-in caregivers unless they are willing themselves to risk their job to seek help and speak out against their situation (Cheng, 1996, p. 142)

This also makes it harder for migrant women to foster social ties, friendships and support networks with their peers. This oppressive system puts migrant women in a position of "legal servitude" while Taiwanese authorities, whose regulation mechanism is a quota allocation system for households and businesses, can "police the maid" by allowing the hiring of one domestic worker per household and freezing this quota should the migrant worker run away until he or she is found (Lan, 2007, pp. 251-277). This practice incentivises employers and internalizes the state's goals of strict control within households and national borders without incurring the costs of enforcing the law itself. Should a migrant worker flea, becoming an illegal worker, the authorities will force the employer to pay the wages for the remainder of the

contract or until the worker is found, making employers take this consequence very seriously. Paradoxically, these informal practices are so oppressive that migrant workers do flee and are able to find better, but risky, working conditions in an illegal market with non-licensed agencies which could potentially be even worse than their initial arrangement.

To this, starting in their country of origin, the exorbitant fees that migrant workers have to get training and find work in Taiwan add a layer of pressure and precariousness. Labour brokers justify these immense fees by the fact that the broker market in Taiwan has the highest organizational death rate, with 15% of the agencies that are non-licensed, meaning that domestic workers pay some of the highest fees in the world to go Taiwan. In fact, “a placement fee ranging from NT\$ 90,000 to NT\$ 220,000, an amount that equals five to fourteen months of migrant wages in Taiwan” (Lan, 2007, pp. 251-277). As these agencies look to maximize fees and profits while they can, their ephemeral viability renders migrant workers even more vulnerable to worse contracts. This is an important factor in viewing the commodification of care work and this high commercialization of migrants’ labour as a distinct feature of Asian migration regimes. Taiwanese employers and broker agencies carry the burden of being governmental instruments in policing the behaviour of migrant domestic workers. In addition, to justify and sell this strict control, the state does more than simply showing to the public that it is facing an imminent disadvantageous economic outcome such as labour shortages, an aging population and mounting costs for social services. It capitalizes on the capacity of brokers to broadcast differences between groups of migrants, emphasizing ethnic and cultural characteristics, which would then increase market competition for this cheap labour and present employers with options and choices.

This is extremely important to understand why migrants do not have a path to citizenship, or why the latter is only accessible through assimilation. The association by labour brokers between essentialized characteristics of migrant workers and the quality of their work is viewed by Tierney (2011) as a class-based racism when “(...) focusing on legislative and administrative

mechanisms adopted by the state to racialise and recompose the labour market and to politically repress immigrants, largely for the benefit of capital accumulation.” (p. 289) In fact, Cheng (2013) builds on Yuval-Davis and Anthias’ argument that “women are ethnic boundary markers” of the nation to speak on Taiwanese citizenship laws as being a “political process driven by ethnic nationalism, which is derived from *essentialising the difference* by gender, ethnicity and class.” (Cheng, 2013, p. 171) Cheng (2013) argues well that this is a form of ethnic nationalism “practiced at a grassroots level”:

As outsiders, their link with the host state is not an imagined marriage or family relationship, as a primordialist approach would allude to with regards to the emergence of a nation. It is through marriage and motherhood that marriage immigrant women establish a link with the real flesh-and-blood people of the host nation. (p. 172)

To summarize, although Taiwan faces enormous pressure given its precarious international status and the constant threat of violence by the PRC, there is an important discord with Taiwan’s promotion of civic nationalism as a model of inclusive society in Asia and its treatment of immigrants and migrant workers. This is an ethnic nationalist project is clear when we look at the policies that domestic workers and live-in caregivers are subject to as immigrant women.

#### *Explaining Exclusion: Practices and Policies of the Taiwanese State*

Cultural norms and the unit of the family have been of great importance in East Asia and the development of the Taiwanese welfare state in the postwar era. I developed these structuring effects in the third chapter in what I understand to be the “productivist” legacy of welfare politics in Taiwan to explain the historical lack of investment in elder care from the authoritarian, democratization and post-industrial eras. This shows that the upholding of cultural norms served the realities postwar Taiwan as it faced a need to rebuilding, rapid industrialization and economic growth all the way through to the democratization era, the KMT’s Taiwanization and the prevailing pattern of welfare promises at times of election without

further implementation. Equally important are changes in the family structure, the increased participation of women in the labour force, demographic changes (aging populations) and the social status associated with employing a foreign live-in caregiver. To these socio-demographic changes, the Taiwanese state opted to outsource care via a guest worker program, as opposed to taking this responsibility publicly by investing institutionalized care and capitalized on cheap labour of other states by enacting bilateral agreements to facilitate the labour flows in between these countries. This final analysis section will look within the Taiwan nation-state, to describe the effects of the guest worker program and the rationale of the state in its management of foreign labour.

First, Liang (2015) details that because of labour shortages, the Taiwanese government began recruiting migrant labour in October 1989 for fourteen key national construction projects. In 1991, the importation of migrant workers was applied to the traditional manufacturing industries, which require cheap labour to remain competitive in the market. In 1992, to satisfy demographic necessities and the increasing presence of dual-income households, the government allowed the immigration of domestic workers and caregivers on a live-in capacity as part of the short-term contract labour force to shoulder the responsibilities of caring for patients, the elderly and younger children. The number of migrant workers in Taiwan reached a stunning 336,945 compared to 151,989 in 1993. The number of migrant workers has increased by more than two times. Almost all migrant workers in Taiwan originate from Southeast Asian countries and perform unskilled or semi-skilled jobs in a segregated labour market.

