

We Come. We Work. We Relate.
The Migrant Labourers in Penang

Inaugural-Dissertation

zur Erlangung der Doktorwürde
der
Philosophischen Fakultät
der

Rheinischen Friedrich-Wilhelms-Universität
Zu Bonn

vorgelegt von

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Penang, Malaysia

Bonn 2017

Gedruckt mit Genehmigung der Philosophischen Fakultät der
Rheinischen Friedrich-WilhelmsUniversität Bonn

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ACKNOWLEDGEMENT

First and foremost, I want to wholeheartedly thank Dr Katja Mielke, my academic advisor, who has provided the strongest inspiration throughout our countless discussions, and who has groomed my intellectual capacity in this challenging PhD journey. Her insightful points of view and patience allowed me to delve into the rich data with confidence. I would also like to thank Dr Gabi Waibel and Dr Papa Sow, my former academic advisors, for their continuous support and concern during my difficult times.

I am grateful to my supervisor, Prof. Dr Conrad Schetter, who offered his constructive comments to improve this thesis. I am also thankful to my second supervisor, Prof. Dr Eva Youkhana, who generously gave her support throughout the process. I am in debt to the following persons who have extended their support and understanding in this long PhD journey, namely: Dr Diana Wong; Dr Cecilia Ng; Prof. Dr Rashidah Shuib; the team of Right Livelihood College (RLC) – Prof. Anwar Fazal, Dr Till Stillmacher, Tiemo Pokraka, Wagma Bromand, and Sharan Srinivas. I appreciate the understanding of the director and colleagues from KANITA (Centre for Research on Women and Gender) when I was finalizing the thesis.

My heartfelt thanks to DAAD (German Academic Exchange Service) for financing the doctoral scholarship, and Mrs. Birgitt Skailles – from DAAD – for extending her care and concern while I was completing the thesis. I am indebted to the administrative support from the awesome ZEF team: Dr Guenther Manske (Academic Coordinator, *ZEF*), Maike Retat, Rosemarie Zabel (the former ZEF secretary), Maximilian Voit, Anna Yuwen, and Anna Grimminger. The process of writing this thesis was made smoother by the support they selflessly provided.

I cannot imagine how lonely the journey would have been without my wonderful friends in the ZEF. My heartfelt gratitude goes to Anna Schwachula, Mibi Ete, Siwei Tan, Tigist Araya, Aminata Germer, Linh Huynh, Ruchika Singh and many other colleagues who I keep in my heart.

I am also very grateful to my friends at the Bonn International Toastmasters (BIT) who always expressed an interest in my PhD studies, namely Anne Katherin, Sebastian Pieper, Julia Pieper, Klaus Roth, and Stephen Wagner, along with many others who made me feel at home at Bonn.

I ultimately owe this thesis to the migrant workers who trusted me and allowed me to join them in their day-to-day lives. Thank you all for enriching my understanding and leading my deep reflection on the living realities of migrant labourers in Penang. I would like to acknowledge the assistants I worked with during the fieldwork: uncle Yeoh, and the translators Bibi Zahidah (Burmese), Swee Swee (Burmese), Anita Pandey Pant (Nepalese), Rachel (Vietnamese), and my field assistant, Shahril. Thank you to Pax for proofreading and Kelvin Ng for formatting the thesis. Many thanks also go to Dr. Lilian Miles, Dr. Irit Eguavoen, Dr. Epifania Amoo-Adare, Prof. Dr. Anna Katharina Hornidge, Volker Merx, Arda Bilgen, and Sven Genschick for their encouragement and support.

While focusing entirely on finishing this thesis, I had an unforgettable experience, though due to being apart from my family without returning to Malaysia at all for approximately three years during the writing process, I missed two weddings of my beloved siblings, and the birth of my nephew. My deepest grateful goes to my beloved parents, Lai Hon Man and Koh Kwee Peng, and the other members of my family members, who have always believed in me even in my down times and supported me with their unconditional love and full understanding. I love you all from the bottom of my heart. My late grandmother has always been my inspiration in finishing this thesis. I also thank Dr. Yoon Tiem Leong for his kind help while I was abroad. Thanks finally to my Malaysian friends and colleagues who always cheered me up, namely Shariza Kamarudin, Siti Waringin Onn, Mazidah Musa, Ng Boon Siew, and Montawadee Krutmechai.

I take full responsibility for any errors or inaccuracies in the text, and the points of view expressed are solely my own.

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ABSTRACT

The PhD-project looks at the everyday work and lives of labour migrants in Penang. They are women and men from Indonesia, Vietnam, Nepal, Myanmar, Bangladesh, and The Philippines. The research employed a mixture of qualitative and quantitative methods. However, the data collection relied mainly on the ethnographic research method, which enriched and enhanced the understanding of workers' daily activities. This thesis departs from the diagnosis that how migration is studied in Asia and for Malaysia, follows the old scientific divide – either they focus more on structural issues constraining migrants (perspective from 'above') or the agency of the migrants themselves (from 'below'). In consequence, the thesis aims to reconcile the strengths of both scientific camps by taking their respective perspectives on life realities of labour migrants as point of departure for an empirically based synthesis. To capture the experiences and activities of labour migrants in and outside their workplace as detailed as possible, the conceptual framework takes everyday practices as guiding lens. The principal argument deriving from the findings is that, despite the exploitative labour regime, migrant workers seek to translate their aspirations to 'live a normal life' and integrate in the receiving society through relational practices that connect them to people, places and certain ideas. My approach to a reconciliation of 'from-above' and 'from-below' approaches allows me to make sense of how migrants negotiate both aspects of their lives – the exploitative practices in the workplace, and the social activities they pursue in their free time after work. To attempt a synthesis by looking at migrants' activities is the overarching point of this study. It should not only enable new empirical insights about how labour migration as a process is being experienced from the perspective of the migrants themselves, but also contribute to develop more appropriate analytical tools on a theoretical-scientific level to understand labour migration in its different dimensions and its ramifications better. The concept of relational practices which the thesis employs as analytical lens allows to focus on mundane aspects of the migrants' life-worlds and to portray them as ordinary denizens with multiple aspirations concerning their life in Penang (and not 'back home'), plus efforts for self-realisation and achieving satisfaction in everyday life. As a result, the

migrant labourers appear neither one-dimensionally to be victims of an exploitative regime, nor permanent activists who seek close network ties with members of their own communal (ethnic) background in order to cope abroad. Moreover, the empirical insights the thesis derived at, allow portraying labour migrants as ordinary inhabitants of Penang, whose everyday life does not substantially differ from that of citizens. In this sense, the thesis also contributes to draw a more realistic picture of the everyday life experiences of migrant workers than scholars have done so far. It was revealed how workers are de facto integrated in local society and self-determined members of urban mainstream society of Penang – sharing similar ambitions and concerns in everyday life.

ZUSAMMENFASSUNG

Bezug und Relevanz der Arbeit, Fragestellung

Malaysia verfügt über eine ethnisch und religiös vielfältige Gesellschaft aufgrund einer langanhaltenden und stark ausgeprägten Migrationsgeschichte. Bedingt durch den Wandel von einer Agrargesellschaft hin zu einer Industriegesellschaft, entwickelte sich Malaysia zu einem attraktiven Ziel für ArbeitsmigrantInnen aus Indonesien, Bangladesch, Myanmar, Nepal, Vietnam und anderen Ländern aus der Region. Basis für die rasante wirtschaftliche Entwicklung und Stärke Malaysias war die Leistung ausländischer Arbeitskräfte. Mittlerweile jedoch versucht die Regierung Malaysias die Migration von Arbeitskräften zu ihrem Nutzen zu optimieren—als Folge sehen sich ausländische Arbeitskräfte in Malaysia strenger reglementiert. Das Arbeitsmigrationsregime zielt darauf ab, eine langfristige Integration in die Gesellschaft zu verhindern und den temporären Charakter der Arbeitsmigration zu erhalten. Die Gründe für diese Strategie einer nur kurzfristigen Duldung und Integration sind in den nationalen wirtschaftspolitischen Interessen und der damit situative verbundenen Nachfrage nach Arbeitskräften zu suchen. Als Folge des rein ökonomischen Kalküls, das der Steuerung von Arbeitsmigration unterliegt, vernachlässigt das Arbeitsmigrationsregime die Lebensumstände und das Wohlergehen der oft nur bedingt qualifizierten Arbeitsmigranten. Es besteht eine vielfältige Literatur zu diskriminierenden Praktiken gegenüber ArbeitsmigrantInnen, die die Rechte von Arbeitern und ihre Anfälligkeit für Ausbeutung weltweit und speziell in Malaysia thematisiert. Der stark urbanisierte (90.8%) und sehr dicht besiedelte Bundesstaat Penang ist ein weltweit bedeutendes Zentrum der elektronischen Industrie mit zahlreichen dort ansässigen internationalen Halbleiter- und Hardwareproduzenten. Diese Doktorarbeit beschäftigt sich mit den Alltags- und Arbeitswelten von ArbeitsmigrantInnen in Penang, Malaysia, im Kontext eines exploitativen Arbeitsmigrationsregimes.

Die vorhandene Literatur zu ArbeitsmigrantInnen und dem Migrationsregime in Malaysia bzw. Migrationsregimen in ganz Asien wird von zwei Perspektiven dominiert: zum einen Studien, welche die Situation aus der Makroperspektive, quasi von „oben“,

betrachten und die Ausbeutung der ArbeitsmigrantInnen in den Aufnahmeländern und deren ausschließlich wachstumsökonomisch ausgerichteten Fokus in Migrationsfragen offenlegen. Zum anderen thematisieren Studien die Handlungsfähigkeit (agency) und -muster der ArbeitsmigrantInnen und nehmen somit eine Perspektive von „unten“ ein, indem sie deren Organisations- und Mobilisierungsaktivitäten analysieren, mit denen sie aus Sicht der ForscherInnen für eine Verbesserung ihrer Arbeits- und Lebensumstände im Aufnahmeland eintreten. Strukturell gelagerte Analysen tendieren dazu, ArbeitsmigrantInnen als Opfer oder Objekte des Systems der Arbeitsmigration (Arbeitsmigrationsregime) darzustellen. Akteursanalysen auf der Mikroebene haben dagegen beispielsweise das Netzwerken von weiblichen Arbeitsmigranten untersucht und wie die beteiligten Frauen auf dieser Grundlage Strategien für Vernetzung, Mobilisierung und Widerstand gegen ausbeuterische Praktiken und das Überleben im Gastland gebildet haben. Diese unterschiedlichen Ansätze spiegeln die gespaltene Wahrnehmung und Rezeption von Migrationsphänomenen in der Forschung wider. So konzentrieren sich Migrationsforscher entweder auf die strukturellen Probleme denen Migranten gegenüber stehen (Perspektive von „oben“) oder auf die Handlungsfähigkeit (agency) der Migranten selbst (Perspektive von „unten“). Dies ist nicht zuletzt auf einen altbekannten Gegensatz zwischen Struktur- und Akteursansätzen in den sozialwissenschaftlichen Theorien selbst zurückzuführen. Die vorliegende Studie arbeitet heraus, dass auch die wissenschaftliche Untersuchung von Arbeitsmigration in Malaysia – wie in Asien insgesamt – diesem Muster folgt. Die Doktorarbeit hat das Ziel, die spezifischen Stärken beider wissenschaftlicher Lager zu vereinen und nimmt ihre jeweiligen Sichtweisen auf Aspekte der Lebenswelt und -realität von ArbeitsmigrantInnen als Ausgangspunkt für eine empirisch basierte, innovative Zusammenschau.

Um alle Facetten der Lebenswelt von Arbeitsmigranten abbilden zu können, muss z.B. nicht nur untersucht werden, dass diese acht Stunden Schichten oder im Fall von Überstunden auch bis zu zwölf Stunden arbeiten und eventuell auch sonntags wie an Feiertagen. Die Zeit außerhalb der Fabrik, Baustelle oder des formalen Arbeitsplatzes und wie bzw. wofür und mit welchen Motiven diese konkret genutzt wird, wurde aus bisherigen Untersuchungen weitgehend ausgeblendet. Meine Zusammenschau der beiden Mainstream-Perspektiven auf Arbeitsmigrationsphänomene „von oben“ und „von

unten“ ermöglicht es mir, beide Aspekte der Lebenswelt von ArbeitsmigrantInnen – potenzielle Ausbeutung am Arbeitsplatz und das Selbstwertgefühl nährend soziale Aktivitäten in der Freizeit und deren Bezug zueinander – zu untersuchen. Das übergreifende Ziel dieser Studie ist eine Synthese der zwei Ansätze herzustellen, indem die holistische Zusammenschau der Aktivitäten der Arbeitsmigranten im Rahmen des Migrationsregimes erfolgt, d.h. die Betrachtung der MigrantInnensituation am Arbeitsplatz und außerhalb desselben. Die Hypothese der Arbeit ist, dass die In-Bezugsetzung beider Perspektiven a) empirisch neue Einsichten in Bezug darauf liefert, wie Arbeitsmigration aus der Perspektive der MigrantInnen erfahren wird, und b) auf theoretisch-wissenschaftlicher Ebene das Rüstzeug für die Betrachtung von (Arbeits-)Migration bereichert.

Um die Erfahrungen und Aktivitäten der ArbeitsmigrantInnen in und außerhalb ihres Arbeitsplatzes so umfassend wie möglich einzufangen, nimmt die Arbeit Alltagspraktiken als forschungsleitende Analyseperspektive. Als „alltäglich“ wird die wahrgenommene Normalität erfasst, im Sinne des gewöhnlichen Lebens; sie umfasst also alle alltäglichen Aktivitäten, neben Tun auch Sprechakte und Gedanken bzw. Reflektionen über Alltagsherausforderungen und -situationen, eine mentale Kontextualisierung der Positionalität der ArbeitsmigrantInnen. Die Operationalisierung von Praktiken dient dazu, die Lebens- und Arbeitswelten von MigrantInnen im Zielland zu abbilden. Oft werden ArbeitsmigrantInnen von Regierung und Arbeitgebern des aufnehmenden Gastlandes lediglich als ökonomischer Faktor und Versorgungseinheiten für die Wirtschaft wahrgenommen. Diese Sichtweise beschränkt eine Betrachtung der Lebenswelt von ArbeitsmigrantInnen rein auf den formalen Sektor, der jedoch nur 50–60 % des alltäglichen Lebens ausmacht. Aus diesem Grund werden die restlichen 40–50 % oft übersehen. Tatsächlich sollten aber auch die sozialen Aktivitäten außerhalb des formal zugewiesenen Arbeitsplatzes mit einbezogen werden, da sie – so die These dieser Studie – das Abbild der alltäglichen Lebenswelt von ArbeitsmigrantInnen in Penang vervollständigen.

Die zentrale Forschungsfrage der vorliegenden Arbeit lautet:

Wie lässt sich der Arbeits- und Lebensalltag von ArbeitsmigrantInnen in Penang unter Umgehung des dominanten akademischen Narrativ fassen, das ArbeitsmigrantInnen tendenziell als Opfer oder sich Auflehrende beschreibt? Welchen Mehrwert hat diese Perspektive für Migrationsstudien und Praxistheorie?

Methodische Herangehensweise

Für die empirische Analyse wurden sowohl qualitative als auch quantitative Daten erhoben. Die ethnographische Untersuchungsmethode eignete sich besonders zur Erfassung der Alltagspraktiken von ArbeitsmigrantInnen. Eine „dichte Beschreibung“ des Alltags verdanke ich besonders der Tatsache, dass ich mich in der Wohnung einer nicht erfassten („illegalen“) indonesischen Arbeitsmigrantin in einem Wohnsilo (hostel) eines sog. Hotspots für EinwanderInnen einmieten konnte. Die aktive Teilnahme an Aktivitäten diverser ArbeitsmigrantInnen erlaubte es mir während der 12-monatigen Feldforschung Vertrauen aufzubauen und durch das Schreiben von Notizen bei jeder Gelegenheit (Konversationen, Beobachtungen und Diskussionen mit einheimischen oder Fremdarbeitern) jene „dichte Beschreibung“ des Alltags anzufertigen. Die ethnographische Methode erlaubte mir, tiefere Einsichten in die Handlungen, Motivationen und Narrative der ArbeitsmigrantInnen zu erlangen, indem ich Zeit in den sog. „hotspots“ der Arbeitsmigranten verbrachte und deren Feiern, Hochzeiten, religiösen Zeremonien beiwohnte sowie gemeinsam mit ihnen Erholungsorte aufsuchte. Darüber hinaus habe ich in der Feldphase auf der Basis von persönlichen Kontakten Interviews mit vier Arbeitsvermittlungs-(Outsourcing-)Agenturen durchgeführt, um die Organisationsstruktur, Arbeitsweise und strukturellen Zwänge derselben besser zu verstehen.

Weitere semi-strukturierte Interviews konnten mit ca. 100 ArbeitsmigrantInnen mit unterschiedlichem Status – registrierte und nicht-registrierte (illegale) – durchgeführt werden. Der größte Teil war im produzierendem Gewerbe oder dem Bausektor beschäftigt, einige auch im Dienstleistungsbereich. Semi-strukturierte Interviews wurden vorrangig verwendet, um einerseits eine gewisse Offenheit zu bewahren und andererseits ein

Mittelmaß an Vergleichbarkeit zwischen den Interviewdaten zu gewährleisten. Die durch Interviews abgefragten Daten waren umfassend, von Berichten der ArbeitsmigrantInnen zum Migrationsprozess aus den Heimatländern bis hin zu auf den Arbeitssektor bezogenen Themen wie das monatliche Gehalt, Arbeitsstunden, das Programm für Überstunden, Gesundheitsleistungen, monatliche Ausgaben, Zukunftspläne und so weiter. Regelmäßig wurde das bereits gesammelte Material bearbeitet und vorläufig analysiert um die Ähnlichkeiten und Unterschiede in den Erfahrungen der GastarbeiterInnen zu vergleichen. Mit den mir nahe stehenden ArbeiterInnen, die Teil meiner Studie wurden, habe ich regelmäßige Treffen gehabt, um meine Einsichten abzugleichen, Informationen zu vervollständigen und Schlussfolgerungen zu reflektieren.

Wichtigste Ergebnisse der Forschung

Die grundlegende Einsicht, die aus den Ergebnissen der empirischen Forschung für diese Studie abgeleitet werden kann, beinhaltet, dass ArbeitsmigrantInnen durch den Aufbau von Beziehungen zu Individuen, Orten, aber auch entlang von Ideen die ihnen inhärenten Aufstrebekapazitäten (*capacity to aspire*) trotz des ausbeuterischen Migrationsregimes umzusetzen vermögen. Dies ermöglicht ihnen, in der Aufnahme- bzw. Gastgesellschaft – Penang in diesem Fall – außerhalb der Fabrik oder der Baustelle (d.h. ihres formalen, durch das Migrationsregime zugewiesenen Arbeitsplatz) in der lokalen Bevölkerung aufzugehen. Dabei spielen die Selbstverwirklichung der ArbeitsmigrantInnen und die Nutzung eigener Talente und Fähigkeiten, die möglicherweise am formalen Arbeitsplatz gar keine Funktion haben, eine wichtige Rolle. Erfolg und Anerkennung werden so v.a. in Zweit- und Drittjobs erzielt oder über die Beteiligung an gemeinnützigen Tätigkeiten, wo genau die Fähigkeiten der MigrantInnen den Ausschlag für das Gelingen und die Umsetzung von Ideen geben. Dies wiederum vermittelt ihnen nicht nur ein gesteigertes Selbstwertgefühl und gleicht die Objektivation, der sie als migrantische Schichtarbeiter unterliegen, aus, sondern bietet auch materiell und sozial die Möglichkeit, sich in Penang soweit zu integrieren, dass sich ihr Alltag *de facto* in nichts von dem der Ansässigen (Bewohner von Penang, Malaysische Staatsbürger) unterscheidet. Spaß, Konsum und Geselligkeit in der Freizeit, Beziehungen, spirituelle Bedarfe, gegenseitige Hilfe und Unterstützung sind nur einige Beispiele dafür. Dieses

Forschungsergebnis ist insofern besonders erhellend, als dass die bisherige Forschung zu ArbeitsmigrantInnen entweder auf Ausbeutung, denen sich die Subjekte ausgesetzt sehen, oder auf ihre Mobilisierungsanstrengungen und Widerstand fokussiert. In der Tendenz werden ArbeitsmigrantInnen dabei polarisierend als passive Opfer eines Arbeitsmigrationsregimes oder als aktive Widerständler und Kämpfer angesehen, die der angenommenen Ausbeutung durch subversive Aktivitäten begegnen. Die Stärke dieser Studie ist es, den migrantischen Alltag als Synthese von Arbeits- und Freizeit in den Vordergrund gerückt zu haben. Mit der Linse der (relationalen) Praktiken rücken lebensweltliche Aspekte von ArbeitsmigrantInnen in den Vordergrund, die sie in ihrem Streben nach Selbstverwirklichung und Zufriedenheit als durchschnittliche Bewohner (denizens) porträtieren. Als solche erscheinen sie weder als Opfer eines Ausbeutungsregimes noch als pausenlose AktivistInnen, die v.a. Netzwerkbeziehungen unter Angehörigen ihrer Herkunftsgemeinschaft anstreben, um in der Fremde zu (über)leben. Vielmehr erlauben die empirischen Ergebnisse der Doktorarbeit, die ArbeitsmigrantInnen als einfache BewohnerInnen Penangs darzustellen, die sich in ihrer Normalität (ordinariness) im Alltag nicht von der Masse der ansässigen malaysischen StaatsbürgerInnen unterscheiden.

In diesem Sinne ist das Ergebnis der Arbeit, das die Durchschnittlichkeit und Normalität der MigrantInnen beleuchtet, auch ein Beitrag dafür, ein realistische(re)s Abbild ihrer Alltagserfahrungen zu vermitteln als dies bislang in der Forschung der Fall gewesen ist. Die empirischen Fallbeispiele veranschaulichen die emische Wahrnehmung der Realitäten und Zwänge, denen sich ArbeitsmigrantInnen in Penang ausgesetzt sehen. Überraschenderweise sehen sie sich aber nicht als Ausgeschlossene, die lediglich still für ihre monatlichen Rücküberweisungen arbeiten, sondern als vollbestimmte Mitglieder der urbanen Durchschnittsgesellschaft Penangs, mit ähnlichen Ambitionen und Alltagsorgen.

In Anlehnung an Appadurai beziehe ich den Begriff der Aspirationen auf Alltagspraktiken (aspirational practices), um diejenigen Aktivitäten, Gedanken und Sprechakte zu erfassen, die die diskriminierenden Praktiken am formal zugewiesenen Arbeitsplatz potenziell ausgleichen. Derartige, mit Aspirationen verbundene Alltagspraktiken (‘aspirative’ Praktiken; aspirational practices) verlangen den Akteuren zusätzliche

Energien wie Zeit- und Ressourcenaufwand für die Zielerreichung ab. Sie erlauben ihnen jedoch auch, selbst die Ziele zu definieren und entsprechend ihrer Fähigkeiten und Talente für deren Umsetzung aktiv zu werden. Der Aspekt der Handlungskapazität (agency) in Verbindung mit dem Tun, Sagen und Denken (Praktiken) ist hier zentral, denn Chancen zur Selbstverwirklichung erweisen sich als handlungsleitend (Motivation). Verglichen beispielsweise mit der Situation von MigrantInnen in europäischen Flüchtlingsregimen erlaubt die Handlungskapazität über den Aspekt der Selbstverwirklichung die Wahrnehmung eines würdevollen Lebens. Diese Wahrnehmung ergibt sich durch den Ausgleich von diskriminatorischen durch aspirative Praktiken, die einen weitgehend selbstbestimmten Alltag ermöglichen.

Analytisch abstrahiert weisen die Verhaltensweisen der Arbeitsmigranten darauf hin, dass ihr Bestreben und die Fähigkeit, sich vor Ort mit Menschen unterschiedlichster Herkunft, Status und Position, an bestimmten Orten (Hostel, Fabrik, Baustelle, Tempel, Restaurant, Freizeit-Venue) einzulassen eine gewisse Offenheit für soziale Integration (Idee) aufweist. Der wissenschaftliche Beitrag der Doktorarbeit besteht in dem Vorschlag, des Konzepts relationaler Praktiken in den Bereich der Praxistheorie zu integrieren und weiter zu testen.

Überblick über den Aufbau der Arbeit

Kapitel 1 stellt mit einem Forschungsüberblick die Weichen für eine Untersuchung der gelebten Realität von ArbeitsmigrantInnen. Es wird dargestellt, unter welchen Gesichtspunkten und in welchem Kontext in der Literatur zu dem Thema bereits gearbeitet wurde. Darauf aufbauend erfolgt die Argumentation für einen neuartigen Ansatz, den diese Studie verfolgt, um die Lebens- und Arbeitswelt von ArbeitsmigrantInnen in Penang bzw. der Gesellschaft des Gastlandes differenzierter zu erfassen.

Kapitel 2 betrachtet unter welcher Herangehensweise sich die gegenwärtige Literatur bisher dem Thema des Migrationsregimes in Malaysia sowie den Erfahrungen von ArbeitsmigrantInnen in Malaysia und Asien gewidmet hat, insbesondere unter dem Aspekt der Auswirkungen von Regierungspolitik auf Arbeitgeber, Outsourcing-

Agenturen und MigrantInnen. Die Arbeiten zu dem Migrationsregime fokussieren auf den ausbeuterischen Umgang mit ArbeitsmigrantInnen während die Arbeiten zu den Erfahrungen der ArbeitsmigrantInnen selbst deren Strategien und Mittel um diese Situation zu bewältigen aufzeigen. Vorhergehende Studien zeigen eine geradezu binäre Herangehensweise auf, indem der Schwerpunkt entweder auf den Handlungskapazitäten (agency) für ein Überleben, Widerstand oder Zurechtkommen (coping) der ArbeiterInnen liegt, oder die strukturellen Rahmenbedingungen verkörpert durch das Migrationsregime im Vordergrund stehen. Diese zwei vorherrschenden Ansätze, die ökonomistische Betrachtung „von oben“ und die Betonung von sozialem Kapital als Mittel um das Überleben und Mobilität zu gewährleisten („von unten“) porträtieren zwei Extreme, aber erfassen kaum den Alltag, der neben der Arbeits- auch aus Freizeit besteht. Die Hypothese der vorliegenden Forschungsarbeit – abgeleitet aus dem Literaturstudium – ist, dass dadurch einem ‚othering‘ der ArbeitsmigrantInnen Vorschub geleistet, das in der Erfahrungswelt der MigrantInnen keine Entsprechung hat. Deshalb schließt Kapitel 2 mit dem Fazit, dass die Erfahrungswelt der MigrantInnen nur durch eine Zusammenschau der Arbeits- und Freizeiterfahrungen der ArbeitsmigrantInnen erfassbar ist.

Kapitel 3 erarbeitet den konzeptionellen Rahmen der Doktorarbeit. Ausgehend von einem Überblick über die wissenschaftliche Debatte zwischen Struktur- und Handlungsansätzen (structure-agency debate), die sich aus dem Forschungsüberblick in Kapitel 1 ergibt, wird dargelegt, welche theoretischen Versuche es gegeben hat, diese dichotome Sichtweise zu überbrücken. Damit wird die Grundlage gelegt, um empirisch eine Zusammenschau struktureller wie handlungsbasierter Faktoren zu ermöglichen – in Übereinstimmung mit der in Kapitel 2 erarbeiteten Problemstellung. Im Hinblick auf die Operationalisierung der Forschung wird argumentiert, dass praxistheoretische Arbeiten für den Akteurs-fokussierten Ansatz im Rahmen der beabsichtigten ethnographischen Datenerhebung am geeignetsten scheinen. Deshalb erfolgt eine Einführung in Praxistheorie, um das Konzept von Alltagspraktiken als Tun, Sprechakte und Gedachtes abzuleiten.

Die empirische Analyse beginnt in Kapitel 4, welches die Steuerung der Arbeitsmigration durch Outsourcing-Agenturen für Fremdarbeiter darstellt. Dabei wird

die interdependente Beziehung zwischen Outsourcing-Agenturen und Regierung auf der einen Seite wie ihre Abhängigkeit von den MigrantInnen selbst als erstes empirisches Ergebnis thematisiert. Das Kapitel bietet einen Einblick in die Organisationsstruktur der Outsourcing-Agenturen unter besonderer Berücksichtigung der Aspekte, die den alltäglichen Umgang (management) mit FabrikarbeiterInnen betreffen. Die Arbeiter sind oft Diskriminierung durch die Kontrolle von Outsourcing-Agenturen ausgeliefert. Jedoch zeigt Kapitel 4 auch die interdependente Beziehung zwischen Outsourcing-Agenturen und den Fremdarbeitern auf: die Arbeitsmigranten sind bereit, sorgfältige Arbeit zu leisten, während das Interesse der Outsourcing-Agenturen sich auf die reine Arbeitskraft bezieht und der Alltag abseits des Arbeitsplatzes nicht weiter beschränkt wird. Um ein kontrastierendes Bild zu FabrikarbeiterInnen aufzuzeigen, wird die Situation von Bauarbeitern erörtert, da diese keine starken Verbindungen zu Outsourcing-Agenturen haben.

Kapitel 5 widmet sich dann erstmals ausführlich den Erfahrungen, Aktivitäten und Strategien von Fabrik- und Bauarbeitern außerhalb des Arbeitsplatzes in Abgrenzung zu ihrer Position am Arbeitsplatz, die von den Outsourcing-Agenturen dominiert wird (Kapitel 4). Die empirischen Erkenntnisse dieser Betrachtung verdeutlichen, dass ehrgeizige ArbeiterInnen trotz der Erfahrung von Diskriminierung in den Fabriken neben ihrem Arbeitsprogramm zusätzlich Energie, Mühe und Zeit aufwenden für verschiedenste Aktivitäten – aspirative Praktiken – in ihrer Freizeit. Sie sind gewöhnliche Menschen mit einem durchschnittlichen Leben abseits der Fabriken und Baustellen. Diese Existenz einer gewöhnlichen Lebensstruktur lässt Zweifel an der Darstellung aufkommen, dass es sich bei ArbeitsmigrantInnen lediglich um „Opfer“ handelt oder Widerstand leistende „Kämpfer“. Gelegenheiten außerhalb der Arbeitsplatzstruktur, welche ein Erfassen und Erkennen eigener vorhandener Fähigkeiten und unmittelbarer Talente ermöglichen, erweisen sich als wichtige Aktivitätsplattformen zur Festigung und Stärkung von Selbstzufriedenheit und Selbstbewusstsein. Darüber hinaus wendet dieses Kapitel ein, dass die Geldrücküberweisungen nur einen vergleichsweise kleinen Teil der Alltagshandlungen ausmachen und die normalen Aktivitäten (inkl. der Sprechakte und Gedankenwelt) auf das Wohlergehen der MigrantInnen in der Gastgesellschaft

ausgerichtet sind. Dabei steht das Streben nach einem sinnvollen Leben (Zufriedenheit, Erkenntnis des eigenen Potentials) im Alltag im Vordergrund.

Kapitel 6 beschäftigt sich mit den Geschäftsbeziehungen von Suti, einer zum Zeitpunkt der Forschung dem Status nach illegal in Penang aktiven weiblichen Unternehmerin, die ursprünglich als Arbeitsmigrantin gekommen war. Entlang ihrer Geschäftsbeziehungen um das Fertigen und den Verkauf von Risoles-Gebäck wird aufgezeigt, wie Suti sich in ihren alltäglichen Handlungen auf die unmittelbare Umgebung, Menschen und Ideen einlässt, was die Grundlage für ihren Erfolg ist. Die Geschäftskonfiguration umfasst soziale Beziehungen zu Einheimischen, FabrikarbeiterInnen, Polizeiangehörigen, NachbarInnen und dem Partner, auf ideeller Ebene eint diese dem Status nach höchst verschiedenen Akteure die Aspiration, ihr Leben zu verbessern.

In Kapitel 7 steht nicht der materielle Erfolg im Vordergrund, sondern das Bestreben und die damit verbunden Praktiken vieler ArbeitsmigrantInnen, spirituelle Zufriedenheit zu erlangen. Am Beispiel von Babu, einem Bauarbeiter, der im Alltag mit unterschiedlichen Gruppen von Menschen an unterschiedlichen Orten interagiert – meist um ihnen zu helfen oder für Freiwilligenarbeit im Tempel zu motivieren – wird damit wird ein weiterer wichtiger Aspekt von Normalität und Alltag thematisiert, der in bisherigen Studien zu Arbeitsmigration weitgehend vernachlässigt wurde. Babus Einstellung und Verhalten in Bezug auf Spiritualität und eigene Fortentwicklung sowie sein grundsätzliches Lebensprinzip, anderen zu helfen, spiegeln seinen starken Glauben wieder. Der Glauben prägt sein Verhältnis zu anderen Arbeitern mit hohem Status und Wohlstand als auch seinen nepalesischen Landsleuten, die niedrig qualifizierte ArbeiterInnen sind.

Kapitel 8 führt die Ergebnisse der empirisch basierten Kapitel 4 bis 7 zusammen und kommt zu Schlussfolgerungen darüber, wie Arbeitsmigranten die Herausforderungen unter einem relativ exploitativen Migrationsregime leben und arbeiten zu müssen als auch den Versuch, selbstbestimmt zu leben, in Einklang bringen. Dazu wird über die Unterscheidung zwischen dem von Diskriminierung geprägten Arbeitsplatz und dem von aspirativen Praktiken dominierten Sozialleben außerhalb der Fabriken und Baustellen

reflektiert. Es wird argumentiert, dass der zusätzliche Bedeutungsgewinn den die Arbeiter mit den aspirativen Praktiken und daraus resultierenden Erfahrungen assoziieren, einen Ausgleich zu den negativen Erfahrungen in Folge von Diskriminierung am Arbeitsplatz schafft. Dies erlaubt den ArbeitsmigrantInnen eine weitgehende Partizipation und de facto Integration in der Gastgesellschaft.

Das Schlusskapitel 9 widmet sich der Bedeutung der in der Studie herausgearbeiteten Forschungsergebnisse für die Wissenschaft und Migrationsstudien hervor. Es wird herausgestellt, dass das Konzept der relationalen Praktiken – die Fähigkeit, sich im lokalen Kontext mit Personen, Orten und auf Ideen einzulassen – ein Novum ist und heuristisch wertvoll, um die ganzheitliche Erfahrungsperspektive von ArbeitsmigrantInnen in der Gastgesellschaft zu erfassen.

1 INTRODUCTION: HOW TO STUDY LABOUR MIGRANTS IN PENANG

On the first evening after I moved in to Suti's¹ place, I stepped out from my room and saw she was busy cooking in the kitchen with two women that I had not seen before. They were speaking in Indonesian while laughing loudly from time to time. Suti asked me to join them for dinner if I was free. Soon after, another two young women came and sat with us on the floor to eat the fried noodles together. After some minutes, a local Indian man entered Suti's house and sat comfortably on a chair and drank a cup of tea prepared by Suti. While we were enjoying the meal, two factory workers passed by the door asking if Suti had made Risoles that day. On that first evening, the scene gave me my first impression of how foreign workers were actually living in the local society. I learned that the two women who cooked together with Suti were factory workers, Ros and Irlah, and that Suti's daughter, who also worked as a factory worker, stayed with her, along with a friend of Suti's daughter who visited the house sometimes. The local man was Suti's partner. Suti was an independent homemade cake maker, and was known by the local residents as a hardworking entrepreneur; Factory workers greeted her and consumed her Risoles cakes, and the shop owners in the area chatted with Suti like old friends. Suti had a pleasant character: she graciously engaged with the local people who lived in the building; she actively approached the businessmen and -women around the area to promote her Risoles cakes; she socialised with the factory workers who were the main consumers of the Risoles by inviting them for Raya celebrations in her home; she received different kinds of help from her local partners with the Risoles business and for her daughter's transportation. She had completely integrated into the local society as if she

¹ I met Suti, a female Indonesian who worked as a homemade Risoles cake maker, when I was searching for a room to rent in the initial stage of the PhD project in 2012. Risoles are popular in Indonesia, and made with a special recipe to make them tasty. She was recommended and introduced to me by a local Chinese resident who claimed that she was hard working, independent, and generous. Moving into the smallest room of the flat Suti rented from a local Chinese tenant, I started to mingle with Suti and other factory workers on an everyday basis.

were not a foreigner, let alone an undocumented worker (which in fact she was). Suti's Risoles business arrangements will be presented in Chapter 6.

Suti's main clients are the majority of the factory workers who stay in the same area. The informal employment relationship between Suti and Ros gives a glimpse on the day to day lives of factory workers. Suti appreciated the quality of Ros's work assisting her in her cake-making business. Ros was cheerful, talkative, open and energetic. Ros's narratives about her everyday activities were impressive and insightful, as they demonstrate that 'factory workers are not just factory workers, because they are more than that'. The quotation below is taken from one of the conversations I had with Ros when she came to Suti's flat to start her part-time job.

[...] I work as a factory worker; I come here directly after factory work to help out Suti to peel the potatoes and clean the floor of the kitchen. Then, I will cook some dishes and eat together with Suti for dinner. Before taking the part-time job working for Suti, once in a while, I was helping my supervisor in the factory to cleaning the house and cooking meals during my days off. [...] The local supervisor said she likes my cooking. [...] Besides, I am also very busy because from time to time I schedule massaging slots for colleagues and friends after factory work. I am good at massaging because I had been trained as a midwife in my village. [...] If there is overtime scheduled in the factory, I will commit to work. I received a RM 50 voucher last month (July 2012) from my factory because of my good performance. [...] When I have a day off, I will do other things, such as meeting my young boyfriend; attending colleagues' wedding ceremony when I receive an invitation; visiting karaoke bars for birthday celebrations or New Year gatherings, among other activities. [...] For us (factory workers) this is our life: we work (*kerja terus*), we fill our stomach (*makan terus*), we continue to live a life (*hidup terus*). (Ros, widow, 39 years old, from Medan, Indonesia.)

Ros sent remittances to her family, and she bought gold bracelets to reward herself; most importantly, she spent her extra time offering a massaging service to others. The satisfaction of realising her immediate skills, which she had learned in her origin society, booted her self-esteem, and enabled her to earn extra money. She was in a personal

relationship with a boyfriend, and dating has become part of her daily activities. Factory workers' activities outside the factory will be presented in the Chapter 5.

Irlah, a single mother from Medan, who was renting the second room of Suti's flat to stay with her local partner, was a colleague of Ros. Irlah enjoyed shopping and fast food. On several occasions, she went shopping with colleagues without the knowledge of her local partner. From time to time, she and other colleagues commented on the unfavourable circumstances they faced in the factory and with the outsourcing agency. The interdependence between the outsourcing agency and the wider environment, as well as with the other factory workers, will be presented in Chapter 4. When asked about her opinion of living and working in Penang, she said:

[...] There is too much control [in the factory and by the outsourcing agencies], and there is too much freedom [in social life] [...]. (Irlah, 34 years old, divorced, from Medan, Indonesia, 13.08.2012 interview)

As opposed to Suti's emancipation for being an entrepreneur for the Risoles business, Irlah's case reveals the work and lives of the regulated workers. Irlah's expression points to the whole complex spectrum of workers' daily lives as highly regulated factory workers. While Suti had her own enchanting ways of engaging with people surrounding her through her Risoles business, they and their stories shed light on the intriguing living experiences of migrant labourers in a receiving society, by launching into the detailed everyday practices of workers both inside and outside the formal workplace.

1.1 Asian Labour Migration: Current issues, Challenges and Dilemmas

Malaysia has a dynamic and long-standing migration history, and is populated by a multi-ethnic and multi-religious diverse society. Since its transformation from an agriculture-based to a more industrialised country, Malaysia had become an attractive destination country for labour migrants originating in Indonesia, Bangladesh, Myanmar, Nepal, Vietnam and other neighboring countries. Malaysia is the largest employer of migrants in Asia, with migrants finding jobs in the manufacturing, construction, service,

agriculture and plantation sectors “[...]comprising 25 per cent of the national labour market for the two decades from 1980 to 2000” (D. Wong, 2010, p. 301). Over time, the Malaysian government aims to streamline the labour migration regime by imposing stricter control over labour migrants. Hence, the labour migration regime is designed to preserve the temporary status of workers and to discourage their long-term integration. The underlying reason for the Malaysian government’s strategising to promote only short-term integration of labor migrants lies in the overall economic rationale in the interests of national growth, and the demand for workers’ industrious labour (Kassim, 2002, 2005; Kaur, 2006). A few scholars claim that there is an increasing ‘commercialisation’ of labour migration processes, and attribute the policy failure to the inherent ad-hoc management style associated with these forms of labour, and the poor coordination of the two main ministries responsible, Ministry of Home Affairs and Ministry of Human Resources (Kanapathy, 2008a, 2008b, 2010; Mascareñas, 2012; Nah, 2011). As a consequence of the economic perspective of the state in relation to the management of foreign labour, the labour migration regime has little concern for the well being of the low-skilled migrant labourers. Thus, various streams of literature have disputed the violation of workers’ rights and the vulnerability of workers to severe exploitation, worldwide and in Malaysia (Amnesty International, 2010b; Nah, 2012; SOMO, 2012; Tenaganita Women’s Force, 2011a).

However, as (Levitt & Jaworsky, 2007, p. 142) pointed out, ‘[a]lthough transnational dynamics do not matter to all immigrants all the time, there is an emerging consensus among scholars that we can no longer study migration solely from a host-country perspective.’ The host-country perspective also reflects the thinking that there is no problem involved in integrating the migrants temporarily, and that they can fit into the society simply through supplying their industrious labour. Nevertheless, the host-country perspective is still different from the migrants’ perspective. Furthermore, Levitt (2012) highlights the need to strike a better balance between economic and sociocultural considerations. This is particularly true for migration and development researchers, who have all too often defined the migration- development nexus in purely economic terms.

The literature review on the labour migration regime and the labour migrants in Malaysia/Asia identifies two strands of literature: on the one hand, the macro-studies of the situation as viewed from ‘above’ reveal the exploitative practices of the migration regime and its overall economic rationale for labourers in view of the prosperous growth in the receiving countries. On the other hand, studies focus on labour migrants’ agency, the situation as viewed from ‘below’, to show how people organise themselves in order to reduce their losses, disappointments, constraints, and exploitations. The structure-focused literature on migrant labourers tends to portray migrants as victims or objects of the labour migration regime, while actor-focused strands of research might for example look at the gendered networking among migrants to explore their agency connected to network-building, resistance and survival strategies. Fundamentally, the different approaches as discussed above reflect a divided perception and reception of migration phenomena among social scientists. Migration scholars tend to look only one way – either they focus more on structural issues constraining migrants (perspective from ‘above’) or the agency of the migrants themselves (from ‘below’). This is based on an old schism in social science theory – the structure-agency debate. This thesis departs from the diagnosis that how migration is studied in Asia and for Malaysia, follows the old scientific divide. In consequence, the thesis aims to reconcile the strengths of both scientific camps by taking their respective perspectives on life realities of labour migrants as point of departure for an empirically based synthesis.

What distinguishes this study from the previous research on labour migrants is its emphasis not so much on how migrants fit into the receiving society, which reflects more the functionalist approach (especially important when the main emphasis is on economic survival), but rather on exploring the conditions of life and employment which the migrant workers experience, and how they move and relate to the ideas, people, and places when they live in the receiving society. To attempt a synthesis by looking at migrants’ activities is the overarching point of this study, which aims to thereby fill the knowledge gap described above.

This study is about the everyday work and lives of labour migrants in Penang, Malaysia. In order to capture all the dimensions of workers’ lives in the receiving society,

and to do so as far as possible from workers' perspectives, I situate the research within the framework of everyday practices. 'Everyday' in this thesis is understood to refer to the ordinariness of people's lives – their everyday activities encompass their sayings, doings, and thoughts. By adopting the framework of everyday practices, I answer the following research question:

How do labour migrants in Penang experience everyday work, as subjected to the labour migration regime, and life outside the formal workplace? How does this empirical analysis complement existing academic insights on everyday work and life of labour migrants and reconcile the binary focus on either victimisation or resistance of migrant labourers? What is the added value of such insights for migration studies and practice theory?

1.2 Framing through practices

The operationalisation of 'practices' serves as a useful concept enabling me to investigate how labour migrants live their lives in the host society. Labour migrants are often seen by the government and employers in the receiving country as merely economic workers who supply industrious labour. This perspective, which considers foreign labourers to live solely to work, confines its view of workers' lives to the formal sector, which in fact only accounts for about 50-60 percent of workers' daily lives. The other 40-50 percent of their time is therefore often overlooked. Indeed, the social lives of workers concerning the activities they do should not be ignored because they reflect the full picture of workers' ordinary days in Penang. Arguing for the combination of work and life dimensions, and analysing both aspects through the lens of practices, allows me to explore and understand in what ways workers reconcile structural forces with their own skills, ambitions, and capacity to aspire. This study will therefore show how foreign workers reconcile these 'dual' challenges in the receiving society – being subjected to the control of a labour migration regime on the one hand, and being motivated to join in with different activities in their social time on the other.

The principal argument is that, despite the exploitative labour regime (which will be discussed in detail in Chapter 4 and 8), workers aspire to live normal lives in the receiving society, and they are neither ‘fighters’ nor ‘victims’; they are ordinary people who engage in normal activities as joy and fun, that ordinary local population also engage. The aspirational practices in their social lives, on which they spend extra energy, time, and effort, outweigh the discriminatory practices in the workplace, and the significance of aspirational practices is, it allowing them to live ‘normal’ lives. More importantly, the aspirational workers are *de facto* integrated into the host society, as their activities show no distinction from those of the local population. For instance, on the one hand, workers work diligently in the workplace and there is an interdependent relationship between workers and the employers who manage their hostels and transportation, as well as their payment slips and other work-related matters; on the other hand, workers make use of whatever freedom they do have by actively joining in with various activities outside the workplace, either after working hours or during their days off. The structure of workers’ lives both inside and outside the workplace depicts workers’ ordinary lives in the host society. Indeed, workers’ practices in their free time enable them to ground themselves more firmly within the host society as ordinary people. In the pursuit of abstracting and interpreting migrant labourers’ practices, the workers’ ability to relate to locales, places, people and ideas with which workers engage are identified. I name these the ‘Practices of Relating’, which refers to the workers’ ordinary capacity to relate to their immediate surroundings, as manifested in their every lives.

1.3 Methodological Approach

There is always a danger of the researcher assuming that the worker is either the fighter or the victim from the beginning of data analysis. This would prevent the researcher from seeing and observing a clearer picture of the workers’ actions and the reasons behind them, and moreover tend to push the interpretation of their situation toward one or other of two extremes. On the one hand, their being labelled as ‘fighters’ may be due to their skilful activation of their internal resources in order to confront external forces. However, those actions could also be just their performance of normal activities; on the other hand,

they may be identified as ‘victims’ on the basis of their apparent non-agency, which may be taken to indicate that they suffer from a lack of resources upon which to draw. Yet, the researchers might have overlooked for example that their internal resources include their existing skills, which they inherit and bring in from their origin places, as suggested by Archer (2010).

Additionally, given that my empirical subjects are migrant labourers, and that the study is intended to investigate migrants’ lives in terms of both their work and life dimensions in Penang, I consciously taking a non-biased approach; for example, I do not label certain actions or behaviours coping or survival strategies. Rather, I choose to depart from people’s activities, on their doings and sayings on everyday basis. As such, I take the concept of ‘practices’ as a point of departure from which to trace people’s everyday practices in terms of their actions, narratives, and motivations. This is because the notion of practices covers both structural forces on the one hand, and workers’ own capacities, such as their own existing skills and abilities, on the other hand. The workers’ attempt to make sense of their work, and the various activities they perform reflect both of these aspects. Thus, I disagree with the implicit notion that one should focus on either structure or agency alone. As a way out, the whole idea of everyday practices from migrants’ work and life dimensions promises to capture the ordinary lives of people, which includes both social lives and work aspects.

To take the selective concept of practices, as an alternative to becoming enmeshed in the structure versus agency debate, as the departure point for this study is in line with what Portes pointed out – that it is impractical to seek only one grand theory to explain the sociological theory of migration. Instead, he pressed the importance of emphasising complexity, contradictions, and the unintended consequences of social action (Portes 1997; Portes and DeWind 2004 in Castles (2007, p. 365). Portes characterises this mid-range theoretical approach as:

[...] narratives about how things got ‘from here to there’ including the multiple contingencies and reversals encountered in the process. At this level of analysis, it is possible to delineate, at least partially, the structural constraints and other obstacles affecting a specific individual or collective pursuit (Portes 1999: 13)

The research for this PhD study was conducted over a year between May 2012 and April 2013 in Penang, Malaysia. Penang has inherited the historical legacy of the Straits of Malacca. Although facing threats of social, political and natural disaster, it retains its potential as an island of high economic and cultural diversity (Evers & Gerke, 2008). It has a high level of urbanisation (90.8%) and it is the second most densely populated state in Malaysia. It is a major centre of production in the global electronics industry, with mainly international manufacturers of semiconductors and computer hardware. Presently, the Penang state alone contributes 25% of the total export of electronics in Malaysia (Chik, Selvadurai, & Er, 2013). The Bayan Lepas Free Industrial Zone (FIZ) in the 1970s, was established after Penang lost its free port status to Langkawi due to a government federal decision. The then Chief Minister of Penang, Dr Lim Chong Eu, established the Penang Free Trade Zone to prevent Penang from going into an economic downturn. The strategy worked, and today manufacturing is the primary employment sector, and tourism the second most important driver of Penang's economy development. The Bayan Lepas Industrial Zone developed in four phases² up until the end of 2008 to host multinational and local companies. From 31 factories, it had grown to include 693 factories by June 2000 (Kelly, 2002). Of course, this development had and has increased labour migration to Penang. This is the main reason for a statement made by Evers, Anis and Shamsul (2010) that from 1970 to 2010, Penang was the only state with still increasing ethnic diversity, in contrast to other states where ethnic diversity was being reduced. The development of the Industrial Free Zone in Penang has continuously encouraged the intake of foreign factory workers.

The research employed a mixture of qualitative and quantitative methods. However, the data collection relied mainly on the ethnographic research method, which enriched and enhanced the understanding of workers' daily activities. A 'thick' description of their every lives was made possible because I rented and stayed in the same flat as an undocumented female Indonesian worker, in one of the migrants' hotspots. My active participation in workers' activities in the first few months enabled me to establish trust

² Bayan Lepas FIZ (then termed Phase 1) was established in 1980. In view of the still rising demand by foreign investors, Penang State then extended another three phases in Bayan Lepas, i.e. Phases II, III and IV.

with the Indonesian female tenant and I take part of her life-world. I accessed her business network by, for instance, helping her to distribute her homemade cakes to different female entrepreneurs who were involved in the food business. My relationship with the tenant further developed as time went by. I kept a habit of writing field notes in my computer for approximately two hours daily in order to record all conversations, observations and discussions I had with either the local or the foreign workers. The field notes were important because I approached workers of different nationalities and sectors in the field sites. Often, I jotted down the information in a small book and transferred the details to the computer in the late evening or early morning of the day, while my mind was still fresh with all the details. From time to time, I reflected on the data I collected, and engaged in some preliminary analyses to compare the similarities or differences in the experiences of workers. I followed up with workers that I was close to on several occasions in order to fill in information that I might have overlooked after the reflection.

When my presence in the field became more familiar in the community with the factory workers, locals, foreign business entrepreneurs and the like, I started to conduct semi-structured interviews, pretesting and modifying the survey during the interviewing process itself. I recorded an extensive body of information through each interviews, starting from their narration of the migration process from their origin countries, and then going on to enquire about formal work-related issues concerning the monthly salary payment, working hours, overtime schedule, healthcare services, monthly expenditure, future plans, and so on. I came across approximately 100 workers (see the Table 1) with a mixture of statuses³ during this stage of conducting interviews, with the majority working in the manufacturing and construction sectors, along with some who worked in

³ The majority of documented workers were factory workers and workers in the services sector; the construction workers comprised a mixture of those of regulated and unregulated status, and those who had undergone the 6P programme to become legal workers, as well as those workers who had become emancipated from the labour migration regime via intermarriage with local partners.

the services sector. All the interviews were conducted in one of eight languages,⁴ and ranged in duration from 30 minutes to two hours.

The survey gave me a greater understanding of the nature of their work in the formal sector. Especially crucial for the research interest, however, were my observations of their activities or doings outside the workplace in their daily lives. The ethnographic approach enabled me to gain deeper insights into the workers' actions, motivations, and narratives in the field. On the weekdays, when the majority of the factory and construction workers were working, I was spending time with the undocumented tenant and becoming familiar with the surrounding environment. I participated in some of their activities such as festivals and birthday celebrations, vegetable selling activities in the mornings and evenings, and religious ceremonies for Burmese Buddhist workers. As a female researcher, I had an advantage when approaching female workers in the hostels, where I visited them in the evenings or during their days off to conduct interviews or simply to engage them in conversation.

The research took into consideration the issue of representativeness, by conducting interviews with foreign workers in the migrants' hotspot where the researcher was staying, and also expanded the interviews using a snowball sampling technique, via translators and local informants. In this case, that means I interviewed workers who were introduced to me by the Nepalese, Myanmese and Vietnamese translators that I employed in the field sites. Often, I made visits to other migrants' hotspots, such as various ethnicised shopping malls, food restaurants, temples, non-governmental organisations, etc. For instance, I travelled to the temple where some of the Burmese workers volunteered their labour for the construction projects on Sundays, so as to establish trust with the workers. From there, I was able to gain more insights into the social lives of the workers, the majority of whom

⁴ English, Bahasa Malaysia, Mandarin, Cantonese, Hokkien- (a dialect), Burmese, Nepalese, and Vietnamese language. I speak four languages, I used Bahasa Malaysia to communicate with workers from different nationalities because those workers who had worked for few years in Malaysia had managed to learn and to speak Bahasa Malaysia. I recruited Vietnamese, Nepalese and Burmese translators when the respondents could not speak fluently in any of the four languages I can manage, i.e. English, Bahasa Malaysia, Mandarin, and Cantonese.

were working in the construction and services sectors, since my aim was to understand how they live their lives in Penang. Thus, I spent almost all of the important festival times, which are public holidays, with the workers. I was also invited to join in with marriage ceremonies on three occasions, all organised by the Burmese workers.

Besides, in order to understand the organisational structure and work nature of outsourcing agencies, I interviewed four outsourcing agencies through personal contacts in the fieldwork. I learned about the competitiveness and confidentiality of the outsourcing business when I was called off in the beginning of one of the interviews.⁵ I interviewed the supervisor of an outsourcing agency on two occasions to clarify my understanding of the outsourcing system and how it works practically. I compared the similarities and differences in management approaches of four outsourcing agencies. I further conducted interviews with the agencies' transportation teams and hostel teams, and interviewed the interpreter that outsourcing agencies placed in the hostel to respond to emergency issues. As I continued to approach workers in the field sites, interviewed employees of outsourcing agencies which had the closest 'contact' with workers, and kept up lively conversations with members of the local population, I managed to capture a somewhat holistic picture of how the migrants that I encountered lived their lives both inside and outside the workplace.

The ages of respondents ranged from 18 to 65 years old. They had been working in Malaysia for periods ranging between three months and 23 years. The status of some workers changed either before or after the interviews because some had chosen to return to their origin countries after the contract ended, and some had run away and become undocumented workers. A summary of the profiles of respondents is shown in Table 1 below:

⁵ The manager mistakenly thought that I had come for a job interview as the manager of the company. Having clarified my interest in learning about the nature of the outsourcing agency's work, they immediately suspected that I was a spy who was interested in finding out information which would help to improve the outsourcing business for other companies.

Table 1 A Summary of the Profile of Respondents

No	Sector	Sex	Indonesia	Myanmar	Vietnam	Nepal	Bangladesh	The Philippines	Total
1	Manufacturing - factory	Woman	11	9	6	-	-	-	26
		Man	-	3	1	3	4	1	12
	Other factory (SME)	Woman	-	1	-	-	-	-	1
		Man	-	3	-	-	-	-	3
2	Construction	Woman	-	-	-	-	-	-	-
		Man	-	19	-	-	-	-	19
3	Service	Woman	3	4	-	-	-	-	7
		Man	-	13	-	5	-	-	18
4	Others (intermarriage, second home programme)	Woman	1	3	-	-	-	-	4
		Man	-	2	-	-	3	-	5
		Total	15	57	7	8	7	1	*95

*Some were conducted on a group basis

(Source: Fieldwork, May 2012- April 2013)

1.4 Structure of thesis

Chapter One sets the scene on the lived realities of migrant workers, arguing how the migrant labour studies have been looked at in different contexts, and further introducing how this study taking a different approach in understanding workers' lives in the receiving society.

Chapter Two reviews how the current literature has thus far approached the issue of the labour migration regime in Malaysia, and the experiences of migrant laborers in Malaysia and Asia, particularly elaborating on the effects of government policies on employers, recruiting agencies, and migrants. The studies of the labour migration regime

reveals the exploitative practices involved in migrant labour, while the migrants' experiences demonstrate their survival strategies using various means. The series of previous studies reflects a somewhat binary division between two perspectives predominantly adopted: those emphasising agency (of the workers) and those emphasising structure (of the labour-migration regime, often emphasising the situation in the receiving country). In particular, the overall emphasis on economic rationale 'from above', and on social capital as a means to ensure survival and mobility 'from below', indicate that social networks related to other elements of a normal life, such as joy and recreation, are currently under-researched. Chapter Two therefore argues in favour of filling these knowledge gaps in order to capture a comprehensive understanding of workers' living experiences in the receiving society.

Chapter Three then elaborates on the selection of conceptual framework; first the rather bipolar situation in research, with its emphasis on approaches emphasising either agency or structure, is described in more detail, and then some suggestions are made which promise to bridge the two perspectives. The discussion is then directed to the subject of practices, because the concept of *everyday practices* is able to encompass workers' doings and sayings on a daily basis, with migrant workers carrying out various activities in the context of structural forces both inside and outside the workplace.

The empirical analysis begins in **Chapter Four**, which showcases the management of labour migrants by the foreign labour outsourcing agencies. This chapter recognises the interdependent relationship between outsourcing agencies and the wider mechanisms that streamline the migratory journey of workers to Penang – the government, the local manpower centre, and the factory. The chapter offers an analysis of the outsourcing agencies' organisational structure, focusing on those aspects that are related to the daily management of factory workers. Workers are exposed to discriminative practices under the control of outsourcing agencies. However, Chapter Four also sheds light on the interdependent relationship between workers and outsourcing agencies, as workers agree to work diligently in the factory, while the outsourcing agencies are interested in workers' industrious labour only, and do not restrict workers' social lives. The management of construction workers is also discussed, in order to depict another contrasting setting, one in which workers who do not have a strong connection with outsourcing agencies.

Chapter Five examines the living experiences, activities, and strategies of factory and construction workers outside the workplace, to offer further contrast with the situation they experience in structured workplace under the outsourcing agencies' regime, as discussed in Chapter Four. The findings show that in addition to the normal working schedule in the factory, and despite facing discrimination in the factory, aspiring workers spend extra energy, effort and time on various activities in their free time. They are ordinary people living normal lives outside the factory. Their normal activities challenge the notion that they are either merely passive 'victims' or active 'fighters'. Outside the factory, the opportunity to realise their existing skills and immediate talents proves to be an important activity to further enhance and increase their self-satisfaction and self-esteem. Moreover, the chapter argues that the sending of remittances constitutes only a comparatively minor part of their everyday practices in their social lives; the meaningful life perspective, in the sense of their being satisfied and realising their potential, has not been reflected within the dominant remittances perspective.

Chapter Six focuses on the business arrangements of Suti, who was an undocumented female entrepreneur, demonstrating her capacity to relate and engage with the immediate surrounding environment, with people, and with ideas in her everyday practices, and successfully keeping her homemade Risoles business running through her social relationships with locals, factory workers, local community police members, neighbours, and the like. This chapter argues that Suti and her business partners aspired to improve their lives, in which their daily activities demonstrated their engagement in ordinary practices regardless of their status.

Chapter Seven explores the spiritual arrangements and practices of Babu, a construction worker who engaged with different groups of people in different places for various normal activities in his everyday life. The chapter explores another important aspect of ordinariness within the context of migrant labour, which is that of satisfying spiritual needs while living in the receiving society. Babu's attitude and behaviour with regard to spirituality and self-improvement, and his overall life approach with an emphasis on helping others, reflected his strong, pious faith. The spiritual ideas to which he subscribes informed his relationships with the other workers, who earned high status and wealth, and with his co-nationals, who were normal low-skilled workers.

Chapter Eight brings together the analysis of the study based on the empirical chapters 4 to 7, and derives some conclusions about how workers reconcile the double challenges of being subjected to a labour migration regime on the one hand, and of living a dignified life on the other hand. This chapter distinguishes the discriminative practices they experience in the workplace and the aspirational practices they pursue in their social lives. Analytical categories are created under the umbrella concept of aspirational practices, which reflects the four fields of ordinary normal activities they engage in, and at the same time they demonstrate that in many essential ways the overall details of their everyday lives are extremely similar to those of the local population.

The final chapter, **Chapter Nine**, summarizes the significance of the main findings of the thesis for the scientific community and migration studies research in particular. It closes by emphasising the novelty of the concept of relational practices. As a lens ‘practices of relating’ – the ability to engage locally with persons, places/ localities and ideas – are heuristically useful to grasp the experiences of migrant labourers in the host society in a comprehensive manner.

2 HOW LABOUR MIGRATIONS IN MALAYSIA AND ASIA IS STUDIED

Chapter 2 reviews how the current literature has thus far approached the issue of the labour migration regime in Malaysia (Section 2.1), and the experiences of migrant laborers in Malaysia and Asia (Section 2.2), particularly elaborating on the effects of government policies on employers, recruiting agencies, and migrants (Section 2.1.1-2.1.3). The studies of the labour migration regime reveals the exploitative practices involved in migrant labour, while the migrants' experiences demonstrate their survival strategies using various means.

2.1 The Macro Studies on Labour Migration Regime

The labour migration policy in Malaysia has been discussed widely in various streams of literature, i.e. scientific studies, advocacy documents, and international policy papers. The policy changes on labour migration have strong connections to the agenda of economic growth in the country. As such, the literature, whether from scientific studies, advocacy documents or international policy papers emphasises the economic perspective of the state in relation to the management of foreign labour. Kassim (2001, 2002, 2005) provides a collection of statistics on foreign labourers and the description of institutional changes in responding to labour issues, presuming that workers were integrating into the functional policy implemented by the government; Kaur (2008, 2012) and Wong (2003, 2010) further develop the analysis of policy changes by distinguishing them in terms of chronological periods e.g. in the 1970s, 1980s, 1990s, and in 2004; in addition, they highlight the role of brokers in the early historical development of migration system in Malaysia, arguing that similar characteristics or forms of differentiation have re-emerged in the current labour migration regime. A few scholars claim that there is an increasing 'commercialisation' of labour migration processes, and attribute the policy failure to the inherent ad-hoc management style associated with these forms of labour, and the poor coordination of the two main ministries responsible, Ministry of Home Affairs and

Ministry of Human Resources (Kanapathy, 2008a, 2008b, 2010; Mascareñas, 2012; Nah, 2011). While advocacy groups have disputed the violation of workers' rights and the vulnerability of workers to severe exploitation (Amnesty International, 2010b; SOMO, 2012; Tenaganita Women's Force, 2011a; Verite, 2012); Mascarenas (2012) on the other hand sheds light on the creation of a 'dual market labour' in Malaysia, in which the high numbers of foreign workers with few rights encourage the recruitment of low-skilled foreign workers by the local employers. Kaur (2008) observes that the policy, laws and regulations imposed on foreign workers have become more stringent since 1970, which underlines the main economic interest of the country to sustain the demand for cheap labour in order to remain competitive in the global market. In addition, McGahan (2008) draws on the securitisation approach adopted by the government to formulate policy in response to the perceived threat arising from the overwhelming numbers of foreign workers. That such a threat is perceived is indicated in the migration policy, of which a 'hierarchy of rights' is apparent in the law governing low-skilled labourers and other non-citizen groups (Nah, 2012).

The discourse on the migration-development nexus is a prominent development discourse pressing on the functional contribution of migrants in relation to remittances. In many examples of south-south migration, in which migrants originating from poorer countries move to slightly better-off countries, i.e. Indonesia/Malaysia, the migration-remittance nexus strongly argues for the vital role of migration in poverty alleviation and raising the living standards of low-skilled migrants from low-income countries (Lucas, 2008, p. 14; World Bank, 2013). Apart from the economic gains, migrants are also portrayed positively in their role as active development agents (Faist, 2008). However, the migration-development nexus has received criticism because the discourse both disregards the negative experiences of labour migrants in the context of precarious employment (Constable, 2014) and overemphasises the assumption of promising remittances (Muniandy & Bonatti, 2014).

This PhD study continues the critical assessment of the reliance on the discourse of a migration-remittance nexus by international organisations and policymakers. At the same time, it contextualises the contemporary labour migrants in terms of the constraints

of the labour management regime executed by the state. Thus, the study is important in that it aims to reveal an overall picture of migrants' livelihoods in the formal workplace, as well as in their social sphere in the host society, which is essential in interrogating migrants' agency and the notion of development in more than merely economic terms.

A few scholars have distinguished certain phases which marked significant changes in labour migration policies in Malaysia, with slight differences between these authors' formulations (Kanapathy, 2006; Kaur, 2012; Wong, 2010). In brief, the first phase started in the early 1970s with the 'liberal' policy of loose control; the second phase was between the early 1980s and 1989, marked by the signing of a bilateral agreement with traditional labour-providing countries; the third phase was in the 1990s, during which the initial formulation of a 'comprehensive' policy on migrant workers took place; and the fourth phase started in the 2000s with stringent policies regarding workers, and an increasing 'commercialisation' of the migration processes (Kanapathy, 2008a, p. 13). This Chapter adopts actors' perspectives, which reflects the government, employer and foreign (and undocumented) workers' perspectives, in examining the creation of policy and how it has manifested for them, respectively.

The first sub-section that follows (2.1.1) explains the formulation and implementation of various policies which encompasses law, acts, rules, and decree, that came into place according to issues periodically arising in the country. In the end, the discussion helps readers to comprehend the current migration policy, which largely results from and is influenced by former ideas about and perspectives on migration management. The second sub-section (2.1.2) discusses the roles and responsibilities of employers under the manifestation of policies, by narrowing down to examine aspects of the recruiting system, brokers, housing, and other concerns regarding the employment of foreign workers. The third sub-section (2.1.3) looks into the impact of policy creation and amendment on legally recruited foreign workers, as well as on undocumented workers.