The Taiwanese state managed their status by creating the legal category of ‘guest worker’ to which they attach a ‘temporary status’ label:

“Guestworker programmes have many country-specific variations but all share a common theme, that is, the temporary status of migrant workers. As the name implies, these migrant labourers might work as “guests” as long as hosts wish them to stay. Guest worker programmes often regulate migrant workers

in many ways; however, the most important feature of such policies involves governing the temporal relationship of migrant workers with their host society. Guestworker programmes create channels for migrants to come and at the same time create “terminals” for them to leave.” (Tseng and Wang, 2011, p. 2)

In this approach (Soysal, 1994) explains that the state gives itself the necessary legal instruments to keep these migrant labourers as guests if it wants them to stay, making this the basis of the governing assumptions of this program instead of viewing this population group as potential new immigrants. From this policy choice begins the promotion of a set of ideas where migrant workers are viewed as necessary workers but unwanted members who are strictly present to address labour shortages on a temporary need: “(...) the most important feature of such policies involves governing the temporal relationship of migrant workers with their host society.” (Tseng and Wang, 2011, p. 2) From this, institutional mechanisms are deployed as both measures to justify this recruitment and the surveillance of migrants. First, this is done via a certain measure of indirect ruling, mainly through labour brokers and employers as the government has institutionalized a “privatization” of governance through a quota transfer which would allow the state to directly financially penalize employers who greatly rely on migrant labour should their employee fail to meet a requirement or run away (Tseng and Wang, 2011, p. 12) It is this “privatization” which allows the state to distance itself from the contradiction of the treatment and governance of migrants with its civic, democratic political values and ideals. Another measure is much more direct, such as the monitoring of migrant workers’ bodies. There are frequent health checks where “Migrants are subject to immediate repatriation if they fail to meet any of the required health conditions during their stay” which means that differentiating guest workers’ bodies from others, in the name of health control, results from racialized classism, defined by an ideology that naturalizes working class foreigners as a largely unacceptable, yet temporarily employable “race”.” (Tseng and Wang, 2011, p. 10)

From a broader outlook, in her study of the history of these programs worldwide, Surak (2013) a very interesting observation:

“what typically makes immigrants economically desirable to employers – their submissive malleability as rightless outsiders who perform the undignified tasks that natives shun – are precisely the qualities that make them undesirable as members of a society (...) Much broader welcome mats are, of course, typically unrolled for immigrants taking up highly skilled jobs, including greater rights and paths to permanent citizenship” (p. 86).

This is nothing new at all. Central to that is the interest of the nation-state is to protect the economy and the nation as defined and perceived by the amalgam of institutional actors whose economic interests are at stake:

“The state can superintend an inflow of cheap and flexible workers required by capital, but rarely can it afford to treat the people whose name it rules in the same way. Foreigners are more easily reduced to mere labour power. To maximize economic utility while minimizing social cost, their entrance can be controlled, exit monitored and employment options restricted.” (Surak, 2013, p. 88)

It is important to recognize that the state and the non-state actors discussed previously are independent from the Ministry of Labor. However, Cheng (2003) conceptualized the “institutionalization of othering” to describe the process where the potential consequences from the ministry and the recruitment and placement agencies suggested practices all serve to influence the attitudes of employers which enact a discipline that mirrors the state’s rhetoric, policy and ideology towards migrant workers. This means that, for domestic workers, the racialized-gendered interactions and the attitudes of employers towards them in the private sphere are a compounded effect of the nation-state, the marketed ideas of labour brokers to employers, the mass media who attribute social ills to the presence of these ‘outsiders’ and other

social agents who enact the public anxiety of the increased presence of migrants in the country (Cheng 2003).

If the frequent outcome where host nation states develop a structural dependency on migrant labour for certain industries is brought into account, the state's denial of the potential of adhering to the nation and equal citizenship or in refusing to view migrants as new immigrants, categorizing them as guest workers, can be better understood as something that is critical to the viability of the national economy and in ensuring the control of how the nation is reproduced. Tierney (2011) discusses the mechanisms by which racism is perpetrated for guest workers specifically and observes that "neoliberal globalization does not jettison the nation (...) nor does neo-liberal globalization weaken nationalism." (p. 290).

In addition, as migrant labour began to arrive at a time of high political tensions and uncertainty for a democratizing Taiwan in the 1990s, the domestic political context of the arrival of migrant workers in Taiwan provides an additional layer of understanding and shows an analytical continuity between nationalism and the rules governing them. It could also be further argued that the civic consensus which emerged at the eve of the first presidential election was accomplished at the expense of this group of newcomers. Tierney (2011) takes this one step further in his research on labour unions and guest workers in Taiwan in arguing that "(...) the development of civic nationalism in Taiwan, built on the principle of inclusion for all internal ethnic groups and on the exclusion of guest workers" making "mass immigration programmes provide the means to include and exclude simultaneously, on the basis of 'racial' difference, so that the boundary of the imagined 'nation' is also a boundary of 'race'" (pp. 290-292).

Although this previous statement does not solely explain migrants' situation of exclusion, it serves to provide an interesting insight on the political climate and context of reception of migrants in the 1990s. It also fits the desire to build a comprehensive argument which accounts for the combined effects of the many political factors to explain this exclusion given the apparent contradiction with a civic nationalist discourse in Taiwan.

This chapter has established the context and evolution of Taiwanese domestic politics through democratization culminating in a “civic consensus” and an important limitation that emanated from it. It also outlined a parallel and contradictory development regarding the arrival of migrant workers and their treatment through strict practices and policies of state control.

**Chapter Five: Filipina and Indonesian domestic workers in Taiwan: *The Decline of a Vocal Community and the Rise of a ‘Docile’ One:***

Taiwan is a society with high religious diversity and tolerance. The Pew Research Center’s Religious Diversity Index puts Taiwan second (8.2) to Singapore (9.0) as the world’s most religiously diverse society (Pew Research Center, 2014) What is even more remarkable is that despite its religious pluralism, it has maintained peaceful coexistence since the beginning of democratization (Laliberté, 2009; Ye, 2000) In fact, this is due to Taiwan’s embracing of principles of religious freedom and what Alfred Stepan (2000) has called the principle of “twin toleration” (pp. 37-57) meaning that “the state refrains from intervening in religious affairs, while religious organizations refrain from unduly influencing the political process to defend their narrow institutional interests” (Laliberté, 2009, p. 75). Notably, Catholic and Protestant Churches as well as Buddhist associations have been non-state welfare actors of great importance having historically contributed to social welfare in Taiwan (Laliberté, 2009, p. 76).