2.1.1 The Policy

Labor migration in Malaysia started in the 1970s: in the mid-1950s, Malaysia's population was composed of local Malays, and Chinese and Indian immigrants, who had

migrated from the southern parts of China and India during British colonial rule in the late eighteenth century; they and their offspring born after independence were granted citizenship.⁶ In addition, the movement of Javanese workers from Indonesia to Malaysia began five centuries ago, while free movements between Sumatra and the Malay Peninsula started even further back. However, the large-scale movement of Indonesian workers to Malaysia increased tremendously in the late nineteenth century during the colonial period (Hugo, 1993). The historical linkages and the cultural similarity between the two states, i.e. Malaysia and Indonesia, facilitated the population movement to Malaysia. The introduction of Employment (Restriction) Act 1968 (Revised 1988) for all formal working contracts for foreign workers subsequently prohibited the free movement of Indonesian and other non-citizen workers as work permits became a legal requirement for entry. In the early period of nation-building in the mid 1950s, the country embarked an economic diversification from an agriculture-based country to an industry-oriented country. As a result, the majority of rural Malays slowly moved to urban areas, seeking job opportunities in factories. The demand for foreign workers in rural areas was intensified with the introduction of the New Economic Policy,⁷ of which the new land development scheme was a part for plantation and agriculture purposes. At times, there was of lack of local labourers, the Indonesian, Filipino and Thai labourers were brought in by local labour contractors were mainly concentrated in both plantation and agriculture sectors (Tan, 1997; Wong, n.d.).

I take the Policy on the Recruitment on the Recruitment of Foreign Workers which was introduced in 1991, as the point of departure for this discussion, because the policy was described by scholars as the first ‘comprehensive and transparent policy’ (Kaur, 2012, p. 248; Pillai 1992 in Wong, n.d., p. 5) for controlling and managing foreign workers.

⁶ The Immigration Act 1959/63 was introduced to replace the 1953 Ordinance, which contains the basis for immigration regulations and procedures in the country. It tightened entry rules under the reunification of families clause, and prohibited the entry of wives (and children) of local residents who had been living apart from their husbands for a continuous period of five years after December 1954 (Kaur, 2008, p. 4).

⁷ The first goal of the New Economic Policy (NEP) is to reduce and eventually eradicate poverty irrespective of race. The second goal of NEP aims to restructure the economic imbalance in the Malaysian society, thus to reduce and eventually eliminate the identification of race with economic function (Malaysia, 1971, p. 1)

Although I recognise the fact that several significant laws were enacted prior to 1991, those laws will be discussed in parallel with the actors' sections, with regard to their manifestations in the post-1991 period. In addition, the Malaysian authority began to document the inflow of contract migrants workers in the 1990s, given the fact that the worker intake increased significantly in that decade, and more formal recruitment systems in contrast to utilise informal entry channels to access jobs, were set up to control the entry and employment of foreign workers (Kanapathy, 2008b).

2.1.1.1 Formation of Institutional Structures

In 1991, first of all, the state ordered the Department of Immigration (DOI), under the Ministry of Home Affairs (MOHA), to direct the recruitment of foreign workers, employment of domestic workers, and deportation of undocumented workers. Secondly, the Department of Labour (DOL), under the Ministry of Human Resources (MOHR) was put in charge of overseeing the welfare and employment conditions of foreign workers. More importantly, the Committee for the Recruitment of Foreign Workers⁸ (Jawatankuasa Pengambilan Pekerja Asing) was made responsible for formulating policies on the recruitment procedure, terms and conditions of employment, and wages (Kassim, 2001, p. 243), in addition to the selection of labour-supplying countries, eligible economic sectors for the recruitment of foreign workers, and the imposition of levies (Kaur, 2012, p. 249). On the other hand, the Technical Committee for Recruitment of Foreign Workers, known as the Technical Committee⁹ for short, was formed as the implementing agency to process the applications of foreign workers¹⁰ to prospective employers. (The procedure that employers are required to follow will be discussed in the employers' section.) These

⁸ The Ministry of Home Affairs acted as the secretariat, and the committee comprised nine relevant ministries, viz. Home Affairs; Human Resources; Primary Industries; Agriculture; Rural Development; Health; Public Works; International Trade and Industry; and Arts, Culture and Sports.

⁹ This committee consists of representatives from eight government departments, of which the most important ones are the Department of Immigration, Department of Human Resources, and the Department of Labour.

¹⁰ Except domestic workers, because the Employment Act did not cover domestic helpers prior to the amended Act in 2012.

mechanisms made it possible for the government to delegate more responsibilities to employers with regard to their foreign employees. More importantly, the employment of foreign workers shall not be at the expense of local nationals. The focus is inclined toward supporting the long-term strategy of Malaysia's foreign labour policy, which is to transform from the current stage of heavy dependence on semi- and unskilled foreign labour to "...increase productivity and expand the supply of skilled labour" (Ministry of Finance, 1996, p.39 in Kanapathy, 2008b, p. 7).

2.1.1.2 The Malaysian National Labour Laws

The government exerts control over foreign workers' employment through legislations. The Ministry of Home Affairs administers the Immigration Act 1959/1963, which states that a valid entry permit is required by all non-citizens, and stipulates a fine not exceeding ten thousand Malaysian Ringgit and/or imprisonment for no longer than five years, and whipping as punishments for offences. Thus, the Immigration Department issues the Visit Passes for Temporary Employment (VPTE) which are work permits allowing workers entry, residence and employment. The work-permit system, based on a solely offshore system which refers to the management of foreign workers, was introduced (Wong, 2003). The offshore system was characterised as follows: first, workers are temporary employees with time-limited employment, e.g. for a minimum of two years and a maximum of seven years¹¹ (to return to their home country for six months before coming back to Malaysia) (Kassim, 2001, p. 118); second, the passes were written so as to be employer- and location-specific; third, there was a deduction of salary for repayment of advances; fourth, assisted passage was offered to workers (Kaur, 2012).

In theory, there is no specific foreign workers' bill, as foreign workers receive the same treatment as local workers in relation to their wages, benefits and so on under the national labour laws (Kanapathy, 2008b; Kassim, 2001). In practice, however, employers pay lower salary and benefits for foreign workers, some employers arguing that they need

¹¹ The duration of the work permit had been changed from time to time; for instance, the duration of a work permit was reduced from five years to three years in 2001, and it was subsequently amended to three years with consideration for two additional, renewable years (Devadason & Chan, 2002)

to absorb the administrative and management cost for bringing foreign workers, whereas some employers reasoning that higher salary for local workers is of importance to attract local people to work as factory workers. The three major labour laws that are important for workers are administered by the Ministry of Human Resources; namely, the Employment Act 1955 (Act 265), the Trade Union Act 1959 (Act 262), and the Industrial Relations Act 1967 (Act 177), which together provide legal protection to local and foreign employees. The Employment Act 1955 governs the employment of local and foreign manual labourers who enter into a contract and earn less than RM 2,000 per month. Issues related to working conditions, such as working hours, annual and sick leave, public holidays, and rest days are covered by the Act. The Department of Labour has powers to conduct inspections if it receives workers' complaints. Furthermore, the Employment Regulations Act 1955 require the employer to provide a written contract to the employee stating the conditions of employment and the details of the terms and conditions of the employment. The Trade Unions Act 1959 gives migrant workers the right to join a trade union and take part in its activities. The Department of Trade Union Affairs (under the Ministry of Human Resources), administers the act. The Industrial Relations Act 1967 (Act 177) addresses issues related to employees and workers, for instance over issues of unfair dismissal, and is administered by The Department of Industrial Relations (MOHR). The procedures for collective bargaining and collective agreements are also covered by this Act. To put it simply, the aforementioned policy instruments require that foreign workers' wages and benefits are on a par with those of local workers (Wong, 2003).

On the other hand, the Employment (Restriction) Act 1968 restricts the sources of foreign workers to certain countries and particular economic sectors. A few measures are in place to facilitate the intake of foreign workers, such as signing the Memorandum of Understanding (MoU) with 'traditional' labour-supply countries, e.g. Indonesia, Bangladesh, the Philippines, and the like. The MoU facilitates the recruitment and selection of workers and it underlines the responsibilities of employers, government or authorised recruitment agencies in origin countries, and workers (Dairiam, 2006). Nonetheless, the preference for labour from the 'traditional' countries, e.g. Indonesia, has been replaced with a diversified policy of employing other workers from 'non-traditional' countries. This has been attributed to a violent riot in 2002 which involved Indonesian

workers in a Malaysian textile factory, and a rampage with machetes by Indonesian construction workers in other region.¹² Subsequently a number of MoUs were signed with other countries including Sri Lanka (in August 2003), Republic of China (September 2003), Thailand (October 2003), Pakistan (October 2003), Bangladesh (October 2003), and Vietnam (December 2003). At the same time, the government enacted the Private Employment Agencies Act 1981 (Act 246) to allow the private sector to set up employment agencies to officially recruit workers from the country who signed the MoU. This was due to increased anxiety in the local society regarding the visibility of immigrant urban squatters.¹³ Illegal agents who do not register with the Department of Manpower (under the Ministry of Human Resources) can be fined RM 5,000, three years prison, or both under the Employment Agencies Act. In addition, the One Stop Centre (OSC), from the Ministry of Home Affairs, gives approval to the quota of foreign workers applied for by employers or companies (Ministry of Home Affairs, 2014). The quota system has been introduced to ensure the ratio of local to foreign workers is monitored for enterprises and employers. For instance, in the manufacturing sector dealing in exports, the eligibility ratio is one local to three foreign workers, in non-export companies it is one local to one foreign worker, and for companies in the electrical and electronic sectors, irrespective of whether they export or not, is one local to two foreigners (Kaur, 2015).

2.1.1.3 Institutionalisation of Levy

Nah (2011) points out that the government has adopted a flexible approach to market needs by shifting the responsibility for paying the annual levy onto either employers or foreign workers. Initially, the levy was borne by workers. Following the financial crisis in

¹² The Jakarta Post. (2002). 'Indonesia apologises for rioting workers in Malaysia', January 22 2002, Retrieved July 10 2014, from <http://m.thejakartapost.com/news/2002/01/22/indonesia-apologizes-rioting-workers-malaysia.html>

¹³ In Kuala Lumpur only, unpublished data at the City Hall Enforcement Directorate reveals that in 1989 there were over 12,000 Indonesians living in squatter settlements in the capital (Tan, 1997, p. 3)

1998,¹⁴ the levy rate was raised and the state amended the Employment Act 1955 to prohibit termination of local contracts in favour of foreign employees. Notably, as a further step to dismay the industries overly dependent on foreign workers, employers were made to pay for the levy for their employees in 2009 (Cheng, 2013). However, the latest development in 2013 has seen the government move to reinstate a levy on foreign workers, arguably to ease the hiring costs for employers,¹⁵ of which the decision was announced after a discussion in the Special Cabinet Committee on Foreign Workers and Illegal Immigrants. Workers are said to be made affordable in order to absorb the additional fees incurred by employers after the implementation of the Minimum Wage Policy (Aruna, n.d.).¹⁶

2.1.1.4 The Outsourcing System

In 2005, the recruitment infrastructure and procedures went through an overhaul due to the failure of the previous migrant workers policy (World Bank, 2013). The One Stop Centre (OSC), Job Clearance System (JCS), and Outsourcing system were all introduced. The Cabinet Committee on Foreign Workers (CCFW) and Illegal Workers¹⁷ (consisting of 13 Ministries¹⁸) is chaired by the Deputy Prime Minister and meets twice a year to

¹⁴ Under the global economic crisis in 2008, the government encouraged the ‘firing the foreign workers first’ policy, and therefore the local workers were not affected. This year, around 700, 000 workers were repatriated (Nah, 2012, p. 13).

¹⁵ The Star Online. (2013). ‘Cabinet Foreign workers to pay levy instead of employers with immediate effect’, 30 January, Retrieved August 10, 2013, from <http://www.thestar.com.my/News/Nation/2013/01/30/Cabinet-Foreign-workers-to-pay-levy-instead-of-employers-with-immediate-effect/>

¹⁶ Under the New Economic Model (NEM), the National Minimum Wages initiative is intended to ensure inclusiveness by transforming the economy from a middle-income to a high-income economy by the year 2020. Workers are paid RM 900 (Euro 210) monthly in Peninsular Malaysia.

¹⁷ The Committee was renamed in 2009 to reflect its responsibilities. When it was established in 1991 it was formally known as the Cabinet Committee for Foreign Workers.

¹⁸ Representatives are from the Ministry of Home Affairs, Ministry of Human Resources, Ministry of Public Works, Ministry of International Trade and Industry, Ministry of Foreign Affairs, Ministry of Agriculture

perform the main duties of policy formulation and monitoring, implementation, review, and amendment (World Bank, 110). Under the Employment Restriction (1968) Act, the Ministry of Human Resources requested all prospective employers to advertise their job opportunities through the Job Clearing System (JCS), to seek local workers. The DOL (Department of Labour) allows the employer to proceed with an application for foreign workers only if that employer fails to find local workers. The Foreign Workers' One Stop Approval Agency (OSC) comprises members of the Ministry of Home Affairs, Department of Labour, Ministry of International Trade and Industry; Ministry of Plantation Industries and Commodities; and Ministry of Agriculture and Agro Industries (CIDB), carries a similar mandate¹⁹ to process and make decisions on whether to give approval to the employers for the application of workers, ranging from a 'couple of weeks' to 'one day', as a result of lobbying from employers. After receiving confirmation from the Department of Labours (in Peninsular Malaysia), the One Stop Centre interviews the prospective employers and grants permission. The revamp is aimed at simplifying the recruitment procedures and minimising the time taken, and most importantly to only allow the intake of workers after the second-layer checking process.

The Cabinet Committee on Foreign Workers (CCFW) and Illegal Workers approved the Foreign Worker Supply and Management System in July 2005 to provide an option to companies who do not intend to recruit foreign workers directly. In the past, 'foreign workers who became redundant due to downsizing by the employers or early completion of projects could not be transferred to other sectors facing labour shortages' (World Bank, 2013, p. 113). Thus, the current system provides flexibility in terms of the use of labour. Furthermore, outsourcing firms have been introduced to shift the responsibility for controlling and managing foreign workers from employers to those firms. As such, this measure may ensure the working conditions and treatment of foreign workers by the employers are in compliance with national labour laws (World Bank, 2013, p. 107).

and Agro-Based Industry, Ministry of Finance, Ministry of Plantation Industries and Commodities, Ministry of Rural and Regional Development, Ministry of Health, and the Ministry of Tourism.

¹⁹The former technical committee, which comprised officers from various ministries who met on a weekly basis to scrutinise applications for foreign workers, was disbanded.

However, the employers are therefore not held responsible for the workers. The then head of the enforcement unit of the Immigration Department, Datuk Ishak Mohamed, declared publicly that outsourcing is a strategy to attract foreign direct investment (cited from SOMO, 2012, p. 23). In 2012, the amendment of the Employment Act 1955 granted the employer, as labour supplier, the role of contractor of labour. The government was challenged by Malaysia Trade Union Congress, as the strongest opponent of the change, and the concept is only actually applied in the construction and plantation sector. The role of labour contractor is a longstanding one in the construction and plantation sectors, and the authors point out that the government can monitor the registration of workers via the legalised outsourcing agencies who act as the ‘employers’ of the workers (Hassan, Lee, & Ismail, 2013). The outsourcing companies’ services was terminated at the end of 2013 due to complaints of workers’ rights abuses but the existing workers under outsourcing agents will remain until their work permit expires.²⁰ Companies and farms are hence needed to hire the foreign workers directly from their countries of origin. However, Guardian²¹ reported that the practices of hiring foreign labourers through labour outsourcing companies to high-technology production lines owned by international companies based out of Malaysia have been continued.

2.1.2 Employers

2.1.2.1 Mode of Recruitment

The Ministry of Human Resources announced that the employment of foreign workers shall not be at the expense of local nationals. Therefore, employers have to advertise a particular job in an attempt to find local candidates first, and only if this fails

²⁰ The Malay Mail Online. (2013). Home Ministry: No middlemen to hire foreign labour, December 5, Retrieved 16 April 2015 from <http://www.themalaymailonline.com/malaysia/article/home-ministry-no-middlemen-to-hire-foreign-labour>

²¹ The Guardian. (2016). Samsung and Panasonic accused over supply chain labour abuses in Malaysia, The Guardian, 21 November, Retrieved 23 November 2017 from <https://www.theguardian.com/global-development/2016/nov/21/samsung-panasonic-accused-over-supply-chain-labour-abuses-malaysia>

– indicating that there is no local interest in filling the vacancy – are they then allowed to recruit foreign workers. Employers are mainly permitted to recruit workers from 15 countries.²² Employers apply for foreign workers through the Technical Committee for Recruitment of Foreign Workers,²³ known as the Technical Committee for short, which was formed as the implementing agency to process the application of foreign workers, with the exception of domestic workers. Once approval is granted, the employers are allowed to bring in workers by three methods: first, by direct employment through a company, which means the employer deals directly with the authorised bodies in the origin country; second, via indirect employment by a company or individual through a recruitment agency, for the services of which the employers pay a one-time fee; third, through the outsourcing system which was introduced in 2005, which involves paying the agents directly for taking responsibility to recruit and manage the workers during the duration of employment. With the first and second methods, having found the workers, the employers returned to the Immigration Department to convert the calling visa and gain a work permit for the employee. Employers can renew the work permit for workers for five years, and the employment contract can be renewed for up to maximum of five years for the five formal sectors: plantation, construction, services, manufacturing, and agriculture. In contrast, the contract for domestic workers has an unlimited potential for extension. Furthermore, employers are constrained by rules that allowed them to recruit workers only from certain countries: The Indonesian (male) workers are allowed to work in all sectors except manufacturing sector; the Indonesian (female) workers are allowed to work in all sectors. Only male workers from the Philippines can work in all five sectors; Indian male workers can only work in the services sector (restaurants), construction (high-tension cables), agricultural and plantation sectors. Bangladeshi workers are only allowed to be recruited in the plantation (oil palm) sector.

²² Thailand, Cambodia, Nepal, Myanmar, Laos, Vietnam, Philippines, Pakistan, Sri Lanka, Turkmenistan, Uzbekistan, Kazakhstan, India, Indonesia, and Bangladesh (Source: www.imi.gov.my, viewed 8 June 2016)

²³ This committee consists of representatives from eight government departments, of which the most important ones are the Department of Immigration, Department of Human Resources, and the Department of Labour.

The mode of recruitment has been changed back and forth between the government department and the recruiting agencies: Briefly, in the early 1980s, with the legislation of the Private Employment Agencies Act 1981, the employers dealt with recruitment agencies in order to find prospective workers. Employers were therefore handing over the administrative paperwork and logistics to recruitment agencies. In most cases, the majority of the prospective employers paid upfront costs on behalf of the workers to the recruitment agencies, and the employers would deduct the transaction costs from workers' wages (Kanapathy, 2006). This was to facilitate the easier migration of workers by reducing the upfront costs they had to pay. However, the employers were only allowed to take on the recruitment agencies as their 'consultants' to handle paperwork when the government disbanded all employment agencies in 1995. This was due to the unethical practices of unlicensed agents who were found guilty of charging exorbitant fees and other abusive practices regarding migrant workers.²⁴ The Immigration department played a central role in recruiting foreign workers directly from their source countries by setting up the Special Task Force on Foreign Labour²⁵ in order to take over the role previously played by recruitment agencies. The Task Force was composed of representatives of various Ministries (the most important ministries are the Ministry of Home Affairs, Ministry of Human Resources, and Labour Department). However, employers were reported in news for having continued to use the services of unauthorised agents to recruit foreign workers due to their cheaper cost and faster services compared to the licensed employment agencies. Unfortunately, employers were frustrated with the delays in the delivery of work permits as administered by the newly formed Special Task Force on Foreign Labour (Kaur, 2008; Mascareñas, 2012). In 1996, the responsibility for foreign workers was returned to the Foreign Workers Division of the Immigration Department, Ministry of Home Affairs (Tan, 1997).

²⁴ An average of 3,000 workers per year were brought in by unlicensed labor recruiters and agents, who were found guilty of charging the workers exorbitant fees, providing misleading information about wages, and other abuses. (See Kanapathy, 2006:8)

²⁵ The former Cabinet Committee on Foreign Labour established under the Ministry of Human Resources was dissolved.

2.1.2.2 Roles and Responsibilities for Workers

Upon arrival, the prospective workers have to be brought for the second medical examination conducted by FOMENA.²⁶ RM 180 (Euro 42) is charged for male and RM 190 (Euro 44) for female workers. If a worker should fail, the examination the prospective employer will have to apply for a replacement directly at the Immigration Department. Once the worker passes the medical examination, the employer will ask the worker to sign an employment contract, stating the basic wages, terms and conditions of employment, which has been approved by the authorities (Dairiam, 2006; Kassim, 2002). However, it has been found that some conditions in the contracts contradict labor laws, as the employers make their own contracts with workers with regard to wages, duties, leave etc (Kassim, 2001). Prior to the implementation of the Minimum Wages in 2013, the wages for workers were based upon market forces. The Employment Act (amendment) 2012 also requires the employers to open a bank account for workers. In addition, the Workers' Minimum Standards of Housing and Amenities Act 1990 underlines the responsibilities of employers to provide proper living conditions, including e.g. sufficient water and electricity for workers. Employers who fail to follow the rules are punishable, facing a fine of up to RM 2,000, with an additional RM 100 per day if the wrongdoing continues. In the latest development, the employers proposed to the government that permission be given for foreign workers to pay for their own transport and housing costs.²⁷ Employers are permitted to deduct not more than RM 50 (Euro 11.70) from the wages of workers on a monthly basis for the accommodation costs of the latter. On 9 April 2013, the Minister of Human Resources issued directive that allow employers to deduct accommodation costs (Kebenaran Am Potongan Daripada Gaji Pekerja (Seksyen 24 Akta Kerja, 1955).

²⁶ The medical examination ensures that workers are free from all types of diseases: HIV/AIDS, tuberculosis, leprosy, Hepatitis B, psychiatric illness, epilepsy, cancer, sexually-transmitted diseases, malaria, hypertension, heart diseases, bronchial asthma, diabetes mellitus, peptic ulcer, and kidney diseases. Urine is tested to detect the presence of cannabis or opiates, and women are tested for pregnancy (FOMEMA, 2014).

²⁷ The terms and conditions for employing foreign workers have underlined the responsibility of the employers for the provision of free accommodation, transport, medical, electricity and water for foreign workers (The Star Online, 2013).

Further, the Workmen's Compensation Act 1952 states that it is mandatory that employers apply to the Ministry of Health for insurance policies for their employees. The medical insurance policy covers the hospitalisation of workers, and costs RM 120/ Euro 29 yearly per worker. Under the Passport Act 1964, employers are not allowed to withhold workers' passports. A number of studies pointed out that employers sometimes withheld workers' passports to prevent workers from running away, and then told them to sign employment contracts that deprived them of the right to the same treatment as local workers with regard to pay and other benefits, as set out in the national labour laws (Devadason & Chan, 2014; Kassim, 2001). The employers must apply for work permit renewal three months prior to the expiry date of the previous permit. Employers will pay for flight tickets of workers if they have fulfilled their employment contract. In times of economic crisis, for instance in 1997 and 2008, foreign workers' contracts were the first to be terminated because the employers are not allowed to terminate the contract of service of a local employee in order to employ a foreign worker (section 60 M). Employers pay for workers' passage back to their home countries when their contract is terminated.

2.1.3 Foreign Workers (legal) and Undocumented Workers²⁸

Foreign workers are accounted for by the Department of Immigration in the following categories: expatriates; foreign skilled workers; unskilled and semi-skilled workers. Expatriates are professional and technical migrant workers who earn above RM 3,000 (Euro 702²⁹) monthly, and their employment contracts should be for less than two years; Foreign skilled workers are all professional and technical foreign nationals with less than one-year contracts; unskilled and semi-skilled workers are common terms referring to migrant workers on short-term contracts who possess limited skills and receive low remuneration, and earning less than RM3,000 (Euro 702) per month (Kanapathy, 2008b, pp. 335–336). Foreign high-skilled workers comprise less than 2.0 percent of the

²⁸ The term 'undocumented workers' is preferable to 'illegal' in this chapter because 'the latter carries a criminal connotation and is seen as denying migrants' humanity'. Please refer to Glossary on Migration (International Organisation for Migration, 2011, p. 54).

²⁹ The exchange rate for the Malaysian Ringgit (RM) was 1 EUR = 4.27 RM as of July 2014

total in-migrant population (Kaur, 2015, p. 218), whereas numbers of semi-skilled workers, for instance, peaked around 2 million in 2007 and decreased to 1.5 million in 2012 (Kassim, 2013). Those migrants who fall under any of the following categories are classified as illegal migrants (PATI (Pendatang Asing Tanpa Izin) is the synonym in Bahasa Malaysia for illegal immigrants): she/he enters and stays in Malaysia illegally or with forged visit pass; h/she overstays after the expiration of pass issued; he/she misuses visit passes or work pass; she/he absconds from the employer.

2.1.3.1 Foreign workers

After the enactment of the 1981 Private Employment Agencies Act, foreign workers have to be provided with work permits, and their employment tied to particular employers and localities, which is regulated under the 1968 Employment Restriction Act and the 1957 Immigration Act. Workers are also requested by the Malaysian government to be registered in their home country. They must be aged between 18-45 years old when they enter Malaysia. In addition, they are not allowed to bring their family members and are prohibited from marry local Malaysian citizens and migrant workers. Since 2006, workers will have to attend and pass the compulsory 10-day induction course, conducted in the origin country. The National Vocational Training Council (NVTC), under the MOHR, prepared the module for the course intended to help prospective workers to learn the Malaysian customs, relevant laws, and rules and regulations pertaining to their rights. The Certificate of Eligibility (CE) will be issued for the visa application under the Immigration Department of Malaysia (Dairiam, 2006, pp. 10–11). Workers must make a payment to help to cover the transaction cost. Workers who found jobs via agents in their origin countries would need to contribute no more than 25 percent of their first month's wages for the transaction cost or services provided by the recruitment agencies in Malaysia. (Kanapathy, 2010, p. 9). The percentage of workers in Table 2 below shows that Indonesian, Nepalese and Bangladeshi³⁰ workers remained the first, second and the third highest in terms of the composition of labour force in Malaysia, as of 2015. Indonesians

³⁰ A clash between local youths in the mid-1990s which led to Bangladeshi-bashing induced a ban on the recruitment of Bangladeshi workers, which was later lifted (Kassim, 2005).

represent the majority of workers in the manufacturing, construction, and plantation sectors; Nepalese and Bangladeshi workers are mostly employed in the manufacturing and agriculture sectors. Nepalese and Bangladeshi workers were recruited in large numbers because they were willing to accept low-paid jobs, and both Indonesian and Bangladeshi workers are generally Muslims (Malaysia's official religion being Islam) (Kassim, 2002). Bangladeshi workers receive an average monthly salary of RM 350 (Euro 81), compared to RM 750 (Euro 175) received by Nepalese workers.³¹

Table 2 Legal Foreign Workers by Country of Origin on 30 June 2015

Country	Percentage	Numbers
Indonesia	39%	877,258
Nepal	25%	566,184
Bangladesh	12%	277,018
Myanmar	7%	145,561
India	6%	139,624
Pakistan	3%	73,214
Philippines	3%	66,521
Vietnam	3%	56,591
Thailand	1%	14,036
China	1%	12,422
Sri Lanka	<1%	7,486
Laos	<1%	74
Cambodia	0%	9,524
Total	100%	2,245,513

(Source: Unpublished data from the Department of Immigration Malaysia, Putrajaya. 2016)

³¹ The Himalayan Times. (2012). Nepali workers to face competition in Malaysia, The Himalayan Times, July 17, Retrieved August 20 2014 from <http://www.thehimalayantimes.com/fullNews.php?headline=Nepali+workers+to+face+competition+in+Malaysia+&NewsID=339394>

Further, the Table 3 below shows that above all, the manufacturing sector has been recruiting the highest percentage of workers as of 2015. Employment of workers in the construction sector is second highest, after the manufacturing sector.

Table 3 Foreign Workers by Job Sectors on 30 June, 2015

Sector	Percentage	Numbers
Manufacturing	36%	805,547
Construction	20%	450,074
Plantation	15%	328,410
Services	13%	301,488
Agriculture	9%	202,324
Domestic helpers	7%	157,661
Total	100%	2,245,513

(Source: Unpublished data from the Department of Immigration Malaysia, Putrajaya. 2016)

2.1.3.2 Workers in the Construction and Manufacturing Sectors

Workers' permits are tied to particular employers and they are not allowed to work outside the economic sector registered in their permit. However, workers who are managed under the outsourcing system whose contracts have expired are granted permission to change employers within the same economic sector as long as their work permits are still valid. Construction workers are engaged as general labourers, masons, carpenters, plasterers, bar benders, and electricians (Kassim, 2001). Workers receive wages depending on what is considered to be reasonable by the employers, regardless of their negotiation (Kassim, 1997 cited in Abdul-Rahman, Wang, Wood, & Low 2012, p. 436) and they accept a much lower wage rate compared to local workers (Abdul Rahman et al., 2012). The workers often build a temporary small hut located near to the construction site and they move to different places after the completion of a project. Prior to the implementation of a minimum wage in 2013, production operators earned an average basic income of RM 450 per month; they were requested to work overtime for four hours per day, which could boost their salary up to RM 700- RM 850 per month

(Kassim, 2001, p. 120). The monthly deduction from their salary includes their contribution to the Employees Provident Fund,³² accommodation, water and electricity bills, and levy. In contrast to the equal treatment between local and foreign workers as spelled out in the aforementioned national labour laws, foreign workers receive lower pay than local workers, lower annual salary increase or no increment, and receive less payment rates for overtime and work on public holidays than the rate stipulated by law, i.e. one and a half times normal pay for overtime and double pay for working on public holidays.

Workers stay in overcrowded flats or houses provided by their employers. They have to forgo their daily wages if they are absent from work to receive treatment in hospital or a clinic. The reimbursement of the bill is dependent on employers' willingness to pay; for example, one employer in a manufacturing sector in the state of Selangor would provide up to RM 14 per treatment. Foreign workers are generally denied some of the benefits that local factory workers are entitled to, such as paid leave, an annual bonus, and an inducement allowance each month if they work without absent or being late (Kassim, 2001, p. 121).

Previously, the low-skilled workers were often reported as being exploited by illegal recruitment agencies making false promises, and up to thousands of them, mostly from Nepal, are brought in without securing jobs in Malaysia. Thus, Kanapathy (2006) commented that outsourcing firms are initially created to protect foreign workers from faulty information. Since 2007, the new outsourcing system does not attach workers' permits to a particular employer, which dilutes the control the government has over their employment. Furthermore, outsourcing agencies abused the system via over-recruitment. Kassim, Haji, & Zin (2011) cited a case in which thousands of newly recruited Bangladeshi workers, recruited by an outsourcing agency in cooperation with the Bangladeshi agent, were abandoned at the KLIA in 2007.

³² The mandatory Employees' Provident Fund (EPF), started in 1998, requires the employers to make contributions of RM 5 per foreign worker per month, while the workers each contribute nine percent of their monthly salary. However, this requirement was removed in 2001 due to employers shifting to hiring undocumented workers in order to reduce their contributions to the EPF. Workers are now required to pay an annual premium of RM120, as of November 2010.

The practice of using outsourcing agencies was criticised because it simply shifts direct responsibility from the employers to the recruited migrant workers (Hector, 2011; Mohd Nadzri, 2012; SOMO, 2013). Some controversial issues were raised with regard the outsourcing system. Firstly, the local market has to open up jobs that were previously not open for foreigners. Thus, previously, the labourers were brought in according to the demand from the local employers, but the situation has subsequently transformed into a supply-driven one, in which large numbers of foreign labourers are brought in under the outsourcing system without their being sufficient job vacancies for them in the market. For instance, thousands of Bangladeshi workers were brought in through outsourcing agencies which had established strong networks in Bangladesh, yet there were no job vacancies available for them (Malaysian Bar Council and ILO Project on Combating Forced Labour and Trafficking of Migrant, 2008, p. 88).

Secondly, workers are confronted with more risk (Kaur, 2012) as they have no clue about what their job might involve in the receiving country. The uncertainty was reflected in the report made by Tenaganita³³ in which it claimed to have received 2,460 cases on issues such as non-payment for job done, passports being withheld by outsourcing companies, workers being locked in the dormitories, unexplained wage deduction, and so on, of contract workers being exploited under the outsourcing system within the previous three years (2008- 2011) (Tenaganita Women's Force, 2011b). Similarly, Crinis (2010) also highlighted similar experiences on the part of foreign workers, i.e. the necessity of doing overtime, and that they are prohibited from joining trade unions, given that the CSR (Corporate Social Responsibility) practices are already implemented in Malaysia. The advocacy documents also confirmed that the exploitative practices by unethical outsourcing agencies in relation to unlawful contract, including unmet promises about wages; in which workers do not receive a copy of the contract, or else receive a contract in a language that they do not understand; issues of debt bondage, including structural unpaid overtime, and inadequate legal protections (SOMO, 2013; Verite, 2012), as well as the exposure of migrant workers in a Nike-contracted apparel factory showed the

³³ An NGO which actively addresses protects and promotes the rights of women, migrants and refugees in Malaysia. Tenaganita's webpage: <http://www.tenaganita.net/>

continued presence of unacceptable conditions and unfair treatment faced by outsourcing workers (Devadason & Chan, 2014).

2.1.3.3 Undocumented workers

The government has carried out several measures to reduce the numbers of undocumented workers in the country. The numbers of undocumented migrants are officially estimated at 1.9 million (Kassim, 2013). The precise number of undocumented workers remains unknown, however, and the official numbers can only be revealed after each regularisation program. Having said that, about 1.3 million migrant workers were reported to be working in the sectors that are not approved by the government, such as car workshops, fast food restaurants, and food stalls. Some are self-employed, and some had even become employers themselves.³⁴

The 1990s witnessed the launch of regularisation and amnesty programme by the government. There are differences between regularisation and the amnesty programme. Undocumented workers receive legal status under the regularisation programme but amnesty programme allows undocumented immigrants to leave the country within a given period of given time without being charged for violation of several immigration law. The amnesty programme was carried out in 1996, 1997, 1998, 2002 and 2004-2005 at the state and/or national level. Undocumented Indonesian plantation workers were the subjects of the first regularisation programme in 1989. The enforcement of the formal employment system, in the form of e.g. the 1968 Employment Restriction Act, boosts illegal migration (Wong, n.d.). Workers were able to migrate through the underground network, which is, practically speaking, cheaper and faster than the formal procedure. The argument is based on the fact that most of the workers who have migrated to work in Malaysia are peasants from the impoverished villages of Indonesia, and thus they are not able to afford to pay the fees involved in going through the legal channels.

³⁴ Mahmood, M., & Ghazali, R. (2011). '1.3 aliens in "wrong jobs": "Absorbing 1.3 million workers not feasible"', *The New Straits Times*, 5 October, p. 1 and 3.

Kanapathy (2006, p. 3) claims that approximately 500,000 to one million migrant workers were recorded, and almost all were unauthorised.³⁵ This is because the labour was needed particularly for plantation and agriculture sectors in rural areas. The government deployed minimal effort in managing or controlling migrant workers from independence until the 1970s. Kaur (2004) has further argued that the government has adopted a 'liberal' recruitment policy, in which it allowed employers to employ undocumented workers, mostly Indonesian workers. In addition, in order to combat illegal migration, the government also has carried out two significant operations: the *Ops Nyah I* ('Get Rid Operation') which started between 1991 and 1992, a programme of sea- and land-border patrols to prohibit illegal landings; and the *Ops Nyah II*, launched in 1991, and also a measure to weed out undocumented immigrants in the country. Between November 1991 and June 1992, the Immigration Department set up 30 registration centers on the Peninsula that work to regularise undocumented workers (Tan, 1997, p. 4). Applicants had a chance to legalise their stay in Malaysia by obtaining a permit as a foreign contract worker, issued by the Immigration Department. Employers were in charge of organising the workers' documents, namely their (temporary) travel papers (to be issued by their respective embassies) as well as health certificates stating that they did not have any transmittable disease. In case of illness, migrant workers were deported. The procedures required employers to send undocumented workers who they were employing back to Indonesia, where they were to be issued valid Indonesian travel documents before they made any attempt to return to Malaysia as legal workers. The legalisation programme failed due to minimal support from the employers. For instance, no more than 20, 000 Indonesian workers were legalised under this programme (Mascareñas, 2012, p. 85). As Pillai (in Wong, n.d., p. 7) points out, the employers from plantation and construction sectors reacted to the legalisation programme by the government concerning the shortage of labourers, to some extent, the pressure from employers underlined the overdependence on undocumented workers in said economic sectors. However, those arrested were locked in

³⁵The numbers were indicated in the undated Ministry of Labour, Labour and Manpower Report 1987/88, published in Kuala Lumpur (Kanapathy, 2006, p. 3)

detention centres until deportation. A total of 41,584 migrants were arrested by the Immigration Department under *Ops Nyah II* in 1993 (Kassim, 2005, p. 86).

Besides this, the government has made efforts to curb illegal migration by introducing different methods: Biometric Identity Cards were introduced in 2008 to combat the expansion of the fake document industry. The cards contain migrant workers' personal details and fingerprints. The biometric system cost RM30 million (Euro 7 million).³⁶ By August 2011, it has registered 1.9 million foreign workers, of whom 897,200 were legal workers and 1,031,025 were undocumented workers.³⁷ In addition, undocumented workers were allowed to legalise their status under the Illegal Immigrant Comprehensive Settlement Programme, known as the 6P: Pendaftaran (registration), Pengesahan (legalisation), Pengampunan (amnesty), Penguatkuasaan (enforcement), Pemantauan (surveillance) and Pengusiran (deportation), which was introduced in 2011 by the CCFW and Illegal Workers taskforce (Kassim et al., 2011, p. 111). Unauthorised foreigners had to pay a RM300 (\$95) fine and a special visa fee of RM100 to receive a biometric ID. After registration, migrants can leave Malaysia without penalty or obtain work permits at a cost of RM2,000 and RM3,500, of which depending on the economic sector they are involved in, if they have a Malaysian employer (Migration News, 2011). The latest 6P, which took place in November 2011, legalised the highest number of undocumented workers, of which 130,000 subsequently became documented.³⁸

One important move to overcome the problem of undocumented workers was to allow their return and official border crossing without any penalty, after the economic crisis in 1998. Operations to apprehend undocumented workers are carried out from time to time. The government received mounting pressure from the employers in the five specified economic sectors. In 2002, the Immigration Act 1959/63, which allows the entry

³⁶Malaysiakini. (2005). Biometric ID cards for foreign workers. Malaysia Kini, October 13, Retrieved May 2 2013, from <http://www.malaysiakini.com/news/41726>

³⁷ Sipalan, J. (2011). Hisham Biometric tampering 'only on small scale', Malaysia Kini, August 15, Retrieved August 14, 2013, from <http://www.malaysiakini.com/news/173074>

³⁸Bernama. (2012). 128, 373 Illegal Foreign Workers Legalised Under 6P. January 4, Retrieved February 28 2012, from <http://www.theedgemaalaysia.com/political-news/198789-128373-illegal-foreign-workers-legalised-under-6p.html>

and stays for ‘non-citizens’, was amended, with punishments for infractions including a harsher fine, whipping, and imprisonment for undocumented workers. In the same year, the local builders warned that they stood to lose RM 1.2 billion (Euro 0.3 billion) due to the crackdown.³⁹ Similarly, the crackdown on undocumented workers in 2005 caused a labour shortage,⁴⁰ especially in the small and medium enterprises, plantations, factories and farms’⁴¹ with some 200,000 workers in the manufacturing sector, 150,000 in construction, 50,000 in plantations, and 20,000 in the services sector.⁴² The government recruited workers from Pakistan, India, Burma, Nepal and Vietnam.⁴³ In the meantime, foreign workers who entered the country with tourist visas were allowed to seek employment, to ease the chronic shortage of workers.⁴⁴

In summary, the studies of the labour migration regime reveal the exploitative practices involved in migrant labour, emphasising structure (of the labour-migration regime, often emphasising the situation in the receiving country), of which revealing a unidimensional exploitation perspective by looking at workers in the formal sector and their working conditions. In particular, the overall emphasis on economic rationale ‘from above’. As a consequence of the economic perspective of the state in relation to the management of foreign labour, the labour migration regime has little concern for the wellbeing of the low-skilled migrant labourers.

³⁹MalaysiaKini. (2002). Developers hit by labour shortage after migrant crackdown, Malaysia Kini, November 14, Retrieved July 10 2013, from <http://www.malaysiakini.com/news/13665>

⁴⁰ Work permits were approved for 169,000 undocumented Indonesian workers but only 11,000 had returned under the scheme. The special one-stop centres established in Indonesia to facilitate their return received poor response. The bureaucracy and imposition of expensive fees for the Indonesian government were believed to be the reason of the low numbers of Indonesian returnees.

⁴¹Jegathesan, M. (2005). Immigrant crackdown to hit construction, agriculture official. Malaysia Kini, March 1, Retrieved August 18 2014, from www.malaysiakini.com/news/33992

⁴²Yeoh, E. (2005). Government eases rules for foreign workers after crackdown backfires. Malaysia Kini, May 26, Retrieved August 15 2013, from <http://www.malaysiakini.com/news/36464>

⁴³Malaysiakini. (2005). Biometric ID cards for foreign workers. Malaysia Kini, October 13, Retrieved May 2 2013, from <http://www.malaysiakini.com/news/41726>

⁴⁴ Malaysiakini. (2005). New policy foreign workers can enter country on tourist visas, Malaysia Kini, May 26, Retrieved June 13, 2014, from <http://www.malaysiakini.com/news/36437>

2.2 The Labour Migrants' Agency, Experiences and Strategies

The section gives an overview of previous research studies on labour migrants⁴⁵ in general, and particularly of the discussion and the established understanding of labour migrants' agency, experiences, and strategies in the receiving country from their own perspectives:

2.2.1 The Economic Perspective – functional-oriented, social network

Until recently, the bottom-up approaches adopted in studies on and theories about migrant labourers have tended to analyse their experiences in the receiving society from the economic perspective. Workers are perceived as economic actors whose interests are mainly considered from the viewpoint of survival strategies and coping mechanisms in their host societies. That they are treated primarily in economic terms is reflected through the social networks they form with their origin countries or in the creation of networks in their receiving societies. This unavoidably generates an impression that workers are adapting to the new environment and that the adaptation strategies are all related to functional purposes. For instance, a network theory perspective was employed in ethnographic research, coupled with surveys and in-depth interviews, to investigate the Bangladeshi lived practices and experiences in Peninsular Malaysia (Sultana, 2008). The researcher described the Bangladeshi workers' multi-dimensional embeddedness in their multi-ethnicity host society in terms of the intra- and inter-ethnic strengths of 'strong network ties' to enhance their survival strategies, and 'weak network ties' which increased their opportunities for upward social mobility. Above all, they maintain transnational ties with their home country. A 'hybrid national identity' is created in the process of integrating into the receiving society. As quoted, 'The hybridization of the Bangladeshi Diaspora, whether conducted through inter-ethnic marriage or socio-economic, religious

⁴⁵ I use the term 'labour migrants', other terms such as *foreign workers*, *low-skilled* and *unskilled migrant workers* and the like are frequently used in literature. However, in general, they all refer to the same category; that is, those workers with poor educational backgrounds who cross borders and work in other states or countries.

and cultural practices, is not an indicator of resistance or anti-hegemonic behaviour against the domination of the nation-states (both origin and receiving countries) and of powerful socio-cultural models. Instead, it is found to be an outcome of their adaptation process (poor migrants) as well as strategies for upward mobility (well-off entrepreneurs and professionals) that are also guided and regulated by their multi-dimensionally embedded realities.’ (Sultana, 2008, p. 291). On the other hand, Ullah (2013a) conducted a survey of 56 male respondents, which discloses the various creative adaptation strategies practiced by Bangladeshi workers in post-2006 era in Hong Kong while the migration policy was stringent. These practices reflect the migrants’ pragmatic tactics in dealing with their temporary stays and illegal status in the host society. Bangladeshi workers invented their individual strategies in order to extend their stays, created their own language in order to communicate with each other, and almost one third of the respondents have multiple relationships, which serve specific purposes in their daily practices. Ullah (2013a) contended that adaptation theory is more appropriate to describe the workers who will remain in HK temporarily, and they can hardly associate with the concept of assimilation due to the differences in terms of language or religion in the single-ethnicity Hong Kong society. These two pieces of research looked at the practices of workers with the same nationality, i.e. Bangladeshis, who are based in two societies which share at least one significant difference, i.e. Malaysia with its multicultural society versus Hong Kong’s single-ethnicity society, highlighting the reality that low-skilled Bangladeshi workers build their networks for long-term economical reasons, in order to stay and work longer in the receiving society.

The purposes of networks are often observed in terms of its outcomes of upward or downward social mobility. Functionality of networks has also been emphasised in the empirical findings from the perspective of Nepalese labourers in India (Thieme, 2007). The operation of credit associations (saving and lending money) serve as an important form of social capital which mediates the opportunity to work overseas for Nepalese low-skilled workers. Through bonding with social capital, family and kinship networks facilitate the coping mechanisms of workers that allow them to establish themselves in terms of accommodation, jobs and so on in their receiving societies. Furthermore, individuals’ caste backgrounds are disregarded when they join the Cits. Migrants have

access to the *Cits* which is one kind of the financial self-help associations for the purposes of saving or lending money and in the workplace. However, Thieme (2007) argues that the workers hardly achieve any upward social mobility due to lack of bridging or linking social capital (due to their loose social ties) which could otherwise help them to better their lives. For instance, they are unable to develop linking social capital, which refers to the extending of powerful social ties with people with various hierarchical statuses, whether native or the non-native. Men occupy the job market as tailors while women engage in housekeeping. The gendered segregated of job opportunities creates a 'distinct niche' for the Nepalese in India (Thieme, 2007, p. 47). However, there is concern that the unskilled Nepalese workers in the credit self-help group are treated as a homogeneous group. Even though they can join the self-help group regardless of their caste background, it remains unclear who benefits the most from actively joining, organising or maintaining the existence of the self-help groups.

Nevertheless, a number of research findings indicated a consensus that migration networks are not equally accessible for each and every migrant, and that male and female migrants could have different networks in the receiving society; this will be discussed in the following section.

2.2.2 Networks Are Not Neutral, and Gendered Outcomes

Gender perspective is an important variable in migration studies (Oishi, 2002, 2005). A research findings pointed out that male Lao workers have wider access to help in relation to money, and in finding accommodation from their co-workers or close friends in Thailand, whereas female Lao workers rely more on the original networks they have with their home country and with close relatives, and mostly they use them to seek general advice – a result shown in a survey with 276 Lao respondents during an amnesty program in Thailand (Thongyou & Ayuwat, 2006). The gendered differences can be explained from the cultural perspective, as shown in Dannecker's (2005) research finding that Bangladeshi men have close connections with their fellow countrymen in their host societies, but they claimed not to have contact with female Bangladeshi workers. Female Bangladeshi workers are relying on their capacity to access networks in their origin

society to enable their movement. Bangladeshi women who gained the ‘social legitimization’ (Oishi, 2005, p. 145) to work overseas were associated with bad images attributed to their loose or ‘free-living style’, so to speak. Undocumented male day labourers in Los Angeles relied strongly on the new networks they established in the host society which turned out to support them economically and morally during the economy downturn (Bhimji, 2010). The specific individual strategies adopted by migrants depend on the context in which workers are located: Pearson and Kusakabe’s (2012) research shows that female Burmese workers strategised to incorporate themselves into the Thai society to avert discrimination if they are working in the central region of Thailand; however, their ways of living and their language were maintained if they lived nearer to the border with easier access to various ‘Burmese’ facilities, such as community organisation, health services, and so on. Dannecker (2002) points out the female Bangladeshi factory workers acknowledged the importance of developing new networks and social relations, such as collective action to confront the discrimination they faced in the hostel and factory.

Nevertheless, the appreciation of migrants’ networks which is seen as beneficial for workers in the migration processes (as discussed above and elsewhere) has been receiving some thoughtful backlash in current research. For instance, migration network theories assume to that migration networks are cost-saving and risk-mitigation strategies. Ullah (2013b) argues that Bangladeshi workers who relied on informal networks to arrive and work in Malaysia were experiencing the opposite side of the coin. They paid a high sum in fees prior to their departure, and they faced incredible adversity in travelling through the risky and illegal routes involved. It took them an average of one month or more to eventually reach Malaysia, compared to three hours by air. Similarly, Bélanger (2013) puts forward the same argument in the context of the rural Vietnamese workers’ migration to Taiwan, South Korea and Japan. Personal networks for migrants are embedded in the increasingly profit-oriented migration industry.

2.2.3 The Victims or Objects of the Labour Migration Regime

This strand of findings tends to highlight the powerful migrant labour regime in the receiving country, and to emphasise that workers are vulnerable to exploitation (Arnold

& Hewison, 2006; Belanger, 2014; Hill, 2012), abusive treatment, unfair working contracts and living in fear (in advocacy research publications, see SHISUK, 2007; Tenaganita Women's Force, 2011a; from the human and migrant rights perspective, see Amnesty International, 2010a; SOMO, 2013). More specifically, Crinis (2010) has argued that the foreign workers' rights in the formal workplace to receive a decent salary and to organise are not fully observed in Malaysia even though there is already the presence of Corporate Social Responsibility (CSR), which is a powerful measure intended to protect workers. In addition, workers were also victimised due to a high frequency of robbery incidents in the hostel, and thus their safety concerns were another issue. The severe restrictions on workers' freedom in living and working experiences in Malaysia as a consequence of the new era of 'indentured labour' has received attention in Thu Huong's (2010) study of Vietnamese workers in Malaysia. Nonetheless, foreign workers' vulnerable positioning in their receiving countries is related to the asymmetric power relationship between employers and employees, and the influences of the wider and varied scales of political economy of both countries and regional areas, as well as the phenomenon of globalisation.

Notably, a few research findings reveal migrants' experiences of limited physical mobility in their host societies, and the consequent restriction of migrant workers' ability to interact and integrate with the native population. The argument perhaps implies the successful implementation of this top-down approach to serve its intended purpose, i.e. the execution of a powerful controlling structure intended to prevent migrant workers' long-term integration. Brusle (2010, 2012) exposed Nepalese male workers' private labour camps and public living spaces (with the exception of the workplace) in Qatar, and Brusle (2010, p. 17) argues that the spatial separation and segregation of workers takes place thoroughly 'from the town to the migrant's bed'. In other words, workers seem to be left in an isolated space with the only connections available to them being within workplace, and neither individual strategies nor social networks play significant roles in their lived experiences. Furthermore, Bristol-Rhys (2012) claimed that the mentality that tends to draw a clear boundary in relation to geographical spaces between the native and non-native population, as demonstrated in the case of Pakistani workers in Abu Dhabi, it is necessarily to capture the historical developmental perspective of the particular

researched country. The strategic navigation that ensures the continued separation of foreign workers from the host society, through the means of spatial segregation and separation, 'is being produced and reproduced [...] and [...] deepened over time' (Bristol-Rhys, 2012, p. 84). The control of space is one aspect, while other aspects include the language spoken and the perceived behaviour of migrants; for instance, migrants can be easily differentiated from the locals if they always stick together in a group in public spaces. The research might be taken to imply a lack of agency displayed by the workers in the Persian Gulf, or rather that the powerful structure has been deliberately managed in such a way as to mute any possibility of migrants' active agency or even the possibility that their point of view might be heard.

Nevertheless, in Kassim's (2000) studies on the mushrooming legal and illegal settlements of Indonesian immigrants in Kuala Lumpur and Selangor over the last 30 years, it is apparent that the workers had adapted well to the local society. Kassim (2000) further concluded that this reflected the disjuncture between the policies intended to deter their integration on the one hand and the successful adaptation strategies of workers – i.e. facilitation through family ties of their migration to find working opportunities in Malaysia – on the other. One limitation of this research strand is that it tends to lose sight of individual agency; the subsequent section (2.2.4) attempts to address this dimension of workers' experiences in their host societies.

2.2.4 Non-economic Aspect – Freedom and Personal Motivations

The non-economic aspect is another promising dimension in researching on migrants' living experiences in the host society. Some migration scholars (will be discussed below) challenge the mainstream ascription of an economic motivation to explain migration processes. This critical doubt directly provoking to an important question why unskilled or low-skilled migrants continue to choose, or rather 'fall into the trap' of a vicious cycle of exploitative working environments and poor living conditions in their receiving societies? Arguing from empirical research findings, these scholars argue that migrants' experiences in their receiving societies are also fuelled and filled by their personal aspirations and expressions of freedom. This freedom is closely related to

their everyday lives, in terms of e.g. the type of food they consume, the style of dress they wear, the 'loose' relationships they engage in, and the like. Sharma (2008, 2013) argued that the practices of 'modern' commodity consumption, such as the consumption of alcohol and meat among young male Nepalese porters working in India, reflected deeply their pursuit of freedom from strict social norms in their rural villages in their home country. Their marginal positions in the host society do not deter their joyous experience of becoming 'free' consumers at the same time. Even further, Mills (1997) put forth the argument that young rural Thai women who migrated to work in the city seek to construct new identities and challenge their marginalisation in their own society by becoming part of the new patterns of commodity consumption. In addition, Shah's (2006) study reaffirmed the finding that workers value the freedom to engage in casual conversation or intimate relationships with their male and female colleagues in the receiving society due to being far away from their home villages.

As such, the freedom that workers embrace in the new environment is an important and attractive 'new' way of life from the perspective of workers. It is nonetheless entwined with their personal goals or motivations to gain independent status, alongside with their responsibility as remittance senders. Research from the perspectives of migrants concerning how they conceive and construct their migration experiences also sheds light on their personal lived dilemma: Pearson and Kusakabe (2012) pointed out that the female Burmese factory workers did not receive adequate protection from either the Burmese or the Thai government. A mixture of personal experiences, such as the aspiration to become an independent earner and the responsibility of extending financial support to one's home village, are achieved and sustained within their harsh working and living experiences as reasons for making the risky decision, both as a worker and as a migrant.

Nonetheless, the shift to investigating the non-material dimensions of migrants' lives and reasons for migrating do not altogether ignore the importance of remittances, which are the initial motive for migrants' movements. Moving away from purely economic explanations, however, helps to build a more comprehensive picture of understanding migrants' motivations to work abroad, and the non-material aspect is an important finding in explaining the prevalent phenomenon of massive temporary labour migration in Asia.

2.2.5 Other Relevant Structure-focused and Actor-focused Strands

The culture of migration is another aspect that being emphasised in the literature. Sharma (2008, 2013) points out that migration is importantly associated with men's social experiences as migrants, as a facet of a man's entering into adulthood, and migration as a livelihood is an integral practice in Nepalese men's lives. Through the option of migration, the family anticipates upward social mobility in their village. Rahman (2003) asserted that the status or prestige the Bangladeshi migrants received in their home villages is treasured, even though they have the toughest living experiences in Singapore.

Some studies have instead attempted to investigate migrants' experiences through the lens of a combined structure and agency approach. For instance, Rudnick (2009) conducted a multi-sited study by surveying and interviewing the female Bangladeshi factory workers (and some male Bangladeshi workers) who worked in Malaysia over all three migration phases, i.e. pre-migration, while working in the receiving country, and post-migration. Her research found that the working experiences of migrant women (i.e. their work domain) in Malaysia influenced other domains of their lives, i.e. the domains of self, community, and the domestic sphere. The gender norms manifest differently in both societies, although Bangladesh and Malaysia are both Muslim countries. The migrant workers valued highly the Malaysian society for the respect given to women's participation in the workforce. On the other hand, they received public criticism for taking opportunities to work in Bangladesh. Rudnick advocates the importance of understanding the structural constraints, e.g. systems and structures of migration, as well as highlighting the importance of making the essential effort to look at migrants' personal experiences. She says, '... although adverse structural conditions had impacted the women's migration outcome (i.e. the amount of money they had been able to remit or save) and left some of them bereft and in dire need, others had nonetheless gained both economically and socially from their migrations ... While often subject to unfair conditions, they are more than mere victims: their choices and efforts deserve due recognition. Moreover, a person's agency should be assessed from within his or her own context' (Rudnick, 2009, p.289). She then goes on to argue that '[a]gency can also include actions that are intended to improve the well-being of others, respect social and moral norms, or fulfil personal commitments. The full array of factors that influence how a migrant acts and reacts (or chooses not to), and

his or her motives for doing so, can become apparent only by considering the migrant's agency in a broad sense' (Rudnick, 2009, p.289).

Likewise, De Haan (1994) adopted Giddens' theory, and looked at the interrelation between social and material context, and the purposive behavior of industrial migrant workers in Calcutta. It revealed that the situation of the 'unsettled settlers' (i.e. circular migrants) is a choice based on their priorities and perceptions. In other words, migrants created a situation which they considered to be suited to them. As De Haan (1994, p. 42) put it, 'The decision reflects these context and constraints, but it is not a mechanical reflection: the decision is based on interpretation of this context, on a valuation of different possibilities and constraints.' Lately, the research conducted by Pye, Daud & Harmono (2012) on migrant oil palm workers demonstrated that they used various resistance strategies to confront the challenges in relation to work in their receiving society, i.e. from extending their stay to adapting to the status of illegality, to different forms of absconding. The proposal is carried further in a research by Muniandy and Bonatti (2014) of which they emphasise the labour migrants' agency in Malaysia; they argue for migrants' innovative capacity to navigate by employing different instruments and resources within their particular context in daily life, in order to adapt and live a dignified lives in the host society.

2.3 Summary

The Malaysian migration policy has been framed mainly based on the economic perspective in order to sustain the economic growth in the country. It has often considered foreign workers as merely economic labourers who are obliged to follow the rules and regulations in their receiving country. It assumes that a functional policy is one that enables the workers to integrate temporarily into the economic sector to provide their industrious labour. The policy presumption of migrant labours' short term integration is inclined with the reviewing of policy literature, that points to the fact that workers live under circumstances of limited protection and rights; moreover, foreign workers are constrained by strict rules and regulations with regard to time in order to control their entry into, stay in, and departure from the country; the economic sector they are permitted

to work in; and also with regard to the nationalities that allowed to work. The issue of managing foreign workers efficiently has become a central concern of the state, in order to strategically respond to the market demand for foreign workers who are prepared to accept lower pay than local workers, and who will also work for longer hours and take on the lower-status jobs. As such, the unequal salary scale received by foreign workers is contradictory to the national labour laws which explicitly stated the equal treatment in terms of salary and benefits for both local and foreign workers.

At the same time, workers are viewed as only having economic interests in mind when working overseas. In conjunction with this somewhat old-fashioned mindset, which is partially true, but not completely the case, the state has made several rather utilitarian-oriented legislative changes, for instance adjusting the foreign workers' recruitment procedure and the recruitment fees from time to time, and making efforts to push for the formalisation and centralisation of the migration process. The institution of a levy system reveals the state's economic approach to discouraging local employers from recruiting foreign workers rather than local workers. Thus, any issues beyond the economic ones, such as workers' social lives, are largely ignored in the policies. There are several reasons for this: first, the social perspective is hard to measure numerically, as compared to the statistics on the numbers of workers, total fees collected, and so on; second, migrants' social lives in the host society is of little concern because the discourse on the migration-development nexus emphasises the importance of remittances, a central point when migration is considered as a livelihood strategy; and third, it is challenging to interpret the migrants' social context and experiences, which involves a longer time period and more rigid research in order to establish an understanding of migrants' practices at the policy level.

As for the literature reporting the view 'from below', i.e. the views and perspectives of migrant workers themselves, some scholars have managed to portray both the economic and the less economic aspects of workers' living experiences in their host societies. Nevertheless, like the emphasis made from the point of view of the migration-development nexus, which often begins its analyses with the economic considerations of the migrants themselves vis-à-vis their home countries, this research also tends to assume

that migrants' overall strategies, including their use of e.g. social networks and networking, are oriented primarily towards economic adaptation in their host societies. In addition, they are seen indirectly, if not directly, as rational actors who would be seeking to gain maximum benefit from their risky decisions to leave their families behind for a better future (Petra Dannecker, 2002; Rahman, 2003).

This Chapter has attempted to review the studies which investigating on the phenomenon of temporary migrants, and thus it avoids lumping migrant workers together under conventional categories, i.e. those of diaspora or transnational communities (Bélanger, 2013; Petra Dannecker, 2005; Lian & RAHMAN, 2014)(Bélanger, 2013; Dannecker, 2005; Lian & RAHMAN, 2014). My research intends to fill the gaps of which the previous studies focus either on the labour migration regime and policy, which is in formal work place, or from workers' perspective on their social aspect of lives, by looking into both the work and social dimensions of migrants' experiences and everyday practices, in order to capture a comprehensive understanding on workers' 24/7 activities in Penang.

3 HOW CAN EVERYDAY LIVES AND WORK BE CONCEPTUALISED

The migration regime is aimed at directly facilitating the participation of migrant labourers in low-skilled jobs. At the same time, migration policy is intended to deter migrants from attempting long-term social integration in the host society, by restricting the maximum number of years they can work, among other measures. Thus, migrants are assumed just to live for work, at whatever time, day or night, weekdays, public holidays or weekends; they are considered as if they rest, eat, and sleep only with the intention of being refreshed the next day to perform better in their regular and normal shifts. The notion of work-only livelihoods represents an overwhelming general understanding of labour migrants as displayed from the perspectives of the labour migration regime. The existence of working life is vital, but I put the argument forward that the regime's perspective just manages to cover the 50-60 percent of the full picture of migrants' living experiences abroad.

An account of the remaining 40 to 50 percent of the time spent before and after work which makes up the full picture of migrants' life experiences in the foreign society should not be disregarded. On the other hand, the perspective 'from below' captures the views of migrants; for instance, it reveals that migrants either react actively to the hardship by establishing networks or networking among themselves in the host society, or else they are more passively affected by their situations and seek assistance from non-governmental organisations, including human rights organisations. The two categories – we might call them 'fighters' and 'victims' respectively, nonetheless imply the strategies of migrants to survive the hardship.

Ahmad (2012), whose work is inspired by Arendt's conception of 'labour', extends his perspective on 'labour' beyond the workplace because the notion of 'labour' has been unreflectively connoted with the dominant discourse on workers' exploitative living experiences in the Persian Gulf. Instead, Ahmad (2012, p. 23) enriches his viewpoint with the accounts of 'other activities that they (labourers) undertake' in the destination country. In the interest of apprehending both the inside and outside of the workplace practices and

experiences of migrants, I conceptualise an actor-oriented approach to practices in order to fully understand the everyday work and lives of migrant labourers in Penang. The nature of the ethnographic research allows me to adopt the actor-oriented approach by focusing on the migrants' perspectives and framing my analysis.

Outline of Chapter

As a point of departure (Ch. 3.1), I take up the discussion of structure and agency, given the bipolar background provided in the literature review 'from above' and 'from below', which reflects the disjuncture between two dominant perspectives: that of structural control or the migration regime, versus those of social actors or migrants. I borrow a helpful idea from Archer's (1995) morphogenetic cycle to argue that migrants bring their agency from their origin countries – in the form of e.g. skills, ideas and the like – into their current circumstances. In a second step, I take the idea of agency further for the purposes of my research interest in this thesis, and review existing concepts of practices that will enable me to look into migrants' practices in the host society (Ch. 3.2) – in this case, Malaysia. Social practice theories provide insightful approaches to developing an understanding of actors' agency in empirical analysis. I will show the bifurcation of approaches into two main strands: the more philosophical-theoretical, and the empirical-technical perspectives on practices. However, I argue in a third step (Ch. 3.3) that these two kinds of approach are only partially helpful in pursuing a thorough investigation of the practices of migrants. I therefore introduce the concept of everyday practices, which focuses on all kinds of activities carried out by ordinary actors – in this case, migrants – and can be taken to more closely represent their lived experiences as ordinary people, in comparison to the broader idea of 'general practices'. In this section, I review selected ethnographic case studies exemplified by prominent authors on the everyday practices of social actors, the context, and how the authors establish the framing of practices in the light of actors' undertakings. To conclude, I introduce my own conception of practices, which serves the subsequent empirical analysis with which to capture a set of various everyday practices of ordinary migrants, both in the workplace and outside the workplace (Ch. 3.4).

3.1 From the Structure-Agency Debate to Structuration and Other Bridging Concepts

Processes of interaction, actions and outcomes have traditionally been viewed from two contrasting perspectives – i.e. structure versus agency, society versus individual, macro versus micro, determinism versus voluntarism – often preventing theorists from either side from engaging in a meaningful and convincing conversation. For instance, theorists such as Emile Durkheim place an emphasis on the importance of structure, and as a result, individuals' agency is treated as the operation or effect of imperative social norms and structure; in contrast, theorists such as J.S. Mill and Max Weber argue for the notion of aggregated individual acts. The society 'disappears' in individualism, whereas agency 'disappears' in the realm of holism (Giddens, 1979). The one dimensional perspective had been criticised by Anthony Giddens who sees that structure and agency presuppose each other and that there is no contradiction between the two perspectives as is often debated (1979, p. 53). Besides, Archer (1995) who bases her argument on realist social theory, also criticises the traditional binary approaches for committing the fallacy of either 'upward' (individualist, voluntarist, micro) or 'downward' (collectivist, determinist, macro) conflation. She claims that 'agents and structure are distinct and neither does have primacy over the other' (Archer, 1995). In so doing, scholars lose sight of the task of explaining the relationship between agency and society. For instances, the 'study of society' without reference to agency denies people's freedom, while the 'study of man/woman' without reference to society leaves human freedom completely unrestricted (Archer, 1995, p. 3–4). Both views operate in a unilateral direction, through the assertion of a 'homological assumption' (Archer, 1995, p. 7), i.e. '...that theoretical schema or models worked out on the basis of macro-sociological consideration fit micro-sociological interpretation, or vice versa' (cited from Wager, 583 in Archer, 1995, p. 7). Eventually, the structure-versus-agency (S/A) debates led to the emergence of the structuration theory of Anthony Giddens, and the morphogenetic theory of Margaret Archer, both which are used by scholars to overcome the shortcomings of S/A. In addition to Giddens and Archer's theories, I will also discuss other relevant alternative strands such as the 'habitus' approach introduced by Pierre Bourdieu in the following section.