This institutional framework of quasi-absolute religious freedom has allowed religions and religious groups to flourish on the island and has had a different degree of impact for both migrant worker communities. There are brief mentions of an extremely important point about the dynamic regarding the comparison of both migrant communities’ support networks in the literature, to which this chapter will seek to further question and discuss. For instance, that “unlike Catholic churches, which occupy a central position in the geography of Filipino migrants’ Sunday activities, mosques have yet to play such a role among Indonesian migrant workers in Taiwan” (Lan, 2003, p. 117)

This observation is extremely important as, in fact, civil society in Taiwan has played an important role historically in creating pressure for change and in successfully pushing for democratic reforms after the lifting of the martial law in 1987. This chapter will discuss the factors that explain the transition from Filipina to Indonesian migrant domestic workers and live-in caregivers in Taiwan arguing that the difference in the strength of their civil society

support networks partly explains the change in the direction of recruitment within the dynamics of the political economy of care in Asia, which will be further detailed in the next analysis and final chapter. This comparative outlook will demonstrate that, Filipina migrants found strong support with Taiwanese churches and religious associations, allowing them to organize and demand for better employment conditions and higher wages among other claims and rights. As this was not the case for Indonesian migrant workers and Taiwanese Muslim associations, their recruitment increased. Some answers to this difference lie in the history of Islam in Taiwan. The diverse religious communities of Taiwan enjoy peaceful coexistence and religious freedom, which has allowed Muslim communities to practise their faith and establish organizations to answer to their religious needs. Despite this framework of religious freedom, this does not seem to have translated into a strong faith-based support network for Indonesian migrants like it is observable in the case of their Filipina counterparts.

This chapter also makes the point that the fragmentation of Muslim communities across multiple waves of migration and strict state policies of assimilation has eroded the capacity of Muslim Taiwanese to develop lasting support networks and associations. Consequently, this chapter explores this relationship (or lack thereof) between Muslim communities and organizations with Indonesian migrant workers, or what factors could explain the lack of engagement from Taiwanese Muslim associations and Indonesian migrant workers, now the largest group of Muslims in Taiwan.

The next section begins with a discussion on Filipina migrant workers and sets in motion a better understanding as to why Indonesian migrant workers became a more attractive labour force for Taiwanese brokers and employers at the turn of the century.

*Filipina migrant worker communities, strong advocates in the face of their decline:*

Ever since the implementation by the Republic of the Philippines of the 1995 Migrant Workers Overseas Filipinos Act, the following decades have established its reputation as one of the

highest labour export countries in the world, where remittances from migrant workers is a vital source of the income for the economy. Lan (2006) puts this as follows: “Filipina women have dominated the global domestic labour market because of their English-language skills and relatively high levels of education. It is not unusual to find middle-class, college-educated Filipinas working overseas as maids and caretakers” (p. 10).

According to the Ministry of Labour, there are currently about 30 000 migrant workers from the Philippines in the “social welfare” industry occupational category, and about another 110 000 in “productive industries” in Taiwan (Ministry of Labour, 2017). Since the 1990s, Filipina migrant women gather on Sundays, as it proves to be one of the rare days off for migrant domestic workers, transforming the neighbourhood into an active community. Often, some 3000 Filipina attend St-Christopher Church’s (中山北路聖多福天主堂) Sunday mass offered in Tagalog and English twice a day, 7:30am and noon, and Taiwanese people know the area as ‘Little Manila’ or ‘Filipino town’ as the neighbourhood is characterized by a mixed economy, some legally established while others are not, of small businesses and shops that advertise in Tagalog (Lan, 2003, p. 22). Limited by their employment contracts, establishing a small business is virtually inaccessible for migrant workers. Nevertheless, mutually beneficial agreements are made between locals and migrants:

Most establishments in the Chongshan area are owned and managed by ethnic Chinese from Southeast Asia (huaqiao) and women who are married to Taiwanese men (so-called ‘foreign brides’). These ‘Outsiders-within’ in Taiwanese Society import good through their transnational networks to reproduce a home-country lifestyle that accommodates the circular flows of guest workers. (Lan, 2003, p. 23)

This type of weekend migrant workers’ enclaves occur throughout the region, notably in Hong Kong and Singapore but in Taiwan it is not as constantly active. It still proves to be a once-a-week means of challenging the situation of systemic marginalization and social exclusion that

migrant workers can experience, even more so associated with domestic workers and live-in caregivers who arguably have stricter employment restrictions codified within their contracts given their 24/7 home-based employment. But the fact that this is only possible on migrants' only day off is still a strong reflection of the effectiveness of the regulations and strict governing by employers and the state, notably the live-in requirement. Of even greater importance is the fact that attending St-Christopher's Church proves to be more than going to mass; it is a space of networking and solidarity in Taipei for these migrant women as NGOs, and Catholic and religious civic organizations have proved to be of great support to Filipina migrant women.

For example, before 2002 they were mandated to undergo biannual pregnancy tests: "Once found pregnant at a medical checkup, migrants may be repatriated immediately. Some female migrant workers have resorted to abortions to avoid being deported under the pregnancy restriction. The rising abortion rate among Filipina migrants has become a concern for Catholic churches." (Lan, 2003, p. 10) Since then, there has been a series of updates to Taiwan's regulations on migrant workers that address several issues, including paid leave, brokerage fees, but the invasiveness of mandatory pregnancy test had sparked outrage. These tests were not only human rights violations, but violations according to Taiwanese laws regarding gender equality, which were inapplicable to them as they are not ROC nationals. The collective indignation of migrant worker communities and civil society actors culminated in the abolition of the controversial measure. This positive outcome incited Filipina workers through its support network and religious NGOs to continue to be vocal and outspoken, gathering media attention and building a reputation of being 'rebel' workers with broken agencies.

In 2015, the story and case of Ruby Comida, a 46-year-old Filipina domestic worker, was published in one of the two major Taiwanese English newspapers, detailing her negative experiences of sexual and physical abuses at the hand of two different employers (Henley, 2015). Although after contacting the national labour agency's (勞中壢發展署) emergency line for domestic workers' victims of abuse, she was relocated to a women's shelter in the city of

Taoyuan, she still had to find work in order to be able to repay the debts she's accumulated with broker agencies to cover the recruitment and placement fees.