3.1.1 Structuration and the Structure-Agency Debate

The central argument of structuration is the notion of ‘duality of structure’, which implies that structure constrains and enables human agency with regard to everyday interactions in the social system, acknowledging that structures are ‘both the medium and outcome of the practices which constitute social systems’ (Giddens, 1981, p. 27). In other words, individuals’ practices and behaviours are shaped by the social structure, and their activities in turn reproduce the social structure. In the Glossary of Terminology of Structuration Theory, Giddens interprets structure as ‘rules and resources, recursively implicated in the reproduction of social systems. Structure exists only as memory traces, the organic basis of human knowledgeability, and as instantiated in action’ (Giddens, 1984, p. 377). As such, the structure is characterised only in its ‘virtual’ existence, i.e. it refers to a ‘virtual order of relations’ (Giddens, 1984, p. 304) which can only be seen when actors reproduce the activity, when it gets ‘instantiated’ in action. The structuration approach denotes all human beings as social actors who comprise two important principles of agency: knowledgeability, and capability. Their actions have a transformative capacity, resulting in either the changing or the maintenance of the status quo in the context of interaction with other people, within the context of specific constraining or enabling social structures.

In line with Giddens, Long agrees that agents are knowledgeable and able to respond to (un)favourable circumstances. Long (2001, p. 16) defines agency thus: ‘in general terms, the notion of agency attributes to the individual actor the capacity to process social experience and to devise ways of coping with life, even under the most extreme forms of coercion’. In addition, he argues that the meaning of ‘capability’ with regard to agency does not refer to decision-making capacities. Rather, the effective agency is reflected in actors’ organising capacity to influence and to persuade other actors to join the same initiative, e.g. forming a group to pursue a common interest (Long, 2001). Hence agency also reflects the constitution of power due to the necessarily of network-building. Long also restricted the concept of social actors to the single individual who has ‘discernable capacity’ to formulate and carry out activities. The notion of rationality in actors is further mirrored through actors’ strategies in generating outcomes. Even in the context of the worst scenario, or struggling in their subordinate positions, actors are seen as having

choices to move forward. However, to the extent that cultural factors are taken into account, the social meaning of particular events, actions and ideas carries various implications in different contexts for actors. Active interaction among purposeful actors in a society demonstrates the interplay between social meaning and the intrinsic property of rationality. This is to say, social actors are potentially capable of making rational decisions and conducting purposeful actions under any circumstances, and most importantly, they organise activities together.

The S/A debates deserve particular attention in migration studies because migrants' agency plays an important role in migration processes. However, Bakewell (2010) commented that the core problem of the S/A impasse is that it fails to explain the links between structure and agency. In other words, no robust migration theory bridges both perspectives. With regard to the integration of levels, for example; the 'technical' replacement of 'individuals' with some intermediate unit of analysis, or the attempt to join the macro and micro realms by looking at the macro factors that encourage the movement of individual migrants, takes a lot of effort but does not yield fruitful results for the integration of the structure versus agency debate in migration theory. Agency must be understood as a relational property/ term, and structure is inevitably taken as the element that has spontaneous connection with agency. Sewell (1992) criticises two unexamined links in the metaphor of social structure: first, the reification process leading to social structure being seen as rigid, for example the state and cultural norms being seen as static structures, which carries the implication that social actors can hardly make changes to them. Confusion then arises when actors are seen as actively shaping their interactions whereas the structures within which they act are portrayed as rigid. Second, the structure metaphor links itself uncritically to the connotations of stability. As a consequence, social change does not seem to be anticipated. However, findings on various human interactions are evident in most structural theories. Sewell (1992) argues that the habitus approach introduced by Bourdieu fails to encompass the reality of social change. Emirbayer & Mische (2010) commented on the one-sided conception of agency which often tends to restrict itself to relating agency to structure. As such, the interplay between different dimensions of agency in relation to actors' past experience, the present moment, and future orientations, as well as how these vary within different structural contexts of action,

is not revealed. Emirbayer & Mische's (2010) article gives full attention to the different analytical dimensions of agency rather than to actions' structural contexts. By paying attention to the flow of time in order to capture the complexity of agency, the authors conceptualise agency as a temporally embedded process of social engagement, informed by the past (in its 'iterational' [sic] or habitual aspect) but also oriented toward the future (as a 'projective' capacity to imagine alternative possibilities) and toward the present (as a 'practical-evaluative' capacity to contextualise past habits and future projects within the contingencies of the moment) (Emirbayer & Mische, 2010, p. 963). The approach goes further, to frame agency as an internally complex temporal dynamic that creates a new perspective on the problem of free will versus determinism, as the authors define human agency as follows: 'We define it as the temporally constructed engagement by actors of different structural environments – the temporal-relational contexts of action – which, through the interplay of habit, imagination, and judgement, both reproduces and transforms those structures in interactive response to the problems posed by changing historical situations' (Emirbayer & Mische, 2010, p. 970). In other words, agency has to be understood not only in relation to a capacity to act in the present moment, but, importantly, as involving the ability to take into account the influences of past experiences which have impacted the agency, as well as connecting to the capacity of agency to imagine projected future possibilities.

Barnes (2000) provides a critical view, arguing that the perspective on human beings is currently either overly individualistic or that individual choice has been taken simply to explain human action. In so doing, it loses currency in the interactions involved in 'being with others' or when considering the idea of collective agency (Barnes, 2000, p. 179). Barnes argues that 'individuals' are interdependent with one another in social interaction, and thus the references to agency and choice 'are not merely pro forma compatible with the discourse of cause and effect, but better understood if recourse is had to it' (Barnes, 2000, p. xi). In other words, the author claims that the individual is not independent, and that in fact agency is actually manifested through the essential glue of interdependence between individual actors. Barnes further argues that the idea of human agency should not be confined to an individualistic form. Instead, it is collective agency which is important, as it implies humans' interdependence or non-independent characteristics, which brings

them together to form a society. To some extent, this argument is in line with Bourdieu's idea that the precondition for the presence of agency in fact the spaces given and allowed by the structure which permits it (i.e. agency) to exist (Bourdieu & Wacquant, 1992).

3.1.2 Structure-Agency and its Critics

Sewell, Archer, and Bakewell are among the scholars who criticise the notion of structuration approach: Sewell (1992) argues that the theory of structure has been seen as static and rigid causal determinism in social life, in which human agency has little effect in bringing about change. Furthermore, the notion of structure does not allow space to analyse the change from within, but rather sees it as located outside of structures. Bakewell (2010, p. 9) points out that structuration ignores the 'temporal disjuncture', in that it only consider the actions of actors in their interactions with social structure in the present, but totally disregards the social structure produced prior to their actions. Besides, Bakewell argues, the theory of structuration overstates the voluntarism of the social actor. In this regard, Bakewell's (2010, p. 9) critique is congruent with that put forward by Archer: The 'hyperactive agency' in the duality of structure assumes that actors are at all times actively involved in social activities with choices and room to manoeuvre. However, the opposite can be possibly found in reality, when actors simply have no means to act 'otherwise'. In addition, the 'hyperactivity' approach may have overlooked the fact that many actions are routinised activities which ordinary actors practice in their everyday lives.

Apart from the structuration approach, Bourdieu also avoids articulating the distinction between structure and agency (Bourdieu & Wacquant, 1992). Bourdieu introduces the concept of habitus, which means:

'Systems of durable, transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles which generate and organise practices and representations that can be objectively adapted to their outcomes without presupposing a conscious aiming at ends or an express mastery of the operations necessary in order to attain them. Objectively "regulated" and "regular" without being in any way the product of obedience to rules, they can be collectively orchestrated without being the

product of the organizing action of a conductor.’ (Bourdieu 1990: 53 in (Lizardo, 2009, p. 7).⁴⁶

In other words, habitus is the sum of internalised dispositions inherent within agents. Habitus consists of ‘a set of historical relations “deposited” within individual bodies in the form of mental and corporeal schemata of perception, appreciation, and action’ (Bourdieu & Wacquant, 1992). The habitus is greatly influenced by the past living environment, especially in a migrant’s origin society. For instances, agents’ know how to behave, respond or think appropriately and in accordance to the internal rules under different circumstances. Thereby they could act out of unconsciousness but with practical action in the intersection of field (wider external structure) and ingrained mental-bodily inclinations in habitus. Humans therefore reproduce both the existing practices and structures of society. Elder-Vass (2007) comments that Bourdieu receives criticism from other agency theorists for the attribution of meagre agency against the more influential social structure. However, the other key concept, that of the ‘field’, which means that the actor’s, its (individual) dialectical relationship with the bigger context facilitates insights into explanatory factors that influence actors’ behaviour, apart from actors’ dispositions derived from their life experiences. Elsewhere, Schatzki (2011, pp. 5–6) contends that ‘the past does not determine present activity’, as ‘each present is self-organising by present activity and it implies, a new start’. The emphasis is that human activity as a social practice is a combination of various components, i.e. motivation, people, material, and the like, and it can never be boiled down to a one-kind-fits all explanation. To some extent, the view is supported by Archer’s proposal to look into emergent properties and thus to avoid the over-deterministic tone on structural force (Archer, 1995). In addition, as habitus itself being limited by primary or earlier experiences, Bourdieu acknowledges the ‘segmented or conflictive dispositional sets’ (Wacquant, 2007, p. 267) particularly of those people who are experiencing transnational migration or confronting important social mobility. In the same vein, Rouse (2007, pp. 506–507) warns that culture has been treated as ‘unified and systematic’ which indicates a certain degree of stability, and the same criticism can

⁴⁶ Bourdieu modified the definition of the terminology, and the aforementioned quote is considered by Lizardo (2009:7) as the most recent and ‘most definite’.

be applied to the concept of habitus. The morphogenetic approach introduced by Archer aims to theorise the structuring (and re-structuring) of social systems (Archer, 2010, p. 226). Archer (2010) rejects the structuration approach completely, and condemns it for its central conflation. The social ontology perspective is the fundamental difference between Giddens and Archer: For Giddens, human agency is shaped by the environment and individuals' activities are reproduced the social structure. This principle differs from Archer's social ontology, in which she contends that the environment/structure exists prior to human action. In other words, the structure is independent of human activities, apart from the interaction between society and actor, which comes later. In other words, human actions do not reproduce the structure that constrains or enables them. Archer argues for analytical dualism in structure and agency due to the nature of their specific terms, and suggests that it is necessary to analyse them separately.

As Archer (1995, p. 251, 2010, p. 237) argues, the structuration approach prevents a clear analysis of the properties characterised differently by structure and agency, as well as ignoring the interplay between the two perspectives. Archer contends that 'the theory of "structuration" remains fundamentally non-propositional' because it fails to provide an analysis of the conditions or circumstances under which recurrent social practices or new practices are likely to take place; i.e. more voluntaristic or more deterministic actions (Archer, 2010, p. 229). Furthermore, Giddens leaves the definition of a knowledgeable actor unspecified (Sewell, 1992) and takes actors' differential knowledgeability according to their relative social positions for granted. Archer (1995) in an effort to address these criticisms, acknowledges that actors act with their knowledgeably capacity to produce and reproduce social society by employing the rules and resources in the process. Archer points out that the interplay between the structure and action remains unclear in the explanations of 'chronic recursiveness' and total transformation phenomena. Moreover, the analytical point of change is unidentifiable, as practices are observed within an unbroken web of 'instantiations' in the continuation of time, in which the past and the present are inseparable.

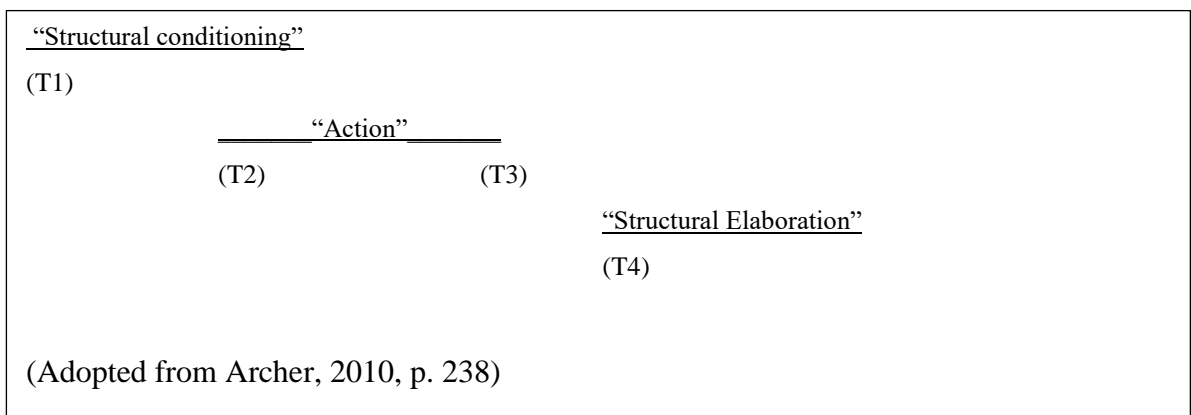
Archer's (2010, p. 250) conception of morphogenesis⁴⁷ refers to 'those processes which tend to elaborate or change a system's given form, structure or state'. In particular, generic or emergent properties are surplus values in Archer's recommended framework to identify the interplay of structure and agency in three stages. In brief, an emergent property is referred to as follows: 'itself being a relational property, (it) has the generating capacity to modify the powers of its constituents in fundamental ways and to exercise causal influences *sui generis*. This is the litmus test which differentiates between emergence on the one hand and aggregation and combination on the other' (Archer, 2010, p. 174 {original emphasis}), which entails the discontinuity between the initial actions and their products. In other words, change takes place in social practices even though it takes time to happen and it is hard to be observed immediately. For though actors are examined in the present moment, the observer must keep in mind that they also bring their agency into the situation, which they inherit from somewhere else. As an example, Archer explains that students do not learn only from their encounters in school, but also from their experiences beyond the school gate; furthermore, for instance, students also cultivate the learning experience by interacting with other students and teacher in the conditioned school environment, i.e. to follow the school curriculum, examination, etc. In fact, Archer's key point is that there is no 'closed' circle in a morphogenetic framework which demonstrates a more dynamic approach, as compared to Bourdieu's habitus module and Giddens' chronocycle. To emphasise, Archer's conception of actors' generative capacity and the agency acquired somewhere else supports some of the central ideas of migration research. In this PhD research, which looks at migrants who come from different countries, it is important to recognise that they are not only constrained by the system they are living in but that they have also brought in the skills, habitus, different kinds of characteristics etc. from other places to a new place. It is therefore readily understood that migrants have different sets of dispositions from those of the local population who spend their whole lives living in Penang.

According to Archer, 'social structure pre-exists the individual' (in Bakewell, 2010, p. 1696), in other words, the structure exists before the 'arrival' of individual persons:

⁴⁷ The morphogenetic approach sufficiently captures the processes that go beyond Giddens' structuration framework to enable scientists to picture the dynamism of change, i.e. structural elaboration.

each individual is born into an already present social context. Thus, an analysis of the temporally emergent properties that affect the present population is a necessary investigation. Archer uses a simple figure (see Figure 1 below) to illustrate the morphogenetic stages. The first phase is that of structural conditioning (T1). Concurring with Giddens, this stage has both a constraining and an enabling power with regard to actors. Notably, to Archer, the structure exists prior to actors' actions, whereas for Giddens, the structure is the product of human action. The structure shapes the actors, and the actors reshape the structure. The second stage is that of Social Interaction (from T2 to T3), this level of interaction signals two important influences on the subsequent circumstance: time, and direction (Archer, 2010, p. 240). Actors come in with their agency, which has various kinds of properties. Actors are partially constrained by the past, cultural, and present structural conditions that they do not define, but these constraints are not deterministic in their effects. Therefore, agents can influence the ongoing and subsequent processes, which can be hastened, delayed, postponed or eliminated dependent on social actors' responses. It results in modifying the ongoing morphogenesis, or else remains as a morphogenesis in the third stage, which is named the Structural Elaboration (T4). Thus, the morphogenetic cycle prompts us to assess the processes with a new lens and to consider the effects which take time to occur. The approach is different from Giddens's 'chronic cycle' of structuration.

Figure 1 The morphogenetic stages



3.1.3 Summary

I have reviewed the debates over S/A approaches, including the critiques of S/A as a dichotomy, the development of the S/A debates which led to the introduction of the structuration approach, which has gained the most attention from scholars as an attempt to bridge the two contradictory perspectives. I have also included an alternative approach – most prominently put forward by Bourdieu – which bridges the relationship without taking sides in the S/A debate for one or the other perspective. Further, I have elaborated some of the criticisms of the structuration approach in general, as well as its applications in migration studies in particular. Following the morphogenetic approach, which seems to offer a clear three-step method of analysis of the interplay between agency and structure, and bearing in mind that neither structuration nor the morphogenetic approach has succeeded entirely in overcoming the S/A dilemma, I am now inclined to explore approaches on the actor side that will yield an insightful analysis to frame the activities and experiences of the ordinary migrant workers with whom my study is concerned. An actor-oriented approach may shed light on migrants' social practices in both the formal workplace and social life. The investigation of human activities opens up the exploration of actors' agency in society, in the context of which the 'activities' are events in which they engage and interact with one another. Therefore, to establish a basis for understanding actors' practices, in the next section I look into the discussion of human activities by prominent theorists who take up the practice perspective.

3.2 Practices

Practice have been conceptualised by thinkers including cultural theorists and philosophers (Postill, 2010). The most prominent philosopher in this regard is Schatzki, who defines practice as a “bundle” of activities [...] an organized nexus of action' (Schatzki, 2002, p. 71,77). In other words, it is an open-ended set of doings and sayings which are organised by practical understanding, rules, teleoaffective structure and general understanding (Schatzki, 2002). In addition, Schatzki (1996) advocates strongly for the development of a concept of practice '... that positions social practices as the central phenomenon in social life' (p.xi) because social practices deserve to be taken as 'an

alternative starting point' given the '...disparagements of totality and individuality' (p.9). In other words, he takes practices as the central unit of analysis for social phenomena, and in this way avoids using the two debatable and binary elements of structure and agency. Thus, looking at practices may provide insights into how things work on the ground. There are two approaches to researching practices, of which the first draws upon discussions of theoretical perspectives on practices, while the second derives an understanding from situated practice in ethnographic studies (Shove, Pantzar, & Watson, 2012). For instance, the research on the trajectories of practice formation and change across time and space, as exemplified by Shove and her colleagues, and Schatzki's (2002) detailed elaboration of practices based upon the secondary literature of herbal practices in a Shaker village⁴⁸ both fall under the first category, in that they discuss the conceptualisation of practices in their studies (Shove et al., 2012); while research on the constitution of knowing in practice is exemplified by the empirical study by Orlikowski (2002) and Suchman, Blomberg, Orr, & Trigg (1999), which falls under the second category. I adopt an ethnographic approach in my research. In the following discussion, I first lay out the prominent conceptualisations of practices and their organisation.

Schatzki differentiates two types of practices: the first category, the dispersed practice, is mostly organised by the criterion of 'understanding' which may be widely dispersed among different sectors of social life (Schatzki, 1996). Examples are the 'practices of describing, explaining, ordering, following rules, explaining, reporting, examining, and imagining' (Schatzki, 1996, p. 91). 'Understanding' here refers to the 'spontaneous performance of actions in the repertoire' (Schatzki, 1996, p. 125). In other words, the dispersed practices are performed 'in the form of bodily repertoires' (Schatzki, 1996, p. 125). As such, '...signifying does not play a role in this practice'. (Schatzki, 1996, p. 125) It is important also to note that dispersed practices are not governed by rules or teleoaffective structures. Schatzki includes the idea of emotion in the organisation of practice, in the form of teleoaffective structure, which refers to 'a range of normativised

⁴⁸ Schatzki illustrates his theoretical concepts relating to herbal practices in his widely cited publication (Schatzki, 2002), based on secondary data and other authors' descriptions of the illustration of the medicinal herb business of a Shaker village in the 1850s.

and hierarchically ordered ends, projects, and tasks, to varying degrees allied with normativised emotions and even moods’ (Schatzki, 2002, p. 80). The second category, the integrative practices, refer to ‘more complex practices found in and constitutive of particular domains in social life’ (Schatzki, 1996, p. 98). Instances are ‘farming practices, celebration practices, religious practices, and banking practices’ (p.99). Schatzki claims that the organisational components of integrative practices are linked in the array of understandings, explicit rules and teleoaffective structures that organise it (p.98-99).

3.2.1 Practices as Performances

Schatzki (1996: 115) states that practice necessarily reflects performance, in referring to doings, which consisting of a nexus of ‘entities, i.e. objects, people and events’. On one hand, ‘practice-as-performance’ is the ‘observable behaviour of individuals’, whilst ‘practice as entity’ sheds light on the performed activities which are composed of and shaped by complex relations of ‘socially shared tastes and meanings, knowledge and skills, materials and infrastructures’ (Spurling, Mcmeekin, Shove, Southerton, & Welch, 2013). Entities can be sustained if the activities are undertaken actively, and thus changes can also be anticipated.

Schatzki⁴⁹ (2002) underlines the importance of practical understanding, which implies ‘certain abilities that pertain to the actions composing a practice... and the skill or *capacity* that underlies activity’ (p.77-79 my emphasis), i.e. those abilities and skills that are part of one’s spontaneous bodily repertoire (p.78). It means that two agents will tend to have the same understanding of a given practice that they engage in within a similar context. In an example given by Everts, Lahr-Kurten & Watson (2011, p. 326) regarding food shopping, practical understanding is the ‘learned and trained skills such as separating fresh from moldy apples, calculating prices...’. Schatzki argues that the practical understanding does not determine the action, and it ‘resembles habitus and practical

⁴⁹ Schatzki distinguishes four components: practical understanding; rules; teleoaffective structures; and general understanding. In the following discussion, I will only briefly talk about the relevant ideas from each component because they relate to what I find of importance that I can derive or expand for my own concept.

consciousness in being a skill or capacity' that exists beneath the action (Schatzki, 2002, p. 79). It is worth noting that Schatzki points out that it is 'practical intelligibility' which governs individual activities. Practical intelligibility means that people do what makes sense to them, or that which is signified for them to do. In Schatzki's saying: '*What* people, at most any moment, are *in the first place* doing is whatever at that moment makes sense to them to do' (p. 74-76, original emphasis). The 'individualist phenomenon' of practical intelligence⁵⁰ does not necessarily reflect individuals' rational choices or correct decisions, as it merely mirrors individual practical ways of making sense that work for them. Practical intelligibility guides individual activities, while practical understanding represents bodily know-how which performs those actions that practical intelligibility singles out.

The second organising component that holds the sayings and doings together in practices is that of explicit rules. These appear in any form of 'explicit instructions, principles, precepts and formulations' that pull people together or push people apart in their doings and sayings (Schatzki, 2002, p.79). This definition clearly departs from Giddens' conception of rules as tacit or implicit formulas or contents. To me, the idea that practical understanding and practical intelligibility lie within ordinary social actors is helpful in establishing an understanding that people have a tendency to be pragmatic in their doings and sayings. Furthermore, I take on the conception of rules, which includes both the explicit and the tacit rules that are influential in actors' practices.

⁵⁰ Gram-hanssen (2010, pp. 47–48) interprets the differences between practical understanding and practical intelligibility with regard to understanding household energy consumption as follows: People have different ideas about how to regulate their indoor temperature based on their practical intelligibility, according to what really make sense for them; for instance, they may choose to either attempt to cool a hot room, or decide to try to keep a high indoor temperature by using heating systems. Practical understanding reflects people's understanding and actions when they open or close the windows and doors in order to regulate the heating and ventilation.

3.2.2 The Role of Emotions

Schatzki also includes the importance of emotion as part of the ‘teleoaffective structure’ (which, as the name suggests, is made up of both teleological and affective aspects). Both ‘religious conviction’ and a ‘sense of community’ (Schatzki, 2002, p. 86) were found to be the influential regimes observed through the lens of teleoaffective structures as exemplified in the Shaker village. At the same time, Schatzki introduces a fourth component, that of general understanding, which in the case of the Shaker village encompasses both religious and communitarian understanding. It can be interpreted as the commonly shared values, beliefs or fates that drive people to behave positively for the sake of the common good, and which make sense to them.⁵¹

How observations of people’s excitement, disappointment, or anger when they engage in various projects and ends are explained can yield insightful information on understanding their emotions and perspectives. Actors ‘intend’ to reach individual goals till the end, whether the goal is driven by normative views or moods, and they are ‘motivated’ in their pursuit of those goals (Everts et al., 2011, p. 328). The sense of oughtness and acceptability is coupled with ways of feeling and experiencing certain activities (p.326), for instance, in food shopping, the pressure one feels to provide others with food, and the pleasure of browsing in order to prepare a tasty dish for one’s family. Practices also ‘vary greatly in both the complexity of their teleological structuring and the depth of their affective ordering’ (Schatzki, 2002, p. 80). For instance, Schatzki considers the teleological aspect to be more important than the affective structure in Western cooking practices, while the affective is relatively highly weighted in the Western child-rearing practices (p.80). Similar to other components, structure affectivity does not determine action. However, Jackson & Everts (2010, p. 2799) comment that even though the teleoaffective structure is included in Schatzki’s organisation of practices, it is ‘more

⁵¹ Nevertheless, the idea of general understanding was first introduced only in Schatzki’s publication in 2002 and it was not appeared in the writing of publications in 1996. Furthermore, the description of general understanding has received criticism over a lack of clear definition and examples, thus leaving researchers much room to make their own assumptions (Venkateswvaralu, 2014, p. 25).

suitable for the analysis of doings and sayings, task and projects, than to the study of emotional life'. Hence, what is the role of emotion in practice theory? Everts et al. (2011, pp.327-328) have pointed to research that examines affective emotion that participants should or may enjoy, as well as negative emotion, such as fears, phobias, and anxiety in humans' encounters with 'nature' (death), things and artefacts, or other people, places and practices. By incorporating this aspect, the idea of the teleoaffective goes beyond affection, as it also encompasses negative feelings, i.e. fear, as resulted from the various practices which shape the intensity of fear, i.e. the 2009 H1N1A pandemic was an event that cause a lot of fear, which was brought about by scientific practices, social practices, and individual practices (p.328). The emotional side of practice theory helps to yield insights on the appropriateness and oughtness attributed to each project and end that people engage in. For instance, material constraints such as lack of money can give rise to the feeling of frustration (p.329).

Shove et al. (2012), who build on Schatzki's initial theorising on practices, amend and extend the organisational framework by Schatzki, consider the following three elements as constituting practice: material (such as things, technologies, tangible physical entities, and the stuff of which objects are made); competences (referring to skill, know-how and techniques); and meanings (including symbolic meaning, ideas and aspirations). They define practices as 'active integrations of elements and that these integrations are inherently dynamic' (Shove et al., 2012, p. 126). In their publication Shove et al. investigate the trajectories of practices-as-entities (like snowboarding, etc.) to understand how practice is 'formed and changes' (2012, p. 21) and enable readers to identify relevant elements for the configuration. Thus, Shove et al. (2012) explore research which looks at the changes in practice which fall under the perspective of practices-as-entity. However, the perspective on framing practice-as-performance, refers to the performing of the doings and sayings, better with my research, as it is a situated ethnographic research. I do not consider practices-as-entities further in this aspect; for instance, to identify changes of entities does not help me to build my framework of analysis.

3.2.3 Practices as Routines versus Intentional Doings

The above section discussed key components in organising a nexus of sayings and doings or activities. I now look at different perspectives of practice theorists on understanding practices within its seemingly contrasting natures, such as temporariness versus permanence, or arbitrariness versus regularity.

Reckwitz introduces the idea of routinised social practices, particularly in the context of bodily-mental practices, as he argues practice is ‘a routinized type of behavior which consists of several interconnected elements: forms of bodily activities, forms of mental activities, “things” and their use, a background knowledge in the form of understanding, know-how, states of emotion and motivational knowledge’. (Reckwitz, 2002, p. 249). The aforementioned statement by Reckwitz is an attempt to capture all dimensions of practices discussed by various theorists conceptualising practice. More importantly, the conception of routine, pattern, habit, and regularity are used interchangeably in texts by scholars to indicate the reproduction of a particular behavior or phenomenon. What make practices routinise? Bourdieu’s well-known conceptualisation of habitus, initially presented in the Outline of his Practice Theory (1972) and further elaborated in *The Logic of Practice* (1990) in conceptualising social practices, offers a perspective from which to understand what underlies ‘patterned’ practices. Basically, Bourdieu looks at the practices of agents, which he views as loci of human action that bridge the dichotomy of objectivism (objective social structure) versus subjectivism (individual subjective experiences). For Bourdieu, practice is the core which links social structure and individual experiences. In other words, it is ‘in and through the production of practice that accomplishes the relating of these two systems of relations’ (Bourdieu, 2013, p. 78).

In *The Logic of Practice*, Bourdieu illustrates the agent’s practical sense, or ‘a feel for the game’ that they can adjust to the field (Bourdieu, 1990, p. 4).⁵² At the same time,

⁵² ‘A field consists of a set of objective, historical relations between positions anchored in certain forms of power (or capital)’ (Bourdieu & Wacquant, 1992). ‘A field is a structured space of positions, a *force field* that imposes its specific determinations upon all those who enter it, and it is an arena of struggle through

habitus, which can be expressed as ‘the result of an organizing action’ or ‘as structure’, is also seen ‘as a way of life’, and in most cases, the adopted definition of habitus is, ‘a disposition, tendency, propensity or inclination’ (Bourdieu & Wacquant, 1992) that agents responding to any circumstances. Importantly, habitus is where agents internalise the external structures; and at the same time, agents’ past experiences greatly influence how agents adjust and react to different circumstances. Thus, ‘practices are the mediated result of social structures, social structures are the mediated result of practices. This dialectical relationship of structures and practices (mediated by the habitus) constitutes the self-organization (or self-reproduction or re-creation) of society’ (Fuchs, 2003, p. 405). It is neither habitus nor the field that determines social action. Rather, ‘it takes the meeting of disposition and position, the correspondence (or disjuncture) between mental structures and social structures, to generate practice’ (Wacquant, 2007, p. 266). Following the understanding on the interplay of external environment and internal habitual state (especially of the body), it is worth remembering that agents are linked through the habitus to the objective structure, and that they internalise it. As a result, often the agents adapt their lines of action to the situation that their habitus inclines them to perceive, so as to generate a kind of pattern, i.e. they obey regularities (Bourdieu & Wacquant, 1992). Even though, the action of ‘obeying regularities’ is performed without conscious intention (Bourdieu & Wacquant, 1992, p.13), Bourdieu further explains the connection between habitus, structure, and practice by highlighting the importance of habitus in mediating the external rules and internal mechanisms, as follows:

‘Through the habitus, the structure which has produced it governs practice, not by the processes of a mechanical determinism, but through the mediation of the orientations and limits it assigns to the habitus’s operations and invention.’ (Bourdieu, 2013, p. 95)

Bourdieu’s reflections on human action were established based on his ethnological work on ritual, kinship, and social change in Algeria. The observation of agents’ internalisation of ‘rules’ in multi-fields is useful to generate a general understanding that

which agents and institutions seeks to preserve or overturn the existing distribution of capital’ (Wacquant, 2007, p. 268)

actors inherit a variety of internal mechanisms which are influenced by cultural aspects of their original environment. The Kabyle gift-exchange tradition captures the vast importance of cultural perspectives in everyday practice and thus in interpreting, understanding, and detecting the symbolic, implicit, tacit or unconscious level of knowledge (Reckwitz, 2002, p. 245). The notion of stability belies the fact that in practice the nature of structures is temporary. To some extent, Reckwitz (2002, p. 259) agrees with Bourdieu in his proposition that agents be viewed as ‘carriers of routines’, as practice constitutes ‘a pattern of routinized (bodily) behavior and a certain way of understanding (oneself and another person)’ (Reckwitz, 2002, p. 254). However, Reckwitz also acknowledges the possibility of the creation of new routines due to significant ‘crises in practice’ taking place, and leading to changes (Reckwitz, 2002, p. 255). Likewise, Schatzki argues that practices comprise ‘regular, occasional, rare, and novel doings/sayings, tasks and projects’ (Schatzki, 2002, p. 74). For instance, the Shakers’ herbal production practices involved the regular performance of doings, as well as infrequent doings and sayings caused by breakdowns and dangers, in addition to the new doings and sayings (Schatzki, 2002, p. 74). Existing practices will be sustained so long as they are repeatedly maintained by practitioners, but will die off otherwise. I agree with Everts et al. (2011) in their framing of practice: ‘Practice itself is an organised nexus of doings and sayings that are neither fully intentional nor fully routinized but consists of both elements to varying degrees’ (p.327). For instance, the practice of cooking involves routinised bodily movement and intentional thought (Reckwitz 2009, 173 in (Everts et al., 2011, p. 325). Activities take place at specific locations or sites. Schatzki makes an interesting point regarding ‘site ontology’⁵³ that is worth taking up here. New practices arise to replace the old activities depending on the site.⁵⁴

⁵³ A site is a type of context, and is ‘where things exist and events happen’ (Schatzki, 2002, p. 63).

⁵⁴ According to Schatzki, while other theorists have joined the social with the material when they talk about practices, Schatzki does not do so; for him, practices are defined only in relation to human activities. This is the reason why he introduces the notion of a ‘site ontology’, because only with such a notion he can provide the context and make the connection to materiality involved in given practices.

Site is an influential factor, as it sheds light on the temporality and arbitrariness of practices in view of the interplay between the non-material and material. As Everts et al. (2011) put it, ‘In effect, there are no stable orders but only temporally and spatially unfolding sites that are made of the mesh of practices and orders. Change and becoming is integral to the site ontology’ (p.326). In other words, ‘changes and becoming’ can be argued as an important characteristic of practice because of the close relations between material and non-material, which are fluid rather than static.

3.2.4 Material and non-material practices

Sustained by the historical case study of the medicinal herb business of a Shaker village in the 1850s, he illustrates the ‘site of the social’ as a mesh of practices and material orders. A range of practices contribute to social life, such as cooking practices, religious practices, chair production practices, etc. Herein lies the basic difference in the conceptualisation of practice between Schatzki and others such as Shove and Reckwitz, who see materiality and activities as being bound up in one entity. Everts et al. (2011, p. 330), referring to Schatzki’s approach to material-arrangement,⁵⁵ shows that he attributes an assertive role to human agency, in the capacity to ‘arrange’ things and to establish nexuses. Nonetheless, practices are the central unit of analysis in these studies, regardless whether the authors see practices as human activities alone, or in combination with materiality.

For Schatzki, human activities take place in the social site, and he argues that practices are not seen as the property of individuals, but rather as the property of the social site. The combination of practices and materials formed the site. Schatzki aims to strike a balance so as to make the performances of doings and sayings as important as bodily movements that joint together when composing the practice; nevertheless, an activity is always bound up with material entities. He calls it the bundles of practices and material arrangements, which refer to the relations between practice and material arrangement: the practices or activities affect, alter or change material arrangements, i.e. people, artifacts,

⁵⁵ *Material arrangement* means linked people, organisms, artifacts, things etc.

things, organisms and so on. In other words, Schatzki explains the social phenomena which can be observed from the practice arrangement *bundles*, a term that refers to relations between arrangements and practices that some material entities and organised human activities link together. Thus, 'In effect ...change and becoming is integral to the site ontology' (Everts et al., 2011, p. 326). In other words, practices are anchored in the nature of non-permanence, fluidity and instability, attributed to the engagement in practice arrangement bundles which are slowly 'becoming' or turning into places associated with different meanings. In short, site ontology is a mesh of practices and social orders because it links practices to material and non-material arrangements which form social reality. According to Schatzki, social orders are interwoven in practices that constrain or enable one another.

Certeau's bridges the conceptualisation of practice and everyday practices in his influential publication of *The Practice of Everyday Life* (1984), who is also a prominent practice theorist; he describes the elements of practice, like other authors such as Schatzki and Shove. Certeau investigates routine practices, of which he conceptualises 'everyday practices' as the 'ways of operating' or 'doing things'; for example, talking, reading, shopping, cooking, walking, dwelling etc. (1984, p. xi). The subject of the research is ordinary people who are the marginal group representing the 'silent majority' or 'non-producers of culture'; this is because this kind of marginality is becoming universal (1984, p. xvii). The 'ways of doing' are tactical in nature: the 'weak', who are constrained in the field, apply 'clever tricks' to gain some advantage over the 'strong', which may be either more powerful people, or imposed orders (Certeau, 1984, p. xix). Certeau also emphasises the concept of spatial practices, in which he establish a link between the city as a place and everyday practices. As he points out, the city is 'a place of transformations and appropriations, the object of various kinds of interference but also a subject that is continually enriched by new attributes, it is simultaneously the machinery and the hero of modernity' (Certeau, 1984, p. 95). The city lies in 'the contradiction between the collective mode of administration and an individual mode of appropriation' (1984, p. 95) and indeed, the 'spatial practices in fact secretly structure the determining conditions of social life [...]' and, therefore, the author continues to elaborate on these 'multiform, resistance, tricky and stubborn procedures that elude discipline without being outside the

field in which it is exercised, and which should lead us to a theory of everyday practices, of lived space, to the disquieting familiarity of the city' (1984, p. 95). In his infamous chapter on Walking in the City, he argues that individuals seize opportunities to tactically appropriate the widely established administration forces. For instance, 'the walker transforms each spatial signifier into something else', which indicates that the act of walking by ordinary walkers challenges the constructed order (Certeau, 1984, p. 98). Importantly, Certeau sheds light on the practices of people in the urban context, in which he relates the practices directly to the place. The concept of spatial practices demonstrates that urban people move within the city actualising some possibilities fixed by the predetermined pathways (where they are supposed to go) and change them, for instance, by creating shortcuts and detours in the city (Certeau, 1984, p. 98). Furthermore, the emphasis on this 'tactical' approach by ordinary walkers highlights their intentional or purposeful actions, which differs from the issues raised in the S/A debates and the concept of habitus with a focus on routine forms of practice that single out certain intentions and purposes. However, Certeau's approach is not politically laden with regard to which actors are actively fighting or passively resisting. Notably, the conception of 'spatial practices' points to the ordinary activities engaged in by every normal person in urban space, and this way of appropriating the city showing the actors extending their actions across distances within the city via various activities. Thus, Certeau's conception sets it apart from Bayat's suggested framework of appropriating the city, since the occupation of the street spaces in Bayat's case study is considered as a form of resistance and a tool for the expression of social inequality. (see section 3.3.1).

3.2.5 Summary

There are studies which focus on discussing practices at the theoretical level, and research that focuses on specific practices, which is rather empirical. For example, Schatzki highlights the four components: practical understandings, rules, a teleoaffective structure, and general understanding, which bring a nexus of doings and sayings together to form a social site; while Shove et al. (2012) look at the changes of entities in specific practices; as well as the understanding and limitation of habitus in practices. Places,

referring to the sites where practices take place, are necessary for the account on social practices. Schatzki, who conceptualises practices as merely human activities, frames places under the concept of material arrangement. Certeau in particular establishes the significance of place in relation to everyday practices through the expression of spatial practices. Reckwitz provides another perspective of practice which emphasises the concept of routines in bodily-mental activities and the patterns of know-how. Practices are characterised within a broad spectrum of similar or contrasting phenomena, such as temporariness, e.g. new practices arising in an emergency; and regularity or patternedness, when a practice is repeated and the entities are sustained over time. Furthermore, the 'change or becoming' which gives rise to the arbitrariness in practice exhibits an interplay and influential relationship between material and non-material concerns. In sum, various elements which compose a practice display an interconnected interrelation of body, mind, knowledge, emotions, and things.

I neither launch an investigation into the elements which hold together the sayings and doings of migrants, nor observe the specific cooking, shopping or walking practices of social actors. However, I do selectively take on some of the concepts of practice as discussed by practice theorists which are useful for the framing of practices in my ethnographic research on migrants' activities in the host society. I consider it important to seek a middle ground, where the practices of actors can be captured on an everyday basis, and which encompasses both the inside and outside of the workplace. In other words, I consider the relevant situated ethnographic studies which investigate the entire 24-hours, 7-days-a-week round of activities carried out by social actors to be closer to guiding my own conceptual framework on migrants' living experiences as ordinary people, in comparison to the earlier section regarding 'practices.' As such, in the next section, I review selected authors who write about actors' routinised activities from the perspective of ethnography. This is to demonstrate the value of everyday practices as a useful concept that can strengthen our understanding of migrants' activities in the host society.

3.3 Everyday Practices

This section discusses three authors who employ an actor-oriented approach in empirical research on everyday practices. Appadurai (2013) focuses on the optimistic outlook and future orientation toward a good life on the part of the poor, as indicated by the ‘capacity to aspire’ in everyday encounters in the context of unfavorable circumstances and uncertainties among urban slum-dwellers in Mumbai. Bayat (1997, 2010), as well as Autesserre (2014), exemplified the conceptualisation and operationalisation of practices in actors’ everyday activities in the workplace and social life. I am particularly interested in highlighting the usage and conception of the notion of ‘everyday’ that is explored and discussed in the three different contexts, because the idea of ‘everyday practices’ promises to shed light on the ordinary activities engaged by ordinary migrants in my research. Appadurai refers to especially the urban poor in Mumbai. The ordinary people in Bayat’s writings are those who are mainly self-employed and working in the informal sector. They are often seen as positioned in the lowest stratum in their society. In contrast, the actors in Autesserre’s research are members of a professional intellectual group who serve as foreign peacebuilders in conflict zones. In other words, they enjoy better and secure salary packages, as well as higher positioning in their host society. The expatriates are also more mobile, as they are not subjected to the controls of a migration regime, as compared to low-skilled foreign migrant labourers, who are forced to accept the accommodation arrangements and salary packages decided by their employers. In most cases, it is not likely that labour migrants will be able to leave their work as freely as the expatriates. On the contrary, the migrants’ contracts can be terminated by employers if they are absent from work for only three consecutive days. The aforementioned contrasting cases regarding people, their skills and (in)formal sectors demonstrate lively accounts of their ‘everyday’ work and social life.

3.3.1 Ordinary Social Actors and their Capacity

Appadurai (2013) advocates the importance of the ‘capacity to aspire’, which indicates the navigational capacity of actors, especially among the poor, living ‘as refugees, as migrants, as minorities, as slum dwellers, and as subsistence farmers’

(Appadurai, 2013, p. 192) whether living in the cities or the countryside, significantly tapping into the ‘future-oriented logic of development’ to seek resources in order to change their adverse situation of poverty for the better (Appadurai, 2013, p. 179). In other words, the ability to make changes despite forceful external structures simplifies the situation, in that here it is clear that the agency in question lies within the actors, who are ordinary human beings in their daily lives. As such, Appadurai confidently calls for the necessity of placing ordinary human beings back at the center of the ‘project of future-building’, instead of overly relying on the work of intellectual groups, i.e. scientists, elites etc. (Appadurai, 2013, p. 267). This insight is derived from the compelling capacity of people ‘to plan and design their own futures’ (Appadurai, 2013, p. 267). Appadurai argues that the ‘production of daily life’ is the result of ‘continuous effort, imagination, deliberation, and persistence’ (Appadurai, 2013, p. 253) in contrast to the previous and yet prominent perspective on society as ‘stable, traditional, unreflective, and unquestioned’ (Appadurai, 2013, p. 254). Appadurai is convinced that this navigational capacity gives rise to the ‘imagining possibilities’ of actors to gradually draw attention and support from the public to generate collective hope. In addition, the navigational capacity is also indicated in these actors’ negotiation power with authorities, whether the state or market forces, to improve their lives and gain respect for striving to live a dignified life.

Bayat investigates and analyses ‘practices of everyday encroachments’ of a mass, though passive, movement of rural migrants to urban areas by gradually occupying unused public spaces, such as street sidewalks, with an aim to assert their right to the city (Bayat, 2010). These ‘informal people’ are the disenfranchised, ‘those labouring people who take on low-income, low-skilled, low-status, and low-security jobs, and who are pushed to live in the marginal locales of slums and squatter settlements’; and the terms ‘urban dispossessed, disenfranchised, and urban poor’ are used interchangeably in Bayat’s writing (Bayat, 2010, p. 284). For Bayat, the concept of ‘everyday’ means ‘activities’ (Bayat, 1997, p. 55) or ‘ordinary practices of everyday life’ (Bayat, 1997, p. 53) that are characterised as being of a ‘mundane, ordinary and daily nature’; ‘these practices represent natural and logical ways in which the disenfranchised survive hardships and improve their lives’ (Bayat, 1997, p. 55). Instances of ‘ordinary daily practices of life’ include ‘working, playing sports, jogging, singing, running for public offices.’(Bayat,

2010, p. 98) Bayat offers a broader approach to framing survival, which ranges from the perspective of merely surviving despite insufficiency, to doing well enough and with a hope to improve their present life. This perspective broadens the way that poor ordinary people or groups are viewed. First, they do not constitute a homogenous group, as poor people do not all share exactly the same circumstances and characteristics; second, the poor who have to survive on a day-to-day basis seeking food are in a considerably different situation as compared to the poor who do not struggle for food but intend to live a better life. Therefore, the priority and aspiration for the betterment of one's situation, whether it is about getting daily meals or keeping more savings, are included in Bayat's terminology of 'survival'.

3.3.2 Habit and Narratives in Everyday Practices

Autesserre (2014) frames the everyday lives of foreign peace builders who work in conflict zones by using three concepts: practices, habit, and narratives. She builds on the definition of practices as 'routine activities (rather than consciously chosen/ intentional actions) notable for their unconscious, automatic, un-thought character' (Swideler, 2001, in Autesserre, 2014, p. 29) that are manifested at individual or organisational levels. She borrows the definition of practices in international relations to outline the four characteristics which compose a practice. The categories overlap somewhat with different ideas and concepts raised and discussed by practice theorists, especially Schatzki, in the earlier section on elements of practice. First, doing as performance; second, the recurrence nature of activities leads to certain patterned practice; third, background knowledge or background dispositions influence the performance of practice; fourth, there is an important linkage between ideas and material. Autesserre explores the concept of practice through the example of the practice of helping a host country to build peace. Briefly, the foreign peacebuilders are sent to the host society. Their tacit understanding further facilitates the incorporation of expatriates into the new environment; for instance, they are in the conflict zones to help out because they have the capacity to do so. Sources of practice, are likely to be observed in the form of a practice which is the product of their 'background dispositions,' (p.31) which 'every social being carries and uses regularly, if

unconsciously,' in everyday life (Pouliot 2008, p 258 and 269 in (Autesserre, 2014, p. 31). She argues that practices are 'sustained by a repertoire of ideational and material communal resources, such as "routines, words, tools, ways of doing things, stories, symbols, and discourse" – including narratives' (Adler 2005, p. 15 and 17 in (Autesserre, 2014, p. 31). In this context, *ideational* means 'enacting moral claims'; for example, 'the host population needs help', in the practice of helping. The material aspects include for instance the logos, and banners used by the peacebuilders. Another fundamental concept of practice is that of 'anchoring practice', as advocated by Ann Swidler, which refers to a 'bundle of interwoven practices' which enables various other practices, but all practices are linked to 'a common reference point'.

Habit is an important component, of which the author emphasises that the characteristic deployed is 'the profoundly unthoughtful and automatic nature of those particular practices' (Autesserre, 2014, p. 32). It draws on a finding relating to which habitual ways of doings and thinking are established unconsciously when expatriates are facilitated to follow the 'security routines' in the host society. However, from the elaborations above, the notion of habit which is entirely 'unthought and automatic' must be scrutinised, because it can be considered as a learned skill in the initial stages, and it only becomes a totally 'automatic' response after a certain period in the field. The notion of 'unthought and automatic' habitual ways of acting also falls short of capturing the processes of changing or becoming. For instance, new habits emerge when there is a 'crisis' occurring in the current ways of living, as argued by Schatzki (2002) and Reckwitz (2002). Nevertheless, with her concept of narratives, meaning 'stories that people create to make sense of their lives and environments', Autesserre (2014, p. 33) links their sayings and doings, as well as the surrounding non-human materials, as she suggests that practices are 'sustained by a repertoire of ideational and material communal resources [...] such as "routines, words, tools, ways of doing things, stories, symbols, and discourse" – including narratives' (Autesserre, 2014, p. 33). For instance, narratives include 'views' or 'an idea', 'which has its active interaction with material concerns in practices' (Autesserre, 2014, pp. 34–35). Narratives aid the analysis of why people behave in certain ways; for example, what ideas that facilitate their practices. In other words, narratives give rise to new practices, or help to sustain practice-as-performance. However, it is useful to distinguish

between the big idea which may be motivated by a narrative at a higher level, such as ‘the population has a lack of expertise in dealing with conflict, and therefore our professional and trained services are needed’, in comparison to Bayat’s reference to ordinary discursive narratives, which represent the ‘moral justification’ of ordinary people that underlie the activities carried out by ordinary men and women on daily basis (Bayat, 1997, p. 70), for instances with sayings and statements such as ‘what else can we do?’, or ‘there is no other way’ (Bayat, 1997, p. 61).

The everyday practices of ordinary people are driven by an ability to aspire, as the ‘capacity to aspire’ can be seen in Bayat’s disenfranchised, who are trying to survive in an urban settlement in which they resist the assertion of control by local government through everyday encroachment, whilst Appadurai showcases how even the marginalised urban poor are endowed with the capacity to aspire to act collectively in order to protest against urban government management, and this capacity is facilitated by institutional support, such as legal training, counselling and the like. As such, these two prominent examples demonstrate that everyone has the ‘capacity to aspire’, either as an active fighter or as a passive victim. In other words, actors’ activities show in their active daily engagements by doing ordinary things, to not merely to survive, but also live a better life. Thus, I relate the ‘capacity to aspire’ to ordinary everyday practices to indicate that aspiring in normal life does not necessarily adopt, for instance, either of the two extreme forms of passive or active resistance. Rather, the ‘capacity to aspire’ is evident in people’s everyday doings and sayings, as it refers to the living of normal life by ordinary people. In fact, the lens of everyday practices enables social scientists to more deeply investigate the performances of ordinary migrants.

3.3.3 Summary

To sum up, I have looked at the ideas of practice, ordinary life, and everyday practices. There are two main strands in terms of the ways practice is understood: on one hand, practice studies stem from a theoretical approach; on the other hand, practice is understood through the lens of ethnographic approaches; for instance, actors’ practices have applied to a wide range of people ranging from marginalised groups to highly skilled

international experts. There are distinctive characteristics attributed to practices, which evoke discussions as to whether practice should be understood as a nexus of doings and sayings in relation to routinised daily action, or rather as intentional, conscious efforts; permanence versus temporality; regularity versus spontaneity; the role of emotion and feeling, as well as the active engagement with materiality, i.e. place, are all debated with regard to the notion of practice.

The analytical framework regarding social practices has proven fruitful, as discussed in earlier section, with prominent authors including Schatzki, Bayat, Appadurai, and Autesserre. For example, Bayat's insights into the everyday encroachment by ordinary disfranchised people who are actively engaged in informal sectors through the daily practices include their occupying unused urban spaces, and appropriating the street for all kinds of entrepreneurship. Bayat used a particular lens in which the actors are situated in a context of informal settlement, and he characterised the subversion of the marginal group, with their 'capacity to aspire', and their intentional hopes to survive (notably, the notion of survival ranges from getting enough daily food to improving their life), to the extent of gradually and quietly encroaching on the city in the end. Bayat's analytical framework is helpful in understanding ordinariness and the everyday practices of actors. However, the particular lenses that Bayat adopted on framing practices, as mentioned earlier, are not entirely suitable to adopt in my study. A similar argument has been put forward by other authors who have adapted particular aspects of others' concepts, or tailored the available analytical lenses to suit the practices they are investigating. My research examines the migration regime by focusing on migrants' everyday lives, and deals with the situation both inside and outside factory and construction sites in Penang. As such, it is necessary to adopt a more inclusive or broader conceptual framework to in order to address the empirical realities sufficiently.

3.4 Conclusion

The concept of practices I employ in my thesis shall now be summarised:

Practices, for this study of labour migrants, are framed as the everyday activities, or the ordinary doings, sayings⁵⁶ and thoughts, of migrants. Practice covers both intentionality and routine depending on the specific actions (teleology), motivations (emotion), and the different levels of consciousness involved, as well as including spontaneous reactions.

Practices demand effort, as Appadurai points out: the importance of ‘continuous effort, imagination, deliberation, and persistence’ (2013, p. 253) which makes up the daily life of ordinary people implies that there are no effortless activities. The perspective on unconscious action is defined by Autesserre, who states, ‘the profoundly unthought and automatic nature of those particular practices’ (2014, p. 32). Schatzki proposes and includes the element of feelings in the component of teleoaffective structure; likewise, Shove et al. (2012) place the essence of feeling, i.e. ‘aspiration’ (Shove et al., 2012, p. 126) under the element of meaning that constitutes practice. These authors hence emphasise that the role of emotion should not be overlooked in any practice. Thus, the notion of routineness and intentionality, and the importance of emotion, are shared characteristics amongst a variety of concepts introduced in the review of social practices (Ch. 3.3).

The concept of practices resonates with the discussion of ordinary or everyday practices as discussed in the situated ethnographic studies, for instance, by Bayat and Autesserre. The emphasis on actors’ daily lives corresponds with the nature of my ethnographic research, which focuses on migrants’ 24/7 engagements in activities in the host society. Moreover, the migrants in my study are arguably more ‘ordinary’ in comparison to Bayat’s ‘ordinary disenfranchised’. For instance, labour migrants in Penang have to confront relatively higher uncertainties concerning their temporary livelihoods in the host society. The uncertainty is reflected in the types of precarious

⁵⁶ In my research, *sayings* only refers to the things that people claim to do; sayings are more at the level of discourse with regard to how people justify and legitimate the things they do (such as for example that they work harder) in Penang. I am not digging into the possible contradictions between sayings and doings, because this is not my research interest. But it is the everyday practices of migrants that allow them to be there, to live a normal life, to be ordinary.

factory and construction work that they are allowed to do, which includes limited protection of workers' rights, in addition to a maximum number of years they are allowed to work – a number that has been changed from time to time – and their status as non-citizens in the receiving society. However, migrants aspire to either gain overseas working experiences, or to send remittances back to improve the living standards of their relatives in their places of origin places. Thus, the migrants could be described as falling into the category of slightly better off aspirant, since the aspiration for betterment indicates they are above the simple 'surviving' line, in reference to the 'survival' conception, as demonstrated in Bayat's work. Migrants' practices make up their social life, as Schatzki (2011, p. 5) has stated: 'social life happens [...] in the mass of happenings- doings, sayings and other activities'. To put it simply, practices signify the practical ways in which migrants structure their daily lives, more often observed in their individual attempts to live a better life in the host society.

Practice is a relevant concept because it can incorporate in each dimension the different empirical activities in everyday work and social lives – for instance the motivation, emotion, everyday doings and narratives – of actors in any society. Furthermore, the strength of the concept of practice lies in the fact that it manages to capture aspects of everyday social life, and it is able to relate the interdependent connection and relationships between people, places, and performances in the society. For instance, De Certeau's conceptualisation of 'spatial practices' sheds light on the strong relationship between ordinary walkers and space and distance in the city.

These practices may be spontaneous or regular; they constitute meaningful actions that may be purposeful, based on actors' conscious and subconscious motivations. Moreover, practices are driven by positive and negative emotions or feelings which underlying actors' actions and narratives in the process of achieving their goals. Conceptualised this way, I derive a concept of practices that is neither too particular nor too broad, and also one that is not excessively theoretical, but which rather contains an openness allowing the exploration of the particular empirical form of activities perform in labourer migrants' everyday work and personal lives in my research.

In sum, the proposed concept of practices is unique as a dynamic and flexible concept that is able to capture all activities by migrants. Thus, it allows me to take a broad view of migrants' practices, as I do not limit the concept to cover only specific daily activities, and the concept is flexible enough to also capture all different kinds of practices by migrants in their 24-hour, 7-days-a-week activities, as well as the meanings they ascribe to their practices. Ideally and practically, the strength of the proposed concept of practice here lies in the fact that it allows the full exploration of migrants' activities and the relationship with material concerns thoroughly, from specific practices to general practices.

As a result, migrants can be seen with a new lens that presents the routinised activities both inside and outside of factory/construction sites as practices in the everyday lives of ordinary actors. Additionally, both external forces and the ordinary practices of labour migrants contribute to making up social life in Penang. Thus, the proposed concept of everyday practices does away with the impression of 'hyperactivity' that some studies suggest, as well as rejecting the tendency to view actors as attempting to escape, due to an over-stressing of the 'deterministic' tone of structural force.

4 HOW MIGRANTS ARE MANAGED BY THE OUTSOURCING AGENCIES

Chapter 4 aims to contextualise migrants' day-to-day exposure to the control regime, or their experiences under the structural conditions that the regulated workers are subjected to and embedded in, which comprises 50-60 percent of their daily time. Giddens and Archer agree that the structural conditioning has both a constraining and an enabling power over actors. The everyday practices of workers within the work dimension shed lights on different kinds of discriminative practices they experience throughout the duration of their working employment in Malaysia. Yet, actors are partially constrained by past cultural and present structural conditions, and these constraints are not deterministic. I argue that there is an interdependent relationship between workers and outsourcing agencies. This is because even migrants are under control, but the outsourcing agency and factory still needs to gain the acknowledgement and consent from the migrants who are being controlled to play their roles as workers. At the same time, migrants need to establish good relationships with the outsourcing agencies who are their direct employers, the same is also true for outsourcing agencies who also need to establish good relationships with migrants to ensure they work efficiently.

The principal argument underlying the four empirical chapters is that despite the exploitative regime, workers do live normal lives outside the formal work, which local population also engage, for instances, workers engage in normal activities and relationships as joy, fun and satisfaction. The larger idea of the study is that all migrants are ordinary, from those in the situation described in Chapter 5, which focuses on how regulated workers spend their free time; to the undocumented worker, as elaborated in the Chapter 6, which demonstrates the work and social life of the successful businesswoman and her social relationships; and to the construction worker in Chapter 7, who displays a strong connection to faith. All activities in workers' everyday lives, regardless of their legal status or differentiation in terms of economic sectors, indicate the normality of their everyday practices, which also make their lives normal and ordinary in the host society. By actively engage in activities and relationships, they develop the attitude to make the

best out of their present circumstances, which reflects neither fighting nor resisting, but that they are all living normal lives as the local population in Penang, such as earning monthly salary, sending remittances to support family, and to have a happy life, as they are also living their lives as ordinary as they are in their origin countries.

In Chapter 4, the respondents are documented factory workers, those who come into Malaysia in a more systematic and organised way. The 6P workers are among them, though. In order to contrast the highly regulated factory workers' lives, I add a description on the management of workers on construction sites, in which they are undistinguishable from regular and irregular workers due to the different natures of employment settings.

In this Chapter, I begin by investigating aspiring migrants' perspectives on seeking overseas working opportunities, and their encounters in the initial stages in their countries of origin (Section 4.1). After that, I explore the organisation of outsourcing system which is embedded in a larger context to illustrate the mutually dependent recruitment practices between the origin country and the host society. The complexity and interconnectedness of foreign worker recruitment procedures between the outsourcing agencies and the Malaysian government, the local manpower agencies, and the factories are explained (Section 4.2). Migrants' interactions with the outsourcing agency begins upon their arrival in Penang. I look into how workers are being administered by outsourcing agencies in the host society, with a focus on the day-to-day facilities provided for workers and the production process in the workplace (Section 4.3). Finally, I conclude that factory workers are highly regulated labourers and they are more strictly subjected to regulations of the labour migration regime than the construction workers. However, there is also interdependency between workers and outsourcing agencies due to the overall structural conditions (Section 4.4).

4.1 The Recruitment Process

In general, the factory workers who come from different neighbouring countries go through similar recruitment processes in their origin countries. In particular, they approach or are approached by the local manpower recruitment agencies in their villages. From the

perspective of migrants who follow the aspirational pursuit to work overseas, their experiences before departure to Penang are explored (Section 4.2.1) and while they are taking part in the structural loan offer to enable their mobility to overseas are discussed (Section 4.2.2).

4.1.1 Migrants seek employments abroad in local manpower recruitment agencies

[...] the cost of living in Indonesia is much cheaper than in Malaysia, the water is free of charge [...] but the difference is, Indonesia doesn't have many factories, so we don't find jobs easily. (Rosidah, female, Indonesian, 39 years old, 13.9.2012 personal interview)

I want to earn experience and money from working abroad because I hope to pay for the study fees when I further my study. (Mitra, female, Indonesian, 19 years old, 10.8.2012 personal interview)

I have never worked abroad before and I want to experience the opportunity to earn income from working overseas. I could not imagine that I still have the opportunity to work here at this [my] age. (Yongyang, female, Vietnamese 38 years old, 17.11.2012)

My friend told me the salary for working abroad is higher than that for a local job. Therefore I want to work overseas. (Tunh, male, Vietnamese, 20 years old, 16.11.2012).

The narratives above highlight the variety of wishful migrants of different ages seeking to secure a job overseas. They are consciously driven by a goal to better their lives by earning higher salaries or gaining experience by working abroad. As pointed out by Everts et al. (2011, p. 238), actors are highly motivated by their intended goals, which continuously drive their emotions toward their achieving these personal goals. Some of

the migrants approach the local manpower recruitment agencies for information on overseas jobs and information; some of them are also approached by their relatives, friends, or agents in the villages. Local manpower recruitment agencies in the country of origin provide the majority of the services needed by prospective workers, such as finding available employment abroad, and submission of appropriate documents (International Organisation for Migration, 2010, p. xi).

In particular, the prospective labour migrants are attracted to the opportunity to work abroad when the local officers of the manpower recruitment agencies come to their villages offering the opportunity to work in Malaysia. In Medan, Indonesia, some young female labour migrants in their early 20s even attended the yearly presentation made by the agencies in their secondary school to promote work opportunities as factory workers. The prospects of working abroad, received either by word of mouth from other villagers or via the information distributed by the agents promoting factory work in Malaysia, seem to be quite promising. Hence, these prospective workers visited their nearest local manpower recruitment agencies in the village. Subsequently, they took up the immediate vacancies, as encouraged by the agencies. Basic facts about the monthly basic salary, Overtime (OT), and other related allowances are explained verbally to them by agents. Many of the workers stressed that the estimate of total monthly salary, as elucidated by the officer, and their expectations of earning higher income overseas were well matched. However, they were not given sufficient information about the specific location of the work place. They were asked to submit related documents once they had agreed to accept the job offer in Malaysia. The rules for workers are different according to their country of origin. For instance, Indonesian workers were asked to submit a copy of their identity card, birth certificate, a letter stating that they have no criminal record, (issued by the local authority), secondary school certificate, and a consent letter signed by their parents; whereas submission of a passport copy is sufficient for workers from Myanmar, Vietnam, Nepal and Bangladesh. In addition, they are required to undergo a medical check-up and the report is attached with all documents, as mentioned above. They are usually called by the agencies within two to three months to prepare for their departure. Flight tickets are organised by agents, as they usually departing in groups of a few factory candidates.

I use a case to illustrate the general experiences of workers with regard to the typical recruitment process where contracts are only issued at airports, and job applications only follow once they arrive in Penang, as follows: The officer from the local manpower recruitment agency made them sign contracts while preparing the workers to leave at the airport. There is little time to read the contract because workers are ready to depart. In the contract, items in relation to monthly basic salary, serious disciplinary concerns (e.g. pregnancy; the fact that they are only allowed to work in the manufacturing sector), allowance, bonus, and overtime (OT) are mentioned. Migrants explain that signing the contract is essential as otherwise the agents refuse to process their job application. In addition, for workers who take out loans, there is also an agreement that workers' salaries will be deducted when they start to work in the factory for the purpose of repaying these loans. For further details, see the contract issued by the local manpower agencies, which is written in Vietnamese (Annex 4).

4.1.2 Structural loan indebtedness

Prospective migrants need to have the capital means to leave. Kassim (2001) reported that employers paid the recruiting agencies a recruiting cost of approximately RM 3,500- RM 6,500⁵⁷ (€ 819- 1,522), depending on the country of origin (p.119). Employers make upfront payments for visa, security deposit, processing fee, visa passes for temporary employment (VP(TE)), and levy, for which the rates are adjusted and increased from time to time, to discourage employers from recruiting foreign workers. Therefore, under the mechanism of the labour migration regime, workers are required to make payments in cash to the recruitment agencies in order to achieve the goal of securing

⁵⁷ For the following purposes: annual employment levy, fees for work permit and visa, and the processing fees for Immigration department; worker's passage from the country of origin to Malaysia; worker's medical examination, service fee and other expenses borne by the recruiting agencies. Terminated workers will be covered by employers for the passage home. However, as derived from empirical data from my fieldwork in 2012, it is explicitly stated in the employment contract of workers with outsourcing agencies that the transportation fees to Malaysia is borne by the worker herself upon completion of a 3-year contract, provided by the employers.

employment in Malaysia. The prerequisite advance payment can also be seen as the ‘seed’ money that prevents those who do not have sufficient money to pay it from migrating. Thus, prospective workers have collected or borrowed money from their parents, friends, relatives, and/or the local banks in their origin countries in order to fulfil the requirement of conditional fees in the initial migration process. In the same vein, Yuji's (2011) research on Nepalese overseas workers further confirms that the Nepalese migrant respondents in Penang had incurred large personal debts. Otherwise, the Malaysian outsourcing agencies who act as their direct employers offer advance credit support for prospective workers. Thu Huong (2010) points out that the Vietnamese workers’ status deteriorated from ‘involuntary’ indebtedness to completely losing their autonomy with regard to their lives and formal workplace rights in the receiving society because they signed contracts with unfavorable terms and conditions (p.880).

The upfront fee or loan has direct implication on workers’ monthly salaries in the factory. Data from my fieldwork underpin the loan aspect. Table 4 (below) depicts the rates of recruitment fees and different approaches employed by workers to solve the issues relating to these fees. In the case of Indonesian, Burmese, and Vietnamese women workers, the loans are usually offered to them, so they do not pay recruitment fees in the initial stage – although some interviewees reported that they were asked to pay deposits in cash. For instance, interviewees from Myanmar reported that they paid deposits of RM 800 to RM 1,500 to the local manpower agency in Myanmar for their flight tickets. Vietnamese interviewees also claimed that they paid RM 500 to the Vietnamese manpower agency as a deposit, and that the local manpower agency has not returned the deposit yet. An exceptional case is that of the Filipino workers; they received their deposits back from the outsourcing company upon their safe arrival in Penang.

Nevertheless, the repayment starts with deductions from the first salary pay packet. The rates of loans vary generally and greatly across countries. As shown in the same Table 4 (below), in most cases, prospective female workers are most likely to receive loans from their employers, as compared to prospective male workers. For instance, almost all female workers from Indonesia, Myanmar and Vietnam have access to loans. This suggests that female workers are perceived to be more obedient and dedicated to their work, as

compared to male workers. From the employers' perspective, female workers are comparatively easier to control, as they follow rules. Thus, the loan repayments from female workers are more guaranteed because of their industrious labour. Few cases exist where prospective female workers made credit payments to avoid the monthly salary deduction afterwards. Prospective male workers, especially for the Bangladeshi and Burmese male workers, stated that they had made full cash payments to their respective loan creditors, i.e. parents, friends, relative, banks, or from selling their property at home, or using their savings, in order to work in Malaysia. For instance, Nepalese and Vietnamese men have to borrow money from local banks to work in Malaysia. Thus, they are not involved in the repayment scheme once they start to work in the host country, but they have to return the loan to their respective loan creditors at home. For instance, a Vietnamese male worker, aged 19, was instructed by the local manpower agencies to borrow money from the local bank. The agency serves as the back-up plan if he failed to secure the application for bank's loan. This corresponding with the suggestion above that the agency is less in favour of granting loans to male workers, yet, at the same time they are in need of male labour. Therefore, the agencies strategise, offering themselves as a back-up plan for lending money.