Equally discussed was the case of 34-year-old Lerma Mendoza, which depicts a situation where although she was hired in the capacity of live-in caregiver, she was forced to work as a farm labourer and perform cleaning duties in the employers' businesses:

In Mendoza's case, she owes 120,000 pesos [about 2,626USD]. When she was working, NT\$13,000 [about 402USD] of her monthly salary of just over NT\$15,000 (below the minimum wage of just over NT\$19,000 per month [about 587USD] went toward repayment of her loan. What little remained went to her parents back home, who care for her two primary school-aged children. (Henley, 2015)

Throughout the past few decades, it is similar cases and experiences shared and vocalized by domestic workers and live-in caregivers, notably Filipina women, that have incited Taiwanese NGOs to extend their help, creating civic groups and gradually raise awareness about the vulnerable position and abuse that these women find themselves in. Religious NGOs like the Protestant "Garden of Hope Foundation" in Taiwan provide many forms of services to women victims of sexual abuse and domestic violence, and survivors of human trafficking, as well as legal information. This faith-based solidarity, on top of the Sunday Catholic Church gathering, provides good opportunities for migrant women to exchange on key aspects of their relationship with employers and share advice to spread awareness, translating in a rather effective social support network, in contrast with the private household as a workspace away from public or external scrutiny. Although it could be said that they are competitors, the first belonging to a Protestant denomination and the other to a Catholic one, they both help and benefit their migrant women membership.

Filipina migrant workers' activism and support have domestic roots in a specific historical context. NGOs like "Philippine Migrant Rights" and "Migrante International" are strong

advocates of the full citizenship rights of Philippines nationals, present in as much as 18 countries with the goal “to strengthen unity among Filipino migrants and relatives’ organizations abroad and in the Homefront” , holding government accountable on many levels (Rodriguez, 2002, p. 352). A notable accomplishment was pressuring the government to ratify the 2003 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and to make overseas Filipinos eligible to vote through absentee ballot. (Rodriguez, 2002, p. 352.) However, the mistreatment of overseas Filipinos has been a contentious domestic issue that according to many is traced back to the 1995 Migrant Workers Overseas Filipino Act, initiating this labour export economic development model and dependence on foreign remittances. These civic organizations argue that state ties with international organizations like the IMF and the World Bank is at the core of the problem and has particularly impacted “Filipinos displaced by global capitalism relegating them to labour as ethnicized low-wage workers around the world” (Rodriguez, 2002, p. 354)

As for now, Indonesia is now the dominant nationality of domestic workers and live-in caregivers. It is important to explain how this transition and change in the origins of caregivers came about in Taiwan. The next section will explore the factors that account for their attractiveness as a labour force for Taiwanese employers and labour brokers.

*The marginalization of Indonesian migrant workers and the fragmentation of Muslim communities in Taiwan:*

Many scholars of religion and religious organizations like Murray Rubenstein, André Laliberté, Richard Madsen, Kuo Cheng-Tian, Mayfair Yang and Robert Weller to name a few, have widely explored almost every facet of Taiwanese religions, but Islam and the history of Muslim communities has been overlooked. In fact, there is very little academic literature on Islam in Taiwan and the current state of affairs of Muslim communities in Taiwan if not a few occasional museum exhibitions on Islam in Taiwan and timely articles around major Muslim holidays such

as *Eid el-Fitr* and *Eid al-Adha*. Despite being a 300-year-old religion in Taiwan, Islam is overlooked by the literature on the study of religion in Taiwan, as well as literature directly pertaining to Indonesian domestic workers in Taiwan is limited, if not only presented in a comparative perspective to their Filipina counterparts.

A point of entry could be to acknowledge that “Indonesian women have been late in joining the flows of international migration, but they have gradually outnumbered their Filipina competitors in several Asian host countries, including Taiwan” (Lan, 2006, p. 10).

Loveband (2004a), when comparing Indonesian and Filipina migrants’ support networks and access to information in the aftermath of the SARS outbreak of 2003, also notes:

During my fieldwork I questioned to what degree Indonesian Muslim workers find support from the small Taiwanese Muslim community. There are only 54,000 Taiwanese Muslims and six mosques (ROC Yearbook, 2002) and very few Taiwanese Muslims speak Bahasa Indonesia in Taiwan. It seems that these small numbers of Muslims together with the disjuncture between citizens and “aliens” work against a coherent “militancy.” (...) (p. 139)

Not only is the relationship between Indonesian migrant workers and Muslim associations and Taiwanese Muslims in Taiwan has not been investigated, but there is little literature focusing on Indonesian domestic workers in Taiwan in general, as compared to Filipinas (Loveband, 2004, p. 122) For the most part, there is even less information available on Islam and Muslim communities in Taiwan and the information found is often a section of larger anthropological and historical works pertaining to the study of ethnic identity and Muslim communities (Hui & Uyghur) in the PRC who also speak of “Taiwanese Muslims.”

What is apparent is a puzzling lack of solidarity, to a lesser extent which their Filipina counterparts enjoy, of Taiwanese Muslims and Muslim associations in Taiwan towards Indonesian migrant women and workers in general. How can this lack of solidarity be explained?

How can we make sense of the transition in the domestic worker and live-in caregiver labour force? How are these two phenomena intertwined?

From the very few texts that directly address this, a consensus regarding the entry of Islam in Taiwan is apparent: it is believed that Islam made its entry in Taiwan with Koxinga's 17<sup>th</sup> century migration from the Mainland which brought along with him Muslim families. The historian Peter G. Gowing (1970) mentions that "twice in its history the island of Taiwan has been invaded by Chinese refugees fleeing the collapse of a mainland regime. And both times Muslims were among them" (pp. 22-27) He goes on to mention several key points, in referring to the 1661 migration after the fall of the Ming dynasty "when a legendary hero called Koxinga (Cheng Cheng-kung) led 25,000 followers from the southern coast of China and seized Taiwan from the Dutch." However, from the 25 000 followers of the 17<sup>th</sup> century, the exact number of Muslim families is unknown. Furthermore, he notes a crucial point in mentioning that "these families' transmission of Islam did not survive past colonial Japan's assimilation policy" (Gowing, 1970, pp. 22-27) He further points out that:

As one generation followed another, they became also totally assimilated into Taiwanese society, adopting Taiwanese customs and the Taiwanese religion (...) Cut off from effective contact with the large and vigorous Muslim community on the mainland, the Islamic faith on Taiwan simply atrophied. (Gowing, 1970, pp. 22-70)

Similarly, Gladney (1998) refers within his larger book on ethnic identity in China to "Taiwanese Muslims" as "those Hui descendants described by the Taiwan Chinese Muslim Association as the 20 000 Taiwan-born descendants of Chinese Muslims who came to this island 300 years ago with the hero Koxinga (Zheng Chenggong)(Pillsbury 1973, p. 145)" (p. 150)