Table 4 Types of Advance Payment for Factory Workers⁵⁸

Country	Borrowing from outsourcing agencies	Paying full cash	Borrowing from Bank
Indonesia	(female workers) RM 2,100; RM 2400; RM 2500	RM 3,900	
Vietnam	(female workers) RM 4,200; RM 4,300; RM 4,800		(Male workers) Dong 23 Million (Dong 3 Million for deposit) Euro 805
Myanmar	RM 2,600; RM 2,800; RM 3,000; RM 3,600	le) RM 3,000 (from parents):	
Bangladesh		RM 6436/ 150,000 Taka; RM 7700/ 160,000 Taka; RM11,157/ 260,000 Taka; RM 10,727/ 250,000 Taka	
Nepal			1Million 25 thousand/ 1.25 Lakh/ RM 9786; 1.15 Lakh/ RM 9003; 1.20 Lakh/ RM 9394
Philippines	No charge of fees involved.		

(Source: Personal field notes, May 2012- April 2013)

The recruitment fees vary accordingly to the nationality. For instance, Indonesian workers pay the lowest recruitment fees, between RM 2,100 to RM 2,500 if they come from Medan. Workers from Medan take approximately 45 minute- by air to reach Penang. In another rather exceptional case a worker from Palembang paid RM 3,900 because the

⁵⁸ Please refer to footnote number 29 on the RM- Euro currency exchange rate.

distance is greater: she had to take a flight from Palembang to Medan and then another flight from Medan to Penang. Workers from Myanmar have to pay between RM 2,600 to RM 3,600. Vietnamese workers pay fees between RM 4,200 and RM 4,800. The Bangladeshi workers who came prior to the signing of the Memorandum of Agreement (MOU) between the Bangladeshi and Malaysian government in 2012 were asked by local agents to pay from RM 7,700 to RM 11,000. Further, in 2007, an incident in which 2,000 Bangladeshi workers were left unattended in the Kuala Lumpur airport when they arrived caught the public's attention. The signing of MOU reduced the migration cost to RM 1,440, which includes pre-departure training, one-way flight ticket, and other related expenditures.⁵⁹ The Nepalese workers pay the highest recruitment fees, between RM 9,003 and RM 9,786 which they commonly borrow from the bank.

Prospective workers often sign the agreement for loan repayment as instructed by the local manpower recruitment agencies. However, they are not entirely clear with regard to 'packages' covered by the loan, as the following statements illustrate,

[...] I am not sure, the agent in Medan and Penang said it is for items such as visa, passport, flight tickets, rental, water and electricity for the first two years etc. [...] But we really have a lot of doubts about this verbal explanation because we have not seen it written on paper.' (2.12.2012, Personal field notes)

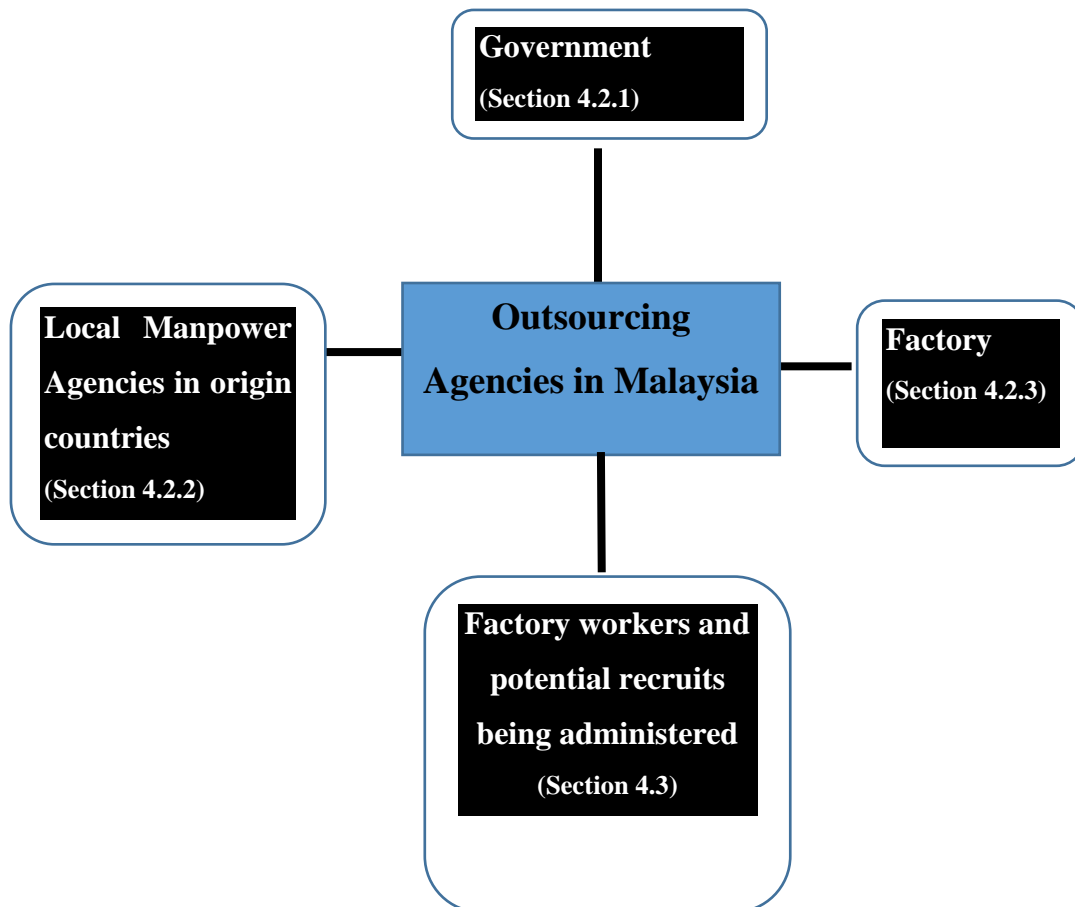
Nevertheless, prospective workers are facilitated by the local manpower recruitment agencies to pursue their aspiration for a better life. Locally interested agencies offer competitive services for the outsourcing agencies located in Malaysia. Thus, migrants and agencies are in fact embedded in a larger context. The following section (Section 4.3) discusses the wider migration regime and explains the mechanisms behind the recruitment process. I pinpoint the interdependent relationships between the outsourcing agencies, who act similarly to the mediators, with the government, factory, local manpower recruitment agencies, and factory workers.

⁵⁹ The Malaysian Insider. (2012). 'Bangladeshi Workers to Start Arriving in February', December 3 2012, Retrieved January 11 2013, from <http://www.themalaysianinsider.com/malaysia/article/bangladeshi-workers-to-start-arriving-in-february>

4.2 Contextualising the embeddedness of Outsourcing Machinery in a Larger Context

The outsourcing system is established based on an interdependent and crosscutting relationship with different parties, as displayed in Figure 2. Different sections were allocated to discuss the various dimensions: the structural settings and conditions in which the outsourcing agencies are embedded, including the Malaysian government (section 4.2.1), the local manpower agencies (section 4.2.2), and the factory (section 4.2.3). The day-to-day management of factory workers by outsourcing agencies reveals the interdependent relationship between workers and outsourcing agencies (section 4.3); all these points are then brought together in the conclusion (section 4.5).

Figure 2 The Mediating Roles of Outsourcing Agencies in Malaysia



(Source: Own compilation based on Field Research 2012)

4.2.1 Outsourcing Agencies and the Malaysian Government

Chapter 2 elaborated on the creation and development of outsourcing agencies, as well as the criticisms surrounding the exploitative practices faced by workers who worked under unscrupulous outsourcing agencies. Outsourcing firms have a binding contract with the Ministry of Home Affairs (MOHA). Between 2006 and 2010, the total number of outsourcing companies which were authorised to provide and manage foreign workers by MOHA increased steadily from 212 to 277.⁶⁰ Most of the listed outsourcing agencies are subsidiaries. Hence, the scenario of changing rules and regulations, instigated by the government, which has implications for the development of outsourcing agencies, will be discussed. The following analysis is based on four interviews⁶¹ I conducted with outsourcing agencies which are all subsidiaries controlled by a holding or parent company.

Initially, as of 2007, foreign workers were employed under outsourcing agencies. Outsourcing agencies were required to comply with the quota which regulates numbers of foreign workers and the length of their stays, as permitted by the government. One outsourcing agency managed, for example, around 4,000 workers; it depends on the capacity of each outsourcing agencies, but most of them are responsible for more than 1,000 foreign workers. This includes the requirement to facilitate migrant labourers' short term integration into the new environment for work purposes. Workers are distributed to various factories which have contracts with the respective outsourcing agencies to supply and manage workers (see Figure 3 below). Thus, foreign workers from several outsourcing agencies usually work in the same factory. However, their salary package is decided by the respective outsourcing agency that acts as the direct employer.⁶² Under the

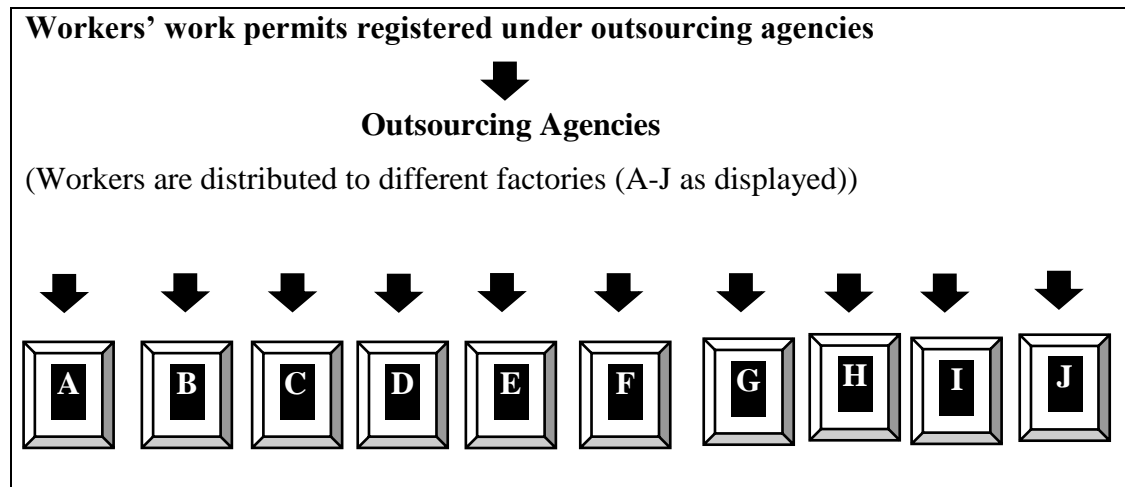
⁶⁰ Kwek, I. (2010). Nation in a dilemma: fitting migrant workers into a plural Malaysia, Penang Economy Monthly, June 10, Retrieved December 24 2011, from http://www.penangeconomicmonthly.com/v2_bk/selected/june10/PEM_MAG_JUNE_FA_cover_story.pdf

⁶¹ The interviews were sufficient for exploring and understanding the management and responsibilities of outsourcing agencies, and the representativeness is less important because the outsourcing system works in a similar way.

⁶² With regard to the legality of outsourcing agencies, Hector contended that the outsourcing concept gave the incorrect impression that the employers [e.g. factories] are no longer responsible for their workers, and

outsourcing system, workers can be transferred from one factory to another within the contract period of three years. The workers' maximum work permit renewal period is up to 10 years.

Figure 3 Workers' Permits⁶³ Registered Under Outsourcing Agencies (2005- 2012)



(Source: Own compilation based on Field Research 2012)

For the factories, the outsourcing system offers flexibility in the handling of workers. As the supervisor of one of the outsourcing agencies with 300- 400 factory workers in Penang, Mr. Mohamad, explains,

[...] for instance, we receive demand from 10 factories to supply and manage 210 workers for them, but when the prospective workers arrive, some factories decide to reduce the intake of foreign workers. For example, factory A takes 50 workers; factory B wants 70 workers instead of 100 workers; factory C takes 60 workers and so on. We can still give the 'difference' of 30 workers to new factories. We can utilise the number of workers at hand. This is not possible when the workers' working permits are tied to the factory. They simply cannot be transferred to other factories. (08.10.12 personal interview)

it is even worse for workers as these employers [e.g. factories] are free from all duties and obligations as underlined by the law and the full rights of workers (Hector, 2011, p. 24).

⁶³ The Immigration Department issues Visit Passes for Temporary Employment (VPTE) which are work permits for workers' entry, residence, and employment.

This more flexible use of labour can be seen as response to the former migration policy which deterred workers from transfer to other sectors facing labour shortages (World Bank, 2013, p. 113). When workers can be transferred to other sectors, the employers do not necessarily apply for the new intake of foreign workers. The system of labour outsourcing agencies also benefits the workers: in the past, prospective workers received faulty information from unlicensed labour recruiters and agents, which were found to have taken excessive migration fees (Kanapathy, 2006, p. 8). In the current outsourcing system, agencies receive a mandate from the government to systematically organise the migration processes of workers. According to an interim report, the outsourcing agencies pursue a two-pronged objective: ‘to overcome the problems of workers’ shortage and to help small companies which do not have the resources to manage foreign workers. It will also help companies which need large workforce from time to time especially to fulfil additional increase in contractual obligations, for peak seasonal collection of harvest and so on’.⁶⁴ Employers who recruit less than 50 migrant workers are obliged to hire the foreign workers through the outsourcing agencies (Fair Labor Association and Bar Council Malaysia, 2009). However, as Hector argues, the intention of the government was not ‘to make these outsourcing agents employers but mere suppliers of workers’ (Hector, 2011, p. 24). As suppliers, outsourcing agencies manage the workers’ welfare for the factories, but workers maintain their direct employment relationships with the factories.

Therefore, the government failed to record the total numbers of foreign workers in each factory through the outsourcing system. Mr. Mohamad acknowledges this shortcoming:

[...] the government did not have the exact number of local workers compared to foreign workers in all factories [...] because we [outsourcing agencies] did not

⁶⁴ The statement can be found in the Report of Foreign Worker Recruitment in Malaysia, held on 5 April 2007. ILO (2011), Meeting document on Amendment Proposal and Justification by MTUC IR Committee’s proposals & justifications, March 16-18, Retrieved June 12 2014, from http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/meetingdocument/wcms_154304.pdf

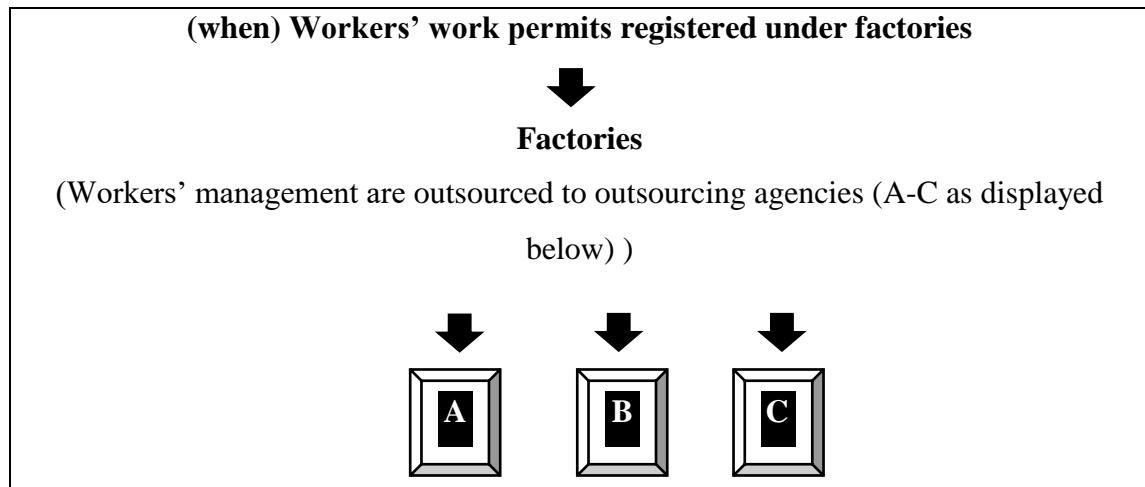
need to give this justification [ratio of foreign versus local workers] when we applied for the intake of foreign workers.⁶⁵ Further, we transfer workers from factory A to factory B, but the government remains unaware about the movement of workers. (08.10.12 personal interview)

Similarly to Hector's argument as mentioned above, the practice of outsourcing agencies was criticised by NGOs; for example, Tenaganita, an NGO which actively addresses, protects and promotes the rights of women, migrants and refugees in Malaysia, because it shifts the direct responsibility of the employers [factories] onto the recruited migrant workers. Since migrant workers rely on outsourcing for contract-bound work permits, a large numbers of these low-status 'unskilled' workers have endured highly exploitative or abusive treatment (Amnesty International, 2010; Kaur, 2007; SOMO, 2013). Furthermore, Tenaganita claimed that it received 2,460 cases, for issues such as non-payment for job done, passports being withheld by outsourcing companies, workers being locked in their dormitories, unexplained wage deductions, and so on, of contract workers being abused under the outsourcing system over the past years 2008 – 2011 (Tenaganita Women's Force, 2011b). The government stopped issuing new licenses for labour-outsourcing agencies in 2009 (Devadason & Chan, 2014, p. 26). At the time of my fieldwork, from 2012 onwards, the workers were only allowed to be registered to factories. In response to the pressure and complaints of workers' rights abuses, the outsourcing system was terminated at the end of 2013 by the government. However, the existing workers remain the responsibility of the outsourcing agency until their work permits expire. At the time of writing, companies and farms are required to hire foreign workers directly from their countries of origin.

⁶⁵ The quota of applications for foreign workers can be totalling up to few thousands by outsourcing agencies. As an example derived from my fieldwork, usually, they supply up to 100 (minimum) or over 500 workers, based on the costing calculation if they would like to take up the demand from a factory for less than 100 workers (23. 07.2012 Personal Interview). The quota system which was introduced in 2009 controls the ratio between foreign workers and local workers in factories.

Nevertheless, the factories which directly hire workers can opt to outsource the management of foreign workers to outsourcing agencies in relation to hostel arrangements, transportation services, payroll, and other related administrative matters (see Figure 4).

Figure 4 Workers' Permits Registered Under Factories



(Source: Own compilation based on Field Research 2012)

The government is able to keep track of the numbers of foreign workers recruited through direct hiring by factory. The quota system, which based on the ratio of local workers to foreigners, was introduced in 2009. For instance, in the manufacturing sector dealing in exports the eligibility ratio is one local to three foreign workers; in non-export companies it is one local to one foreign worker, and for companies in the electrical and electronic sectors irrespective of whether they are exporting or non-exporting, it is one local to two foreigners (Kaur, 2015, p. 219). As such, the changes of registered employer of workers, formerly outsourcing agencies and currently factories, do not translate into practical changes on the ground, because factories are still allowed to outsource the supply and management of foreign workers to outsourcing agencies. As an interviewee of an outsourcing agency opines,

[...] maybe in the first year, the factory can manage a few hundred workers by their own. But the following years, they do not have the capacity to manage more than thousands of workers. Thus, I believe they [factories] will slowly pass on the management of foreign workers to us [...] (08.10.12 personal interview)

The structure and management of outsourcing can be gleaned from the accounts of an outsourcing officer interviewed about his own company (23 July 2012).

Outsourcing agencies have operated as subsidiary companies in Penang since 2009. The establishment of subsidiary companies is helpful for getting the outsourcing license. They have 120 staff and 3,000 foreign workers from Indonesia, Vietnam, Myanmar, Nepal, Cambodia, and The Philippines. They are interested in handling new workers, and less in favor of recruiting 6P workers because 6P workers are familiar with many places in Penang to which they can easily abscond and thus they are not easy to handle. The support team for tasks such as administration and staff payroll, as well as human resource management, are based in the same office. The Operations team is headed by the Operation Manager, who gives instructions to all supervisors; each supervisor is a front-line operative, who needs to be on standby 24 hours a day to deal with all workers' issues, as well as the transportation team and hostel team. The Operations team has 20 supervisors and interpreters who live in the factory workers' hotspots, such as Relau, Paya Terubong and Seberang Prai. The transportation team, and particularly the supervisor, are responsible for dealing with workers' issues on a daily basis. Workers' passport are deposited in the office. According to an interview with an outsourcing officer, the outsourcing agency lends between RM 2,000 and RM 3,000 (Euro 468- 702) to each Indonesian woman worker which their monthly salary will be deducted later for the repayment of loan. The loan is an advance payment for paying for visa, flight, and all related procedures. In addition, the outsourcing officer claimed that the total cost which is invested as the 'seed' money for preparing each worker to come and work in Malaysia is about RM 4,000 (Euro 936).

4.2.2 Outsourcing Agencies and the Local Manpower Agencies

The local manpower recruitment agencies are important counterparts of the outsourcing agencies. Outsourcing agencies have established connections with some existing local private recruitment agencies which are built over time with those who can offer the most competitive rates, i.e. the cheapest rate for the recruitment of workers. For instances, some local manpower recruitment agencies collect RM 4,000 (€ 937) per head/worker, while others collect RM 2,500 (€ 585); the outsourcing agency is most likely decide on the one which offers the lower rate per head. The main responsibilities of local

manpower agencies include finding prospective workers/ candidates, sending the biodata of workers, and managing all related procedures, such as assisting workers with medical check-ups, passport applications, and the signing of their first contracts, as well as to organising workers' flight tickets to Malaysia. Recruitment of a new worker requires an advance payment from the outsourcing agencies. For example, Mr Tian explains that a total advance fee collection of RM 5,000 (€ 1,170) is received by the local recruitment agency on the basis of recruitment for each Indonesian worker.

However, explicit rules are observed between the outsourcing agencies and local recruitment agencies: if a worker runs away during the first three months after arriving in Malaysia, the local labour recruitment agency has to return RM 2,500 (€ 585), which is half the portion of the upfront fee to the Malaysian outsourcing agency. The outsourcing agencies need to lodge a police report. By lodging the police report, there is no punishment from the government for the cases of workers running away. However, the outsourcing agencies cannot replace or apply for a new worker if a worker runs away. In other scenarios, if a worker fails to pass the Fomema⁶⁶ medical examination, the local private recruitment agency finds a new replacement for the outsourcing agency within a period of three months.

The reputation of the local recruitment agencies is a concern for outsourcing agencies when considering whether to continue or discontinue a partnership with particular local manpower recruitment agencies. The companies⁶⁷ would possibly discard those workers whom they perceived as 'old and unfit' when they interview the workers. Outsourcing agencies experienced a few incidents in which workers were 'filtered out' or refused employment by companies. As a result, the outsourcing agencies have to search and rearrange employment opportunities for workers in another factory which is less strict

⁶⁶ The medical examination ensure workers are free from all types of diseases: HIV/AIDS, tuberculosis, leprosy, Hepatitis B, psychiatric illness, epilepsy, cancer, sexually-transmitted diseases, malaria, hypertension, heart diseases, bronchial asthma, diabetes mellitus, peptic ulcer, and kidney diseases. Urine is tested to detect the presence of cannabis or opiates and women are tested for pregnancy (FOMEMA, 2014). For further information, see http://www.fomema.com.my/med_screen.html

⁶⁷ Factory in the manufacturing sector.

regarding its requirements for workers. For this reason, outsourcing agencies blacklist 'unreliable' local recruitment partners that sending unqualified workers. For instance, a female Vietnamese respondent in her 40s reflected on her first interview experience in a factory. Only 5 out of 12 persons in her group were accepted to work in a Penang factory as result of a test. She said,

All 12 of us were taken by agent to a factory for interview. Later, we were asked to sit for an English test and simple mathematics in the factory. Five of us passed the test and the other seven were crying because they were not employed by the factory. They were very worried because they did not know whether they would get a job in the next interview in another factory. We lost touch because they were taken to another state. (21.12.12 personal interview)

Therefore, outsourcing agencies conduct more visits to local manpower recruitment agencies in the countries of origin on purpose, in order to attend the interview and selection sessions for prospective workers. Complaining about the poor quality of workers because of widespread illiteracy among them, these visits to outsourcing agencies ought to help to check-up that non-qualified workers sent by the local partners, because outsourcing agencies can hardly do anything once the workers arrive in the country.

4.2.3 Labour Outsourcing Agencies and the Factory

The business relationship between outsourcing agencies and factory cuts off the direct relationship between workers and the factory by managing workers. Outsourcing services have become a profitable business. Outsourcing agencies promoted themselves as an efficient counterpart which offers professional human-resources management in handling foreign workers for companies, over and above the benefits related to the core concern of cost-saving for companies. Outsourcing in this context refers to a licensed outsourcing company that signs a binding contract with another company to provide services that might otherwise be performed by in-house employees.

In a business partnership, the interested companies pay a lump sum to outsourcing agencies who will work out all the administrative issues and day-to-day management of workers. Factories discuss and provide all details with regard to required criteria for

workers with outsourcing agencies, such as workers' educational qualifications, work experience, wages, age, nationality, sex, skills (i.e. operators or technicians), and number of workers to be employed. Subsequently, outsourcing agencies provide foreign workers based on said criteria. They manage factory workers' transportation, accommodation, and welfare for factories.

The services offered by outsourcing agencies free the Companies of all responsibility for managing foreign workers. Responsibilities such as payroll management, transportation and accommodation arrangements for workers have become the assignments of outsourcing agencies. The cost implications regarding workers potentially absconding is a major concern for every factory. On the one hand, the runaway crisis leads to delays in production due to having insufficient numbers of workers on the production lines. On the other hand, absconding workers also mean immediate losses in profit because the factory is required to make upfront payments to recruit more foreign workers. Outsourcing agencies however absorb all related responsibilities which would otherwise be managed by in-house employees. However, what remains as the prime concern of Companies is that the outsourcing agencies are responsible for ensuring that workers work in the factory diligently, as was described by an outsourcing supervisor:

Actually they [the factory management] are fed up because there are many runaway cases every month. This has a major impact on the factories' shipment schedules, and they [the factory] spend a lot of money on bringing in workers. It is a risky business for them. If they [factory] get workers from us [outsourcing agency], we agree upon the charges for the services; usually they [factory] have no problem with these charges. But we [outsourcing agencies] must crack our heads to ensure workers go to work. (14.12.12, personal interview)⁶⁸

⁶⁸ I waited for an hour in the outsourcing office in order to interview the human resources officer of the outsourcing agency. While waiting, I observed how a man [I guess one of the supervisors] walked in and spoke loudly to his colleagues, saying '*Hari ini, lapan tak pergi kerja. I pi cari semua tempat*' ['There are eight workers absent today, and I searched everywhere in order to find them']. Then, he talked on the phone in the corridor concerning the passing away of a Nepalese male worker in his sleep. The man's body was found cold in the morning by his roommate/s. His Nepalese friends were planning to send back money to his family, around RM 500- RM 700 (€117- 163) because they still owed him some money. The housemates/

Outsourcing agencies play an important role in ensuring that workers report to work every day. Towards the end of each month, the factory will forward the workers' attendance register to the outsourcing agency. Outsourcing agencies receive a lump sum of payment from the factories, salaries will be issued according to attendance. The supervisor, who handles about 400 outsourced workers, summarises the situation:

Because for some factories, it is really a headache to handle workers... they [factory] need to find them houses... if workers are caught by the authorities, they need to attend... therefore they [factory] have to hire more staff to manage foreign workers. But now they [factory] just need to give us one lump sum and we manage the workers for them. The main concern of the factory is to have workers come to work every day and to send off their shipment schedules on time... it underlines our [outsourcing agencies] most challenging task, which is to maintain and monitor workers' full attendance at work. (14.12.12, personal interview)

Therefore, the hostel and transportation arrangements for workers are crucial, and enable the outsourcing agencies to spot-check the hostels to discover the workers' whereabouts if they are absent from work. The service charges are thus based on the attendance list of workers. An outsourcing officer gives an example on the arrangement of service charges:

For example, the factory gives RM 60 (Euro 14) for each worker per day; we give them [workers] RM 40 (Euro 9.36) per day; the RM 20 difference (Euro 4.68) is our profit. We [outsourcing agencies] have to cover payment for hostels, transportation and the like. (14.12.12, personal interview)

In another example, the workers' attendance list indicates the interdependent relationship between outsourcing agencies and companies. An officer emphasised the importance of comparing two attendance lists in order to monitor the movement of workers:

roommates proposed to change their hostel after the incident, and the supervisor responded '*Masih ada enam tempat*' ['There are 6 places available']. The supervisor also checked whether he had drunk alcohol, but it was not likely. After a short while, the supervisor mumbled '*Mati dalam tidur*' [He passed away in his sleep]. Then, he promised over the phone that the outsourcing agency would take responsibility for sending the body back to the man's home country. (23.07.2012, personal field notes)

[...] when the payment is made by the factory in the end of the month [...] basically, we will check our daily attendance list to compare with the company's attendance [...] we will double check to confirm the attendance list [...] whether the workers really go to work or they just take the bus and go off [...] For instance, if there is a record of attendance in my list but it does not appear in the company's list, which is done by electronic ID card given to each of them, then I will check with the company. [...] I have to get up at 5 A.M. every day to tick on the attendance list when they get on to the bus [...] the task is very tiring but I have to do it. (14.12.12, personal interview)

Concerning the differentiation of salary scale among workers under outsourcing agencies, workers' salaries vary based on their negotiations with individual factories. Once the lump sum of daily payment for each worker is agreed with the factories, then the outsourcing agencies can decide independently on the salary package, i.e. basic salary, overtime (OT), shift allowance, food allowance, and attendance bonus and so on for workers. The factories do not intervene in outsourcing agencies' decisions relating to the salary packages offered to workers. An example given by a supervisor in an outsourcing agency:

[...] for example they [factory] give us RM 70 (Euro 16) per worker per day; it is up to you what items you want to create, such as attendance bonus, food allowance and so on... and how much you want to give to the operators. The Companies do not care. (14.12.12, personal interview)

Factories are not foreign contract workers' direct employers under the outsourcing system; as such the freedom to decide on the salary package for workers is left in the hands of outsourcing agencies. Therefore, it is not surprising to hear that outsourced workers repeatedly reported to me in our conversations with regard to their dissatisfaction over the non-transparency of the business dealings between factories and outsourcing agencies.

Reliability of the record-keeping is doubted by some of the factory workers. An Indonesian female respondent revealed that she has come up with a creative strategy to record her attendance. She does not fully trust the attendance list issued by the factory and received from the outsourcing agency. The document is attached to the receipt of monthly

salary. Therefore, she monitors her attendance by using her personal mobile phone. She said:

I will argue with the outsourcing agency if the total days of attendance and OT do not match with my record on my phone. Sometimes, either the factory or the outsourcing agency makes mistakes on the records. (18.3.14, personal interview)

Besides, the majority of the respondents notice the difference in payment scale between local workers⁶⁹ and contract workers, when they start to work. Contract workers are not entitled to workers' benefits, such as yearly bonus and salary raises, which are distributed and decided by the factory management. For instance, an interviewee reported an incident in which she asked a manager at a year-end meeting between workers (local and foreign contract workers) why she and other non-native workers were excluded from receiving a yearly bonus. The manager was initially shocked, but after consulting his colleagues, he asked her to follow up her query with the Human Resources manager who manages the contract workers. The manager was only responsible for workers hired by the factory. Outsourcing agencies explain to workers that the salary difference is because foreign workers are under the management of outsourcing agencies. In other words, outsourcing agencies have to take into account the transportation and accommodation costs and other related matters of workers when deciding the salary packages for workers.

I bring into the discussion on Bihar, aged 36, and is one of the grocery shop owners, originally from Dhaka, Bangladesh. He married a local Malay Muslim from the Kelantan state and has two children. Bihar managed an outsourcing agency in partnership with two businessmen. The business ended up going bankrupt and he lost the money. He offered some insightful information about how the business works, as his gives a detailed explanation and calculation of the profitable cost, as below,

In general, the factory will pay roughly RM 60 to each contract worker who works for 12 hours. But the money is paid directly to the outsource company. Then the outsource company pays RM40 or max. RM 45 to each worker per day. Notably,

⁶⁹ Factory workers often refer to local workers as 'company workers'; it implies that those workers under the direct management of the factory. Usually, they are members of the local population.

the average salary is about RM 1,300 for workers who work for 26 days, 12 hours per day. For workers who earn less due to lacking of OT, the average wage is about RM 600 - RM 700 monthly.⁷⁰

Suppose the outsourcing company spend the following items on workers: RM 600 monthly per hostel rental (each hostel accommodates 10 workers) + RM 600 for transportation arrangement (RM 2 per day x 10 workers x 30 days) + RM 1,500 (Miscellaneous items: electricity and water bills, bed, fan, rice cooker, double bunk beds, medical cost etc) = RM 2,700 per month (Total) for 10 workers/ per house (cost) = RM 2,700 X 40 houses = RM 108, 000. Normally the outsourcing company has thousands of contract workers. However, let us take into account only the total cost for 400 workers. The total monthly expenditure is doubled up with 40 houses (400 workers), so it amounts to an expenditure of RM 108, 000 per month on 400 workers.