In addition, in Taiwan, Muslim ancestry of Taisi and Lukang township residents acknowledge their Muslim heritage. A resident Ding (丁) is quoted in a Taipei Times article saying:

We know that our ancestors were Muslims because it's written in the family book (...)When in Rome, do as the Romans do. My ancestors had stopped practicing Islam upon arriving in Taiwan because of public pressure. (Loa, 2008)

Gladney's (1998) work adds that "There is evidence that an ancient mosque formerly stood in Lukang and the Chinese Muslim Association once sent mainlander Hui from Taipei to Lukang to instruct "Taiwanese Muslims" in Islam and help bring them back into the faith" (p. 150) He also notes that these attempts, both by the Chinese Muslim Association in Taiwan and the Chinese Islamic Society in the PRC in the 1980s to instruct Hui Chinese in Islam, were unfruitful as "both communities practise Chinese folk religion, eat pork, and in most other respects are culturally indistinguishable from the Han communities in which they live in" (Gladney, 1998, p. 151) Interestingly, Gladney speaks of a visit in 1995 to Lukang where he says:

"I could find no locals who identified themselves as Hui, though several people surname Ding and Guo knew of their historical links to foreign ancestors who were known as Hui. They said that these people did not eat pork, and therefore in some families it was still customary to not use pork in ancestor worship. However, no one that I talked to know the reason for the pork taboo or the connection between Hui ancestry and Islam" (Gladney, 1998, pp. 150-151)

At this point, it is evident that the erosion of their Hui identity is the outcome of a process of assimilation at the hands of 50 years of Japanese administration (1895-1945), which discouraged foreign religions. On top of this, the Nationalist policy of Chiang Kai-shek viewed all Chinese people as a descendent from one race, which aligned the ethnic divide along Mainlander-Taiwanese and class lines without forgetting the hardliner policies of sinicization and decades of isolation from the Muslim world. This policy viewed Hui Chinese as a subset group with religious specificities as opposed to being recognized as a national minority and

being attributed preferential policies and privileges. Therefore, the political context in Taiwan was highly unfavourable to the expression of ethnic identity (Gladney, 1998, pp. 151-152).

The second wave of Muslim migration came in 1949 with the aftermath of the Chinese civil war when the defeated Nationalist forces fled to Taiwan. It is documented that about 20 000 Hui Chinese Muslims (a number that is now estimated to be around 50 000 to 60 000), who for the most part were administrators within the central government at the time and soldiers within the Nationalist army, accompanied the central government to Taiwan (“Islamic Traditions (...)”, 1988; “Taiwan Muslims adhere (...)”, 1992).

A notable figure was the Hui Muslim Nationalist army general Bai Chong xi (白崇禧)(1893-1966) who played a key role in rallying Chinese Muslims and uniting with Chiang during the wartime effort during the Second Sino-Japanese War (also known as the ‘War of resistance’) (抗日戰爭)(1937-1945). The empire of Japan had a policy of destroying as many mosques as possible and even economic oppression towards the Hui communities, with the aim to make them jobless and homeless, amongst other means of humiliation. This also included an effort at achieving unity in Xinjiang with Uyghur people as they were also victims of aerial bombardment from the Japanese army. Ultimately the Japanese failed, and so did the Nationalist government. After retreating to Taiwan, Bai relocated in 1951 the Chinese Muslim Association (中國回民救國協會)<sup>10</sup> A decade later in 1960 with a 150 000 US donation from the Shah of Iran and the King of Saudi Arabia, Taiwan saw the inauguration of its first mosque; the Taipei Grand Mosque (台北清真寺). The CMA “helps to improve the socio-economic status of Muslims in Taiwan, and to promote inter-cultural dialogues. The association also publishes a bimonthly community news bulletin” (NTM, 2014). A second association named the “Chinese Islamic Cultural & Educational Foundation “CICEF)” was founded in 1976 “to promote international cultural exchanges with

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<sup>10</sup> The association was founded in 1938 in Wuhan, China and first named as the ‘the Muslim Association for Defending China (against Japanese invasion) and later changed its name to the CMA in 1942 (National Taiwan Museum, 2014).

Muslim communities, and to preach Islam amongst the local Muslims and non-Muslim Taiwanese. Today, the foundation devotes significant efforts to the translation of Islamic religious texts, holding regular seminars, and giving grants to students from low-income Muslim families” (NTM, 2014). The donations are symbolic of the opening of informal diplomatic channels with Gulf countries such as Saudi Arabia, and of the instrumental role played by the Taiwanese Muslim communities for their country at a time of diplomatic isolation and political uncertainty. This culminated with the visit of King Faisal to the island in 1971 (Tacet, 2014).

In 1999, the City of Taipei declared the mosque a national heritage site and there are currently seven mosques which are geographically distributed in all regions and major cities of Taiwan (Two in Taipei, two in Taoyuan, and one in each of Kaohsiung, Taichung and Tainan).

Nowadays, the CMA also devotes efforts to investigate the origins of Islam in Taiwan, collecting testimonies and contacting families in Western Taiwan where some Islamic practices have survived as some Muslim families are rediscovering their Islamic heritage.

Despite these efforts and guaranteed religious freedoms in Taiwan, Muslim communities are fragmented on a generational basis throughout the multiple waves of migration who brought them to the island. Most of these Taiwanese Muslims are today the children and grandchildren of nationalist army soldiers well assimilated within a predominately Buddhist and Daoist society. In a 2014 interview with Al-Jazeera, the chairman of the Taipei Grand Mosque Omar Yang stated the following: “there is a crisis of faith the Muslim community here stemming from the new generation’s lack of education about Islam, and the prevalence of Chinese culture and traditions, which have led to the fading away of Islamic practices.” He continues: “(...) knowledge about Islam is not being passed on to the next generation, that’s the real problem. (...) As Taiwanese, we’re less interested in religion and faith, because our priority remains to survive as a nation.” (Tacet, 2014). Visibly, assuring the survival of the Islamic faith provides its own set of challenges given Taiwan’s political context.

Now, Indonesian migrant workers are by far the largest group of Muslims in Taiwan. Despite the presence of mosques, they gather on weekends outside and inside in the underground malls of the Taipei Main Station (台北車站) demonstrating a different pattern of gathering. It proves to be a convenient location for people commuting from Taoyuan to meet with friends working in Taipei.

The annual Eid gathering at the end of Ramadan saw between 10 000 and 20 000 Indonesian migrant workers come together for the celebration at the Train Station. Some public servants and politicians spoke of this type of gathering as an obstruction to the Train station, statements that are perceived as camouflaged discriminatory remarks, as it is an annual event. The city of Taipei, its mayor and the President's office had to issue statements in solidarity and in respect of this important day in the Islamic faith (Shih, 2015) In comparison, a typical Friday prayer at the Taipei Grand Mosque brings together about 1000 people, of which 20% would be Taiwanese, with the rest being Middle Eastern, Pakistani, Malaysian, north African people and some Indonesian men.<sup>11</sup> Clearly, for Indonesian migrant workers, in particular domestic workers, the Taipei Main Station is the primary site of gathering.

However, the utilization of Taipei Main Station for peaceful gatherings by Indonesian workers during Eid and Ramadan has been met with some complaints from the public along the lines of that this was "altering the well-functioning of the train station" or was "noisy and messy". Discussions in the media of the need to "find better suitable places" for these gatherings have also surfaced. Once criticism in particular targets squatters in Taipei Railway Station, which is designed as a front stage on which the city displays an image of modernity to visitors. For instance:

When one Taipei City councillor conducted a survey of Taiwanese people in the train station, 76 percent of the 272 respondents said that they were either

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<sup>11</sup> This information is the result of my own field observations by going to the Friday prayer at the Taipei Grand Mosque in Taipei on a weekly basis.

disgusted or felt “bad” about the noise and mess made by migrant workers there on Sundays. Ninety percent of those polled viewed the phenomenon as a “negative subculture” that would “ruin the imagine” of this city landmark. (Lan, 2006, p. 191)

It is important to note that none of these criticisms were translated into actual actions displacing migrants or preventing them from gathering as such. However, as Lan (2006) concludes:

After more than a decade of recruiting migrant workers, Taiwanese have gradually accepted their presence as long as they remain on the margins statically as well as socially. The spatial locations of Indonesian workers’ Sunday activities clearly symbolize a pattern of “Marginal incorporation”: they gather at the corners of Taipei Railway station (...) they shop underground rather than in skyscraper department stores. (p. 192)

The reality of the few Muslim associations in Taiwan and the generational fragmentation of Muslims from the mainland to Taiwan with the new migrant population have made it difficult to build a pan-Muslim identity faith-based support network that could equate the apparent solidarity in faith Filipina workers experience. The location of Indonesian workers’ weekend gathering epitomizes this weaker support network. The next section will analyze how this reality has played into the hands of labour brokers and employers making Indonesians an attractive labour force.

*A more exploitable labour force: The ‘double exploitation’ of Indonesian domestic workers and the ramifications of being labelled as ‘no days off’:*

Indonesian migrant domestic workers and live-in caregivers’ numbers in Taiwan grew at a fast pace since 1991, dominating the reproductive labour influx since the decline in the recruitment of Filipina migrant workers. This is due to a common knowledge among employers, labour

brokers, and the public that Filipina workers are “smart yet unruly” while Indonesian workers are “stupid yet obedient.” Lan inquires as to how this construction and “(...) the formation of such ethnic characterizations and, correspondingly, the declining and rising employment of these two groups of migrant domestics?” to which she discusses Loveband’s (2004b) observation on national backgrounds that “people use to historicize the formation of ethnic differences” as Indonesians come from a Muslim community under several decades of authoritarian rule, as compared with Filipinas coming from a country influenced by a U.S. colonial history of “democratic ideals” (Loveband 2004b as cited in Lan, 2006, p. 70) What seems more plausible, given that labour brokers truly exaggerate and magnify ethnic differences between groups of migrants, is the educational and linguistics capital in their capacity to negotiate with Taiwanese employers, tied with a tradition of civic activism hinted at earlier. This is a stark contrast with “(...) Indonesian women [who] are portrayed by labour brokers as subservient, tradition-bound villagers who better resemble model servants”. Lan’s sociological study continues in her book to examine “the construction of stratified ethnic others in terms of their distinct recruitment venues, representations, and working conditions” (Lan, 2006, p. 10) There is a distinct dichotomy in the way labour brokers capitalize on these stereotypes in their salesmanship to Taiwanese employers:

Filipinas are viewed as the Westernized other, portrayed as “optimistic, romantic, autonomous” and “outgoing, individualistic, opinionated, and difficult to manage”. In contrast to the Westernized Filipinas, the stereotype of Indonesians conjures up images of docile women trapped in rural villages with Muslim conventions. They are characterized as the traditional other, who is “obedient, loyal, slow and living a simple life,” and therefore naturally “suited to hard work and no days off.” (Lan, 2006, p. 77)

What explains this relaying of stereotypes and racialized images is the motivation of labour brokers to profit from migrants and employers. Lan (2006) touches directly on this through in

the argument of her book arguing that the migrant labour market is an “ethnically stratified” one “(...) in which labour brokers cultivate and promote ethnic-national stereotypes across migrant groups and positions them in different market niches.” (p. 68). This is done instrumentally in relation to the various occupational sectors and job assignments of migrants as way to pit the characteristics of these groups one against the other and to ramp up profit margins of labour brokers. These predatory practices coincide with the political goals and interests of the state in keeping migrant populations divided and profitable.

Actions like social mobilization, vocal activism and awareness of employment rights threaten the labour brokers’ ideals of a passive influx of commodified labour to serve specific households and avoid state expenses for care work. The portrayal of Indonesian as docile and conservative women simply means that they are more exploitable as this is closer associated to the image of an “ideal servant” in opposition of a now more political active community of workers from the Philippines (Lan, 2006, p. 244).

This “ethnically stratified labour market” does not end here, it has direct consequences for Indonesian women, as Loveband (2004b) points out. This a process called “positioning the product” and marketing their labour by nationality where Indonesians succumb to more exploitation:

In the category of carers, we see a trend toward a further hierarchical structuring between Filipinas and Indonesians with Indonesian women doing the dirtier, more demanding jobs of caring for the sick and the elderly [...] Indonesian caretakers carers tend to be on permanent call. [...] She will often share a room to care on demand, and this may involve waking up many times during the night, cleaning the bed sheets and in the case of incontinence or vomiting and suchlike. (p. 340)

The capacity of labour brokers to do this with impunity is that employers who need this help to take care of an ill or elder family member typically will not have the time to research this,

making the expertise that these agencies market their only source of information. If each employer makes their decision considering the information that is provided by brokers, it is strictly on assumptions, stereotypes and the appearances of applicants. The focus of nationality and ethnicized characteristics in the pattern of recruitment to a receiving nation must be seen in relation to the strength of their support network and the perceiving political cost in terms of their rights as a potential group would want to adhere to the membership and have better employment conditions. Instead of addressing their demands and rights, this transition in the supply of the labour force enters in direct conflict with Taiwan's discourse on civic nationalism and adherence to international human rights norms (as per prior efforts to domesticate those laws) and Taiwan's continuous commitment to human rights.

*Exclusion as a factor of migrants' 'costly' demands:*

From Cheng (2003) research, it has been observed that, for domestic workers, the racialized-gendered interactions and the attitudes of employers towards them in the private sphere are a compounded effect of the nation-state, the marketed ideas of labour brokers to employers, the mass media who attribute social ills to the presence of these 'outsiders' and other social agents who enact the public anxiety of the increased presence of migrants in the country. From the plurality of institutional agents, labour brokers perform a central role in segregating the labour market as it plays a key role defining the parameters of the market for domestic workers by recruiting, screening, training and placing migrant workers in households:

“Because of the complex bureaucratic procedures involved in importing live-in migrant care workers in Taiwan, most employers rely on recruiting agencies to match workers to private households. Taiwanese recruiting agencies act as gatekeepers in facilitating and organizing the importation of migrant care workers.” (Liang, 2011, p. 1815).

Simultaneously, while the state regulates entry to its territory with great scrutiny and diligence “the state neglects to promulgate legislation that may restrict the activities of migrant broker companies. It has resisted calls to intervene in the broker industry because of kickbacks to employers hiring immigrants and to senior civil servants and legislators” (Tierney, 2007, pp. 221-225; Tierney, 2011, p. 295)

The relationship in between these two observed facts brings us to address one of the central questions of the thesis regarding the change in the direction of recruitment: The migrant labour market in Taiwan is hierarchical. In fact, there is a hierarchy of migrants, based on an occupational division along nationality and ethnicity lines on which labour brokers selectively capitalize to show the pros and cons of different ‘products’ (Loveband 2004b; Lan 2006) Labour brokers profit immensely from pitting the stereotypes of nationalities against each other: “nationality is thus an important signifier and often conflated with race and culture-including perceived associations with linguistic ability, religion, personality types and even the colour of the person’s skin” (Huang and Yeoh; 1998, p. 35) This is also exemplified by term ‘Filipina’ which is understood as a quasi-synonym of ‘maid’ or ‘domestic worker’. On top of this are tangible financial constraints such as migrants’ debts: “immigrants dread the thought of retrenchment before brokers’ debts are cleared. These debts have had a greater negative impact on migrants’ capacity for resistance than all of the aforementioned regulations combined” (Tierney, 2011, p. 295). The amalgam of these factors profits brokers agencies financially and directly serve the interests of the state, where without them, would have to constantly respond to the growing grievances of migrant workers. Indirectly, this serves the economic interests of the state and shows how macro and global phenomena are constantly mediated by the state: if things go well, the recruitment continues, if they don’t, they change the source of this unskilled and low-wage labour force; in the meanwhile, all social ills and tensions can be attributed to a foreign scapegoat. Their precarious situation serves the various institutional actors who lay claim to their wages because as economies liberalize, states transform and adapt to actively

support their economies, which in this case is done through strategic differentiation between groups of migrants. The government with its guest worker program and regulations defines the social welfare category within which migrant women are employed but does not enforce its work content. The gendered and racialized dynamics described above also capitalize on what is expected from a group of migrants.

From 2001 to 2013 period saw an increased recruitment of Indonesian domestic workers going from 15% to 60%, while Filipinas' recruitment decline from 80% to 20% within that same occupational categories. Stated as "an increasing number of employers, often on the advice of placement agencies, is replacing 'smart yet unruly' Filipina workers with 'stupid yet obedient' Indonesians" (Lan, 2003, p. 17) Lan argues that broker agencies, in presenting potential workers to employers, essentialize certain characteristics in concordance with their nationality and culture, meaning that Filipinas are discursively constructed as "optimistic in nature, romantic, autonomous, outgoing, individualistic, opinionated, smart, hard to manage" whereas, Indonesians are seen as "obedient, born to be hardworking and thrifty, emotionally stable, living a simple life, no days off" (Lan, 2003, p. 17).

Equally, Loveband (2004b) describes this practice as "positioning the product," which resonates with the intended purposes of broker agencies as private entities oscillating between and within States as they commodify and contract away care work and the lives of these migrant workers. Some agencies, in changing the source of the migration, began to frame Filipina workers as more likely to run away, which could cause more problems for employers and their families and result in them losing their quota to hire a domestic caregiver. In fact, the flight risk argument is false, but this is an effective way to dissuade potential employers from hiring a Filipina domestic worker as they are contractually responsible to the state of their guardianship by contract and must pay penalties until the worker is found.

However, this thesis has reiterated that "Indonesian workers have few affiliations with outside institutions offering legal assistance or counselling, unlike Filipina migrants who make contacts

through local Catholic churches and church-based NGOs” (Cheng, 1996, pp. 142-149) Indeed, Indonesian workers tend to have few days off which makes it difficult to foster relationship when it is a clause stipulated in their contracts. Loveband (2004a, 2004b) has also observed that Indonesian domestic workers are subject to a ‘double exploitation’ and are labelled as ‘no days off’ by labour brokers. This is directly tied with their prominence and rise to become the largest group of domestic workers and live-in caregivers in Taiwan. The prejudices and stereotypes portrayed by broken agencies do affect the employment conditions of migrant domestic workers. For instance, terms such as “stratified otherization” and “racialization” have been to describe the “(...) the social process through which groups are marked by physical or cultural differences that become naturalized as essential” (Lan, 2003, p. 3) contributing that “In the category of carers, we see a trend toward a further hierarchical structuring between Filipinas and Indonesians with Indonesian women doing the dirtier, more demanding jobs of caring for the sick and the elderly:

(...) Indonesian caretakers carers tend to be on permanent call. (...) She will often share a room to care on demand, and this may involve waking up many times during the night, cleaning the bed sheets and in the case of incontinence or vomiting and suchlike.” (Loveband, 2004b, p. 34)

Thus, Indonesian domestic workers not only care for those in need at home, but are also more likely to be assigned duties and chores in the various other businesses of their employer, which is outside of the law. This double exploitation is increasingly seen as we step outside of the capital, Taipei as “Brokers, bureaucrats, police and the public at large seem cognizant of this illegal double utilization of migrant workers in the family businesses and then as maids at home” (Loveband, 2004b, p. 34).

This is directly tied with their prominence and rise to become the largest group of domestic workers and live-in caregivers in Taiwan. The arrival of Indonesian migrant workers is the result of these dynamics and their framing by labour brokers as are more profitable and advantageous ‘product’ in the market for southeast Asian migrant workers. This thesis has also argued that it

is also partly a conscious decision to bring in, in comparison to their Filipina counterparts, a less established and costly community in terms of their support network within civil society.

Therefore, not only have institutional actors such as the Council of Labor Affairs recomposed the migrant worker labour market along racialized lines putting migrants at the lower end of it, but in the realm of live-in caregiving and domestic work, Indonesian women find themselves at the bottom of this hierarchy. As Lan (2006) summarizes it:

“(...) Market forces of supply and demand are only part of the machine that shapes foreign labour policy Taiwan. The formation of immigration policy weaves together social values and cultural discourses associated with the understanding of membership in a given country.” (p. 37) But also that “Taiwan’s foreign labour policy and the exclusion of migrant domestic workers is closely tied with its ambiguous nationhood in the international community given the difficulties faced with restoring diplomatic relations attempts with most of the world given the PRC’s opposition” (p. 40)

The dynamics of this labour migration, and specifically the increased reliance on migrants to perform the reproductive labour of the Taiwanese society, excludes in advance the hypothesis of a united community of workers who can fight for their rights as migrant domestic workers. Taiwanese institutional actors are unable to address the rights of foreign live-in caregivers because it relies on the inflow of low or unskilled southeast Asian labour as it has not invested in institutionalized elderly care. The productivist legacy of Taiwanese welfare politics from the developmental state era in the 1950s until now contextualizes the lack of public provision for elder care. In response to the increased policy demands by Taiwanese society, institutional actors chose to frame this outsourcing of care as family needs to offload this mounting internal pressure of demographic changes and, by upholding cultural norms given the stigma of filial failure, they effectively justify the recruitment of ‘outsiders’ and the strict state control that governs them. Given Taiwan’s precarious international status and its tense national identity

debates, to balance its nation-building goals and to maintain its nationalist project, the guest worker policy represents a prevention of the integration of new citizens through a highly ethnocentric framework to govern and police migrants.

The hypothesis of the thesis holds true and is exemplified by the observation that, as migrant domestic workers begin to establish support structures, authorities and broker agencies look for other 'less costly' sources labour. The notion of cost here is not only in terms of their demands for higher wages and better employment conditions but mostly the overall perceived political and social cost in offering a path to citizenship and the legal recognition of care work as real work and of their overall contributions for performing reproductive labour over the past few decades. This thesis argues that the incapacity for institutional and policy change and thus the change in the direction of recruitment to be the direct outcome of this perceived cost of legal recognition in terms of the demands for rights, higher wages and better working conditions being deemed too high for the State. Therefore, the promotion and political ideals of civic nationalism fall short when observing the situation of migrant workers in Taiwan as they do not seem to act as constraints on the State. Migrant worker NGOs and advocacy groups continue to make important advances in improving wages and fighting against rules that give labour brokers unchecked powers.

### **Conclusion:**

In adopting the political economy of care as an approach to show the centrality of care needs, I have argued that the dynamics of this labour migration, and specifically the increased reliance on migrants to perform the reproductive labour of the Taiwanese nation, excludes in advance the hypothesis of a united community of workers who can fight for their rights as migrant domestic workers. Taiwanese institutional actors are unable to address the rights of foreign live-in caregivers because it relies on the inflow of low or unskilled southeast Asian labour as it has not invested in institutionalized elderly care. The productivist legacy of Taiwanese welfare politics from the developmental state era in the 1950s until now contextualizes the lack of public provision for elder care. In response to the increased policy demands by Taiwanese society, institutional actors chose to frame this as family needs to offload this mounting internal pressure by upholding cultural norms given the stigma of filial failure. Given Taiwan's precarious international status and its tense national identity debates, to balance its nation-building goals and to maintain its nationalist project, the guest worker policy represents strict state control to prevent the integration of new citizens paired with an ethnocentric framework to govern and police migrants.

I explored the role of the Taiwanese state and outline the superimposed policies implemented by the nation-state to mediate this influx of migrant workers which capitalized on the intersecting social relations of gender, of ethnicity and nationality which keeps migrant women at bottom of the ladder with an exclusionary and differentiated meaning of access to rights and citizenship in their host societies. This is shown by the fact that as migrant domestic workers begin to establish support structures, authorities and broker agencies look for other less costly sources of labour. This incapacity for institutional and policy change, arguably is due to the cost of the legal recognition in terms of the demands for rights, higher wages and better working conditions being deemed too high for the State.

Ultimately, to explain the exclusion of migrant domestic workers in Taiwan from legal recognition and equal citizenship, the political economy of care in Asia as a global system that is based on an exclusion which devalues reproductive labour, best explains why migrant domestic worker's demands are deemed to be too costly, resulting in institutional actors opting to change the direction of recruitment towards a cheaper source of labour with a weaker support network, thus a weaker capacity to mobilize and advocate for better rights.

What has brought hope in the past few decades are an increasingly organized local and transnational network of societal and NGOs who act as a support network to mediate migrants' working conditions with employers and host governments through protests, education and advocacy, fighting public biases and speaking out for their rights. Therefore, this thesis will be employed as a roadmap and a case study for my future research. Within political geography and the geographies of labour, I will further this analytical interest in the multiple dimensions of the situation of the exclusion faced by migrant domestic workers and foreign live in caregivers by expanding this to include the cases of Hong Kong and Singapore, focusing on migrant workers' exercise of constrained agency. This will be done by exploring the interplay between the spatialized impacts of institutional efforts to regulate, restrict and constrain migrants in their everyday lives within states, households and public spaces and the potential and capacity for migrants to successfully challenge exclusions, social marginality through strategies of individual and collective agency in the form of political mobilization of social networks and strategies that shift the status quo in their favour transnationally across these three localities.

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