Now, let us look at the profit calculation based on a small sample of employing 400 contract workers. RM 60 (daily salary given by the factory to outsourcing company for each worker) – RM 40 (salary set to each factory worker) = RM 20 (profit per person per day for outsourcing company) x 10 (workers) = RM 200 per day x 30 days = RM 6,000 (of 10 workers for a month). This means any outsourcing company can make about RM 6,000 monthly from just 10 workers. If we extend this simple mathematical approximation, we can multiply RM 6,000 by 40 houses/ 400 workers, which comes to RM 240,000 per month (profit per month, out of 400 workers).

So, RM 240 000 (if charging RM 20 daily from 400 workers) - RM 108,000 (a total and rough expenditure for 400 workers) = RM 132, 000 profit per month

Here you find the estimation of the prospective profit which is about RM 1,584,000 per year (RM 132, 000 X 12 months)

(Bihar, personal interview, 17.10.2012)

⁷⁰ An interview with an outsourcing officer from one of the outsourcing agencies, informed that their agency is offering the salary at RM 40 per weekday and RM 60 for Saturday- and Sunday, for workers. Thus, the information given by Mr. Bihar is accurate.

Bihar's insider information about the profitable costing for each worker, and also corresponding with an outsourcing officer who opined that managing outsourced workers is a risky business with regard to cases of absconders. Outsourcing agencies take up some steps, for instances, they apply strict rules and disciplinary control in order to ensure workers fit to work in the factory on every working days basis, as the ultimate goal is to sustain the profitable business through worker's industrious labour. The discussion above (Section 4.2) have shown the embeddedness of outsourcing machinery in a wider context which reflects the interconnectedness between outsourcing agencies and the government, local manpower agencies, and factories. Outsourcing agencies are not completely independent, and they are competing and negotiating with relevant parties to make the most out of the services they offer for managing workers, whilst workers are not completely dependent on outsourcing agencies because they also give consent and cooperate with outsourcing agencies as workers who are aspired to earn money for working overseas. The relationship between outsourcing agencies and workers on a day-to-day basis will be discussed in the next section (Section 4.3) which focuses on how factory workers are administered in the receiving society.

4.3 Factory Workers Being Administered in the Receiving Society

The aim of this sub-chapter is to elaborate the actions of workers under the management of outsourcing agencies when they arrive at the airport in Malaysia. The rather interdependent relationship between outsourcing agencies and factory workers can be seen in the following discussion, particularly workers' interactions with outsourcing agencies regarding work-related matters. Outsourcing agencies facilitate the temporary settlement of workers for work and transport to the workplace. The subsequent examination of the three major spheres which outsourcing agencies regulate for the factory workers, i.e. transportation, housing arrangements, and healthcare, highlights how labour migrants are administered. I argue that the systematic administration of workers serves as a thorough mechanism by which outsourcing agencies are able to continuously monitor and maintain workers' industrious labour during their employment contract, on the one

hand; and that migrants give consent to outsourcing agencies as workers who are held responsible concerning their working issues under the employment contract, on the other.

4.3.1 Facilities of Manpower

4.3.1.1 Transportation

‘Now, everyone can fly!’ This was a successful campaign slogan adopted by the Malaysian Airline Air Asia to offer cheaper and more affordable flights for middle- to low-income groups to fly regionally and to neighbouring countries. All factory workers are brought in through Air Asia.⁷¹ They land at Kuala Lumpur International Airport (KLIA) or Penang International Airport, and are fetched by land transport and taken to reach their lodgings in Penang.

Upon landing at the airport, however, the majority of the respondents reported having felt shocked once they learned that they were going to work under the outsourcing agencies. The following narrative indicates a general shared experience of the majority respondents who felt they were given incorrect information by the local manpower recruitment agencies in their home countries. An Indonesian female worker said:

There were 12 people in my group and nine of us were experienced workers. That means they had working experience in the factory in Malaysia. We read the contract offered by the local manpower recruitment agencies and trusted that we were going to be employed under the direct management of the factory. Furthermore, the local officers assured us that we would not work under the outsourcing agencies. However, we were all taken by surprise when we were received by the outsourcing agency representatives at the airport. It was too late

⁷¹ The employment contract between outsourcing agencies and foreign workers stated that travelling expenses from Employee’s origin Country to Kuala Lumpur International Airport shall be borne by the Employee and the traveling expenses from KLIA to Employee’s origin county shall be borne by the Employer upon completion of working contract (three years).

when we found that the local manpower recruitment agencies had lied to us.
(16.12.12 personal interview)

Another female respondent from Indonesia reflected:

I checked several times with the staff in the local manpower recruitment centre that I was going to work under the direct factory management, and the staff confirmed this. But when I arrived at Penang airport, I found they had lied to me! I am in fact a contract worker! What else can I do? I need to carry on and start to work! (2.9.2012, personal interview)

Workers who expected to be employed under the direct management of a factory were caught between disappointment and anger upon their arrival. Immediately following the airport pick-up, all of the workers are brought by the transportation team to a temporary lodging or transition house, prior to the interview schedule in the factory. At the same time, their passports are handed over to outsourcing agencies' officers, and remain deposited in the office of the outsourcing agencies for the duration of the working contract. The withholding of workers' passports is a violation of Article 21 of the UN International Convention of the Protection of the Rights of All Migrant Workers and Members of Their Families. Given that the Malaysian government has not ratified the Article (Bormann, Krishnan, & Neuner 2010, p. 26), outsourcing agencies' practices to keep the workers' passports remain 'silent' outside the legal framework; in particular, workers are asked to signed an agreement to allow their passport to be deposited in the outsourcing office.

Transportation teams are important in the arrival stage, on the days following airport pick-up, and they transport workers to their places of work on daily basis. Workers are taken to various places to go through all kinds of regularly required procedures prescribed by the government. For instances, workers are sent for FOMENA medical examinations,

taken to report to their respective countries' embassies,⁷² given access to a bank to open an account, and taken for job interviews in factories.⁷³

The transportation team must be available 24 hours a day and seven days a week, due to the nature of the responsibility in relation to workers' daily working lives, as well as in times of emergency if workers should fall seriously ill. Buses to bring workers back and forth from their hostels to the factories are scheduled according to workers' working shifts and the overtime schedules. An outsourcing officer is given the task of ticking names off on the workers' attendance list when the workers get on and get off the buses, i.e. at 5am and at 5pm, respectively (refer to the previous quotation pg. 105-106). The register is made twice in order to avoid the possibility that workers do not go to work into the factories where the buses drop them. Nevertheless, some outsourcing agencies prepare an emergency van to pick workers up and take them to the factories if they miss the buses.

To some extent, workers expressed their appreciation for various arrangements organised by the outsourcing agency to assist them because they are newcomers. The narrative reflects a mixture of feelings on the part of the migrant workers; disapproval regarding outsourcing agencies' discriminative practices, and gratitude for the administrative arrangements and support when they have just arrived in the new environment. An Indonesian female factory worker said:

We were disappointed when we learned that we would be managed under outsourcing agencies. But the outsourcing agency arranged everything for us when we had just arrived in a new place. It is helpful to have the agent to make the housing and transportation arrangements for us because we do not know the place at all when we have just arrived. We do not know anyone else here in Penang, and thus we call our agent if we face any issues. (28.4.14, personal interview)

⁷² The embassies of source countries in Malaysia have to attest to and endorse the documents when the calling visa is issued by the Immigration Department Malaysia (JIM). Thus, upon workers' arrival in Malaysia, they are brought to their countries' embassies to notify the latter of their safe arrival.

⁷³ In addition, the transportation teams are also responsible for sending workers to the airport once they have decided to end the contract.

In other words, the workers cooperate with outsourcing agencies to work in the factory because outsourcing agencies turn out to be their closest contacts in everyday working life, particularly in the initial stages.

4.3.1.2 Housing arrangements

As mentioned earlier, upon their arrival at the airport, workers are taken to either a transition house or a 'hostel'. The transition house is a temporary place for workers who are expected to secure contracts in factories. Thus, the place is often selected and located for its cheap cost, e.g. rent prices, and may therefore have poor electricity supply and water quality. The transition house accommodates both new and old arrivals of different nationalities, and is usually segregated according to gender. While the conditions in transition houses vary, in most cases workers move into proper accommodation once they are recruited by factories.

Picture 1 The Temporary Transition House for Male Workers



Flats or houses rented by outsourcing companies to migrant workers are called 'hostels'. The so-called hostel teams of outsourcing agencies facilitate the housing of workers. In most cases, prior to the arrival of workers, the hostel team contacts housing agencies in different migrants' hotspots in order to rent the flats or apartments from local

residents. Location of the hostels takes into consideration two main criteria: that the rent is reasonable; and that it is a convenient location from which buses can take the workers to and from the factory. Usually, based on these criteria, the places which are already populated by a majority of factory workers are preferred by the hostel team. ‘Hotspot’ is a term used by both the researcher and the local population to refer to places with a majority of migrant workers; for instance, the places where they stay, and the places where they go for leisure activities, i.e. shopping mall, food centres etc. From the migrants’ perspective, ‘hotspot’ means ‘place with a good number of foreign workers’, *banyak pekerja asing*. The Picture 2 showcases one of the foreign worker hotspots which accommodates the majority of the factory workers. A closer look at one of the corridors in the hostel in Picture 3 shows that workers have to use the corridor to dry all their casual or factory clothing, towels, and shoes because there is hardly any space left inside the flat, which accommodates 10 workers.

Picture 2 One of the Migrants’ Hotspots



Picture 3 A Corridor in the Hostel



Migrant residential hotspots in Penang are generally located in densely populated low-cost areas. These hotspots are shared by foreign workers and the local middle- and low-income population. They are located in close proximity to the Free Industrial Zone. Relau (Picture 4), one of the author's research areas, developed rapidly, with newer buildings being added to some older buildings from the 1990s. Just 10 years ago, it was an unattended forest. Over time, with the majority of temporary and long-term Indonesian inhabitants who engaged in intermarriage with members of the local population, several restaurants and food stalls run by Indonesians have cropped up to cater to the demands of factory workers. Relau functions like a well-established 'village' where one can find and buy Indonesian food easily and at affordable prices. Indonesians make up the majority of workers, in comparison to workers from other nationalities such as Myanmar, Vietnam, Cambodia, The Philippines, Nepal, and Bangladesh.

Figure 5 A Map of the Field Sites, Penang



(Source: www.myMalaysiabooks.com)

The situation in the hostel I shared with the workers for the period of my field research is representative of the housing workers live in. The flats, which were initially built for local low-income households, have been rented out to housing agencies to accommodate factory workers. The three-room flats, each with a toilet, bathroom, and kitchen, are then converted into hostels. Each hostel flat accommodates between 8 and 10 factory workers, with four sharing the master bedroom and the others sharing the remaining two small rooms. The basic equipment, including mattresses, gas stove, bunk beds, cupboards, buckets for washing, TV, table, chairs and a refrigerator are prepared for the workers. Some agencies make special arrangements, as was explained by Ms. Wani, an outsourcing officer in charge of managing hostels for workers:

[...] I will also put some basic food, such as some drink powder and Maggi noodles, sugar and salt which is enough for them to use for one week [...] I think this arrangement is good because they [workers] have just arrived and it might be

difficult to figure out where to buy food in the beginning [...] and of course we charge for this service [...] (23.10.2012, personal interview)

The male and female workers may stay on the same or on different floors in the hostel buildings. Workers are prohibited from bringing any visitors, especially male friends, into the females' hostels. This is an explicit rule imposed by outsourcing agencies, highlighted verbally and also pasted on the walls. Workers are encouraged to report to their agents if any housemate violates the rule against bringing back a male visitor to stay overnight. In most cases, arrangements are made for workers who work for the same factory to stay in the same flat. Given these circumstances, the majority of the workers develop friendships when they stay together. However, the management of internal issues within each hostel differs depending on their outsourcing agencies.

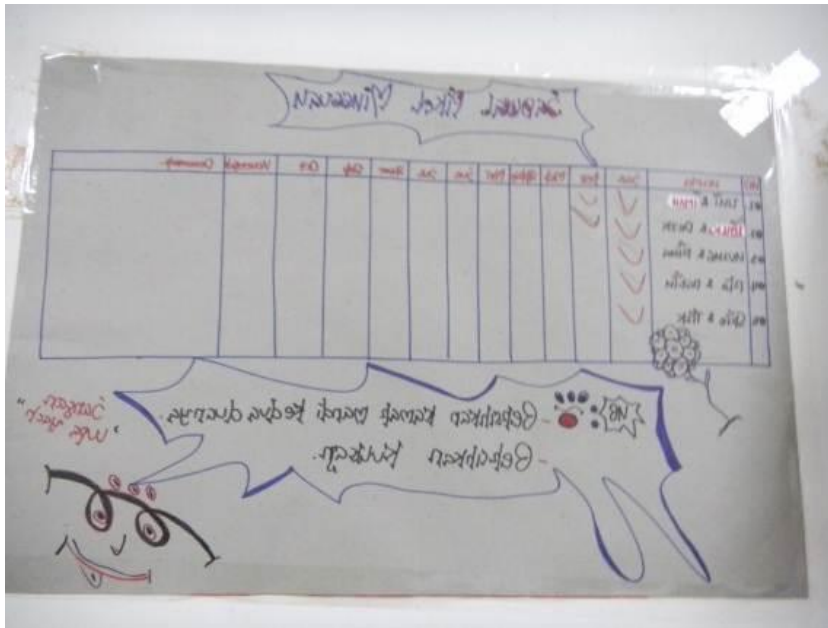
I observed that some hostels are dirty and poorly maintained while some are clean and tidy. The differentiation lies with workers' own initiatives to organise themselves in each flat. The outsourcing agencies are not concerned about the cleanliness in the hostel unless serious internal conflict is reported to them by the workers. For instance, the internal conflicts arise when there is no one responsible for taking out the rubbish which has been lying for days in the kitchen bin. Thus, in some cases, the workers initiate a duty roster to ensure everyone takes responsibility for managing the house chores (Picture 5 below). In addition, a special arrangement is made in one of the female hostels: they collect house funds of RM 5 (€ 1.20) monthly from all the housemates, in order to purchase dishwashing liquid, gas for cooking and so on: necessity items that are commonly used in the house. Outsourcing agencies does not play any role in this arrangement. However, occasionally, serious conflicts such as cases of fighting arise amongst workers in the hostels. Anyone who is involved in the fight can report it to the outsourcing agents in order to resolve the issue. In an incident in which two female workers were fighting because one of them brought back her male partner to the hostel, the agent received the complaint and they issued a warning to the worker in question for breaking the rule. However, the agent transferred the female worker to another hostel at a later stage because she was still fighting with other housemates over other matters.

Sometimes, the worker who stay longer in the hostel would be made the ‘leader’ of the house by the outsourcing agents, responsible for managing the housemates’ conflicts. Besides, the workers can report to outsourcing agencies when something breaks down in the hostel – for instance when the toilet does not flush as usual. Then the technician for housing maintenance who works for the outsourcing agencies will come to repair it. Outsourcing agents claim that they cover the repair costs for the workers because workers’ salaries are not deducted for repair purposes.

Picture 4 Inside the Hostel Flat



Picture 5 A Duty Roster Inside the Hostel



4.3.1.3 Healthcare Services

Outsourcing agencies work with an assigned panel clinic⁷⁴ for outsourced workers. In addition, a fee of RM 10 per month from each employee is taken to be contributed to Medical Trust Fund Scheme (MTFS). This is to cover the cost of treatment if workers are admitted into the hospital when ill (either Government or Private hospital). Workers who are injured or who fall ill pay a visit to the assigned clinic. The clinic's main purpose is to ensure that if they are absent from work, they first gain a Medical Certificate (MC) from the doctor and submit it to the officer of the outsourcing agency. This could be taken as a means by which outsourcing agencies can monitor their movements if they do not work in the factory on any particular day. There are implications regarding their salary slip for

⁷⁴ The private clinics to provide medical services for factory workers as assigned by the outsourcing company. The responsibility for doing so is borne by the employer, and the employees shall receive treatment in the employers' panel clinic. In addition, the employer will bear the responsibility for conducting the yearly medical check-up as requested by the Immigration Department of Malaysia. The Employer is responsible for providing FWCS (Foreign Workers Compensation Scheme) payments for the workers without costs.

being ill; for instance, the worker loses half of the monthly incentive bonus if they take one day off 'MC', and the entire bonus if two days are missed due to illness.

In terms of common illnesses such as fever, stomach pain and flu, workers have access to a factory clinic. The interviewees often commented that they disliked how the medical officers on duty treated them. For instance, a factory worker remarked that they would only receive Panadol⁷⁵ whenever they visited the clinic. They voiced their dissatisfaction when they compared this perceived ill-treatment with how the local Malaysian factory workers were treated, who they felt were more appreciated in terms of both the politeness of the clinic officers and the medication prescribed.

In one case Siti, a female Indonesian labourer, single, from Medan, hurt her finger one day prior to the Hari Raya Haji, which is the 'festival of the sacrifice' celebrated by Muslims throughout the world. She said she was too tired and mistakenly pushed the screwing machine onto her finger. She went to the factory clinic and only received simple treatment. When the finger became infected, she decided to visit another clinic because the panel clinic was closed during the Haji festival. After submission of the medical receipt for reimbursement purposes, she found that she couldn't get full reimbursement. She received only RM 35 (€ 8) of the RM 50 (€ 11.70) she had to pay. She herself paid RM 15 (€ 3.5) of the total. Siti earned a monthly basic salary of RM 530 in the first and the second year.

The incident took place when she was working for the third year, when the monthly basic salary is upgraded to RM 630. She received RM 24 daily, and the deduction of RM 15 for the doctor's visit had taken more than half of her daily payment. Nevertheless, the outsourcing agent argued that this was because she was supposed to go to the panel clinic – which however was closed however three days' holiday.

Another worker, Ranti, had a rather interesting way of managing the issue of her healthcare problem. Ranti, an Indonesian female factory worker, single, who registered

⁷⁵ Panadol capsules, tablets and soluble tablets and Panadol ActiFast tablets all contain the active ingredient paracetamol, which is a simple painkilling medicine used to relieve mild to moderate pain and fever.

for the 6P programme to legalise her status, found that her breast began bleeding during 2012, so she decided to visit the clinic on her own to get it checked. She paid RM 15 registration fee to visiting the doctor. Furthermore, she paid a total of RM 120 for the first and second visits, in addition to RM 100 for an X-ray scan. What surprised me was that she did not attempt to get her medical fees reimbursed by her agent. The rationale behind this was that she was afraid she would be sent back home if the agent found that she had a health problem. Therefore, she was willing to take on the medical fees, especially after the doctor reassured her after the X-ray scan had been done that the bleeding was normal for women. In addition, she strategised so as to use the eight days annual leave given by the agent for her sickness. This was because she could avoid incurring the monthly incentive deduction by taking annual leave instead of sick leave. Ranti hardly made use of her annual leave, and therefore it was a practical strategy for her to make use of the annual leave days for sick leave. She earns around RM 1,200 – 1,300 monthly if she has a full schedule for overtime, of which RM 300 is the payment from overtime hours.

The discussion above emphasises the well-organised facilities which serve to administer the smooth adaptation of workers to the new environment. Workers can maximise their labour contribution in the shortest possible period of time, transforming from a new foreign worker to become a well-adapted factory worker who generates constant monetary returns for the factory and the outsourcing agencies. The next discussion captures the motivation of workers to work with outsourcing agencies, and their interdependence.

4.3.2 Employment Conditions

As mentioned earlier, despite prospective workers being asked to sign the contracts presented by the local manpower recruitment agencies prior to their departure, the outsourcing agencies issue new contracts and ask workers to sign them when they start to work in the factories. The contract is usually written in two languages, in English and in

Burmese/ Vietnamese translation.⁷⁶ When asked why workers need to sign a new contract instead of taking the contract they signed prior to departure, a staff member of an outsourcing agency claimed that outsourcing agencies are skeptical regarding what has been promised by the local recruitment agencies to workers in the first contract. For instance, the local recruitment agencies may have possibly raised the salary rate in order to attract prospective workers to work overseas. Interestingly this indicates a certain degree of mistrust between outsourcing agencies and their local manpower-recruiting counterparts.

The new contract⁷⁷ describes the salary package, i.e. basic salary, overtime, allowance for morning/night shift, and food allowance. The items are indicated in the pay slip issued by outsourcing agencies on the 7th of the month. Workers work for eight hours per day, six days per week, therefore they are obliged to work in total 26 days per month. Sunday is considered as rest day. The morning shift starts from 6.30 AM and lasts until 2.30 PM, while the night shift starts at 10.30 PM and lasts until 6.30 AM. The shift patterns are scheduled in accordance with the flexibility of a factory's calendar, i.e. whether there is peak or low production etc. Usually, workers are scheduled to work for one week on morning shift and the following week on night shift. However, workers have to be ready and waiting for the buses at the collection point about two hours prior to the start of the shifts. Thus, a few hundred workers wait at the collection points at around 4.30 AM in the early morning, to be picked up by more than 30 buses that then head off simultaneously to take on workers on to different waiting spots. At around 8 AM, buses enter the hostel areas to drop workers who were on the night shift. In the evening, a similar scene ensues, with the same numbers of workers and buses for the workers on night shift.

So far, the focus has only been on the normal eight hours of working. The overtime schedule is seen as the favorable extra working hours for workers to boost up their monthly

⁷⁶ I collected an example of the contract from the Vietnamese, Burmese, Nepalese and Filipino workers, but not from the Bangladeshi or Indonesian workers.

⁷⁷ With reference to ANNEX 1 which showcase an example of the Employment Contract between the Outsourcing Agencies and contract workers.

salary. OT is computed for any working hours beyond the eight normal working hours. Workers can work up to a total of 4 hours OT per day, provided the OT schedule is planned by the factory. Thus, workers work for a maximum of 12 hours per day, if OT is scheduled for the consecutive 6 days. Working on the rest day, i.e. Sunday is counted as OT, and has the highest rate of return per hour for workers, i.e. double the normal rate. Double pay also applies to work during Public Holidays.

To show how the accumulation of working hours, especially the OT schedule, impacts the monthly salary of workers, I showcase an example of the calculation of monthly salary⁷⁸ from my fieldwork prior to the implementation of the minimum wages. The implementation of the Minimum Wage Policy, under which foreign workers receive a basic monthly salary of RM 900, began in March 2013.⁷⁹ The example shows that workers are able to receive monthly salary range between the lowest of RM 600 which is for the basic monthly salary and food allowance, to the highest of RM 1300, if they work constantly for OT schedule, night shift, and without taking any medical leave each month. A detailed calculation and information are explained as follows:

(i) Worker A receives RM 21 per day for 8 normal working hours; in the end, worker A receives the total basic monthly salary of RM 546.

[Monthly Salary (basic): RM 21.00/ day x 26 days = RM 546]

(ii) In addition, worker A is scheduled to work OT for 4 hours on each working day for 26 days; this refers to their extra working hours after the 8 normal working hours (as mentioned above (i)); notably, each hour of OT entitled to the payment of 1.5 rate, i.e. daily salary to be divided by 8 hours to give basic hourly rate; then multiply by 1.5.

⁷⁸ With reference to ANNEX 2 which showcase an example of the Salary slip issued by an outsourcing agencies and received by a contract worker.

⁷⁹ Minimum wage was implemented in March 2013 when I was about to leave the field. Workers are said to be able to afford the fees after the implementation of the Minimum Wage Policy (Aruna, n.d.). Under the New Economic Model (NEM), the National Minimum Wage initiative is intended to ensure inclusiveness by transforming the economy from a middle-income to a high-income economy by the year 2020. Workers are paid RM 900 (Euro 210) monthly in Peninsular Malaysia.

[OT: RM 21.00/ 8 x 1.5 x 4 hour x 26 day = RM 409.50]

[OT: RM 21.00/ 8 x 1.5 x 3 hour^{80} x 26 day = RM 307.13]*

(iii) Occasionally, worker A is scheduled to work on a Sunday or on a Public Holiday, which will earn the worker double the basic hourly pay rate.

[Rest day, i.e. Sunday and Public Holidays⁸¹ = RM 21.00/ 8 x 2.0 x 8 hours = RM 42 per day]

(iv) Furthermore, workers receive night allowance of RM4 per day, and a food allowance of RM2 per working day, as follows:

[For working on night shift and 12 hours (8 normal working hours and 4 hours OT): RM4/day]

[RM 2 food allowance x 26 working day (Based on days of working) RM 52.00]

(v) Workers receive an incentive bonus for full attendance of 26 working days per month, the incentive would be half in case of one-day MC and the worker loses the incentive entirely with two days MC.

[Full attendance of 26 days= Incentive for RM 60 per month]

It is complemented by over time. It is understood that outsourcing agencies have created the salary packages slightly different from each other. For instance, outsourcing agency A allocates a higher allocation for food allowance, but at the same time reduces the payment of overtime, paying for only three of the four hours worked. In contrast, outsourcing agency B pays for 4 hours of OT but reduces the pay rate for the working hours on night shift. The ‘creative’ management of the lump sum negotiated and received

⁸⁰ Only 3 hours of OT is reflected in their salary slip. In other words, there is an hour being excluded, as claimed by some workers. Outsourcing agencies on the other hand claim that they actually work only for 3 hours because one of those four hours is used for resting or eating meal.

⁸¹ The 12 gazette holidays in Malaysia. However, different outsourcing agencies have indicated the annual leaves and Public holidays in different ways in workers’ contracts. For instance, the annual leave is not mentioned, while it is written as the Public holidays in the contract of the Burmese worker. In contrast, it is written in as eight days’ Annual leave (in accordance with Malaysia Employment Act 1955) in the contract of a Vietnamese interviewee.

from each factory makes the salary calculation complex and difficult to compare between workers who work for different factories and outsourcing agencies.

I demonstrate another example in relation to the salary packages allocated for 6P workers⁸² from an outsourcing agency I interviewed in my fieldwork. A worker who works for 28 days earns a maximum salary of RM 1,300 monthly (€ 304). The agency decides to allocate RM 40 (€ 9.40) each day/ morning shift of 12 working hours, and RM 43 (€ 10) per night shift of 12 working hours; for Saturday and Sunday, the outsourcing agency considers both working days as OT, thus the daily payment is RM 60 (€ 14) per day/ morning shift, and slightly higher (RM 63 (€ 14.7)) per night shift. The payment is higher than normal working days if workers work on public holidays; RM 70 (€ 16.4) per day.

In general, workers place a high hope on more OT to boost their monthly salary. It is the first priority of all workers because OT adds an extra income of around RM 400 – RM 500 (€ 93.6- €117) to the basic monthly salary. Nevertheless, the OT schedule is uncertain because it depends on the forecasting and scheduling of each factory in times of peak or low production.

With reference to the issue of salary, almost all contract workers' basic salaries remain unchanged for the first two years of the contract period. However, there is an

⁸² I received the details of information about the wages when I accompanied an undocumented worker to ask about job availability in an outsourcing agency which registers and takes on 6P workers. According to the outsourcing officer, they have separate salary packages for 6P workers and new workers who they receive from the country of origin. Furthermore, all 6P workers have to sign a contract to give permission for the deduction from their monthly salary the total of RM 2,400 for the registration process. An obvious observation drawn from the conversation with the outsourcing officers, I found that they urgently wanted to recruit as many 6P workers as they could because the factories needed more workers. The boss of the outsourcing agency even called me up to give them the contact number of the undocumented worker in order to contact him directly. The undocumented worker had another five friends who shared the same status and the outsourcing agency agreed to take them all on as workers and requested them to start working immediately. However, the undocumented worker eventually decided to withdraw from the employment and remain undocumented, working in another place. (between 18.12.2012- 26.12.2012 Personal field notes)

incremental salary increase for the third⁸³ and fourth years, if the factory is satisfied with the performance of the worker and if the worker agrees to renew the contract. For instance, an interviewee revealed that she earned RM 500 (€ 117) basic monthly salary for the first two years, but in the third year when she renewed her contract, she received RM 630 (€ 147.5) monthly basic salary. However, the increase comes with a condition attached; it is mandatory for her to take OT for four days per week, and without any remuneration. As she concluded in the conversation:

[...] in this situation, the increase doesn't make any sense [...] it is the same as the basic salary in the first and second year [...] (27.10.2012, personal interview)

Workers have to put up with monthly salary deductions in order to repay the loan of their recruitment fee costs, as discussed in the previous section (section 4.12). The salary they receive will be deducted partially on a monthly basis for one year. For workers, the basic monthly salary is not likely to cover their daily expenditure for meals, phone calls, and remittances in addition to the repayment deduction. Thus, workers depend on overtime hours to earning additional money for these things. New workers are scheduled for OT when it is the factory's peak production period, especially in the first working year, but during the low production period, they have to struggle with a meagre salary. In some cases, larger amounts will be deducted from workers' salaries if they are scheduled for more OT. The outsourcing agency argues that this is a good strategy to hasten the debt repayment progress in order to clear the debt as soon as they possibly can.

Tina, an Indonesian female worker, married, from Aceh, Indonesia, whose husband works as a construction worker in Penang, is now working for the second year in a factory. She recalled her experience of loan repayment, as follows,

In the first year, I received RM 700 (€ 163) basic monthly salary; the agent deducted RM 200 (€ 46.8). When I earned RM 1,200 (€ 281) because of more availability of OT, the agent adjusted and deducted RM 500 (€ 117) out of the total salary of RM1, 200 (€ 281). Overall, the loan repayment was settled in six months,

⁸³ Indonesian workers are offered two years' contract and other workers are offered three years' contract.

in four instalments of RM 500 (€ 117), and one instalment of RM 400 (€ 93.6) as well as one of RM 200 (€ 46.8). The total added up to RM 2,600 (€ 608). After repaying the loan to the agent, I have the full salary to myself and I am more flexible in my monthly expenditure. (15.11.2012, personal interview)

The narrative above as narrated by Rina is a common response from workers, who say that they struggle for the first few months due to the loan repayments. After the process of repaying the loan, they generally find themselves more flexible in terms of monthly expenditure and saving. Further, the motivation to work for OT schedule in the factory is regarded as desirable in workers' pursuit of higher monthly incomes.

In general, workers receive an advance salary of around RM 100 in the middle of the month. A supervisor of an outsourcing agency revealed that since he knows the few hundreds of factory workers he monitors, and he is familiar with some workers who he knows better through occasional conversations, the workers are likely ask for a favour from him, to borrow some money from him in advance of their paycheck to settle their urgent needs for money. He admits that he extend helps financially because he is the one who is responsible for distributing workers' monthly salaries. Hence, he can deduct the salary to the amount which they borrow from him, and for this reason he does not risk losing the money he lends. This indicates that workers may approach outsourcing agents seeking urgent financial support, and outsourcing agents can also act personally to help them out, and do not necessarily turn a blind eye to workers' requests beyond work issues.

4.3.2.1 Tapping Workers Additional Skills

Outsourcing agencies promote potential workers who have a good command of Bahasa Malaysia and/or English and their own language to the role of 'interpreters' for other workers of the same nationality. These interpreters assist the outsourcing agencies with any issues arising on a daily basis, whether in or outside the factory. They receive instructions and report to the supervisor from the same outsourcing agency, who handles about 100 to 400 workers. For instance, it is arranged that the selected interpreter stays with the other workers in one of the hostel buildings. As such, the interpreter has easy access to any arising matters 24 hours a day, as he/she can communicate directly with the

others. More importantly, if any one of the workers is absent from work, the interpreter acts immediately to search for the worker in the hostel. Likewise, if there are cases of conflicts or complaints among workers, particularly in the hostels, the interpreter is responsible for helping to solve the issue immediately and report to the outsourcing agency.

The case of Pranath is illustrative in this regard: Pranath is from Nepal, he has seven years of working experience in Malaysia and good command of Bahasa Malaysia. Thus, the outsourcing agency upgraded his role to that of interpreter supervisor which is similar to the role as a translator. He stays in the hostel with some other Nepalese male factory workers. For several times, I found him ‘on duty’ while he was busying trying to find workers in the hostel areas who were reported as being absent from work, having received the calls telling him so directly from the outsourcing office. In one incident he was called to resolve a fight between two Vietnamese female workers in a hostel. I followed him to the hostel, where he called up the Vietnamese interpreter trying to solve the problem. However, neither of them could not solve the issue, and they instructed the two Vietnamese female workers to go to the Human Resource office the following day. He lamented that:

[...] That Vietnamese female worker is a troublemaker. She was recently transferred from another hostel to this new one, because her housemates complained that she had brought a male friend back to the hostel. The fight was intense, therefore we moved her out to the other hostel. [...] (27.11.12 Personal Field note)

Pranath and Swee Swee, who is from Nepal and Myanmar respectively, they still need to work normally but they are also on call during the working hours and afterwards to solve the issue for workers because of their language skills. Swee Swee reflected that she was very exhausted due to playing the dual roles of interpreter and factory worker, especially because she only received the same salary as the others, though she was given a free cellphone from the agent for her role as an interpreter. Besides, outsourcing agencies also assign skilful workers to work as maintenance technicians for the hostels. I came across a Bangladeshi worker aged 45 who was instructed by the outsourcing agency to

manage the repairing and maintenance issues of the hostels. He informed me that the factory fired him because he did not meet their expectations. Thus there was no job available for him. As a technician for the outsourcing agency, he told me that had no time to cook properly for lunch or dinner because he had to be ready at any time to follow the instructions of the outsourcing agency whenever he received a call.

The system which allows outsourcing agencies to employ workers directly under their agencies was reportedly stopped by the government. However, the outsourcing agencies can still rely on the existing workers to run their business. The Human Resources officer of an outsourcing agency, Mr. Kok, expressed that the outsourcing agency strives for a win-win situation for workers and the agency itself under the present circumstances; this means increasing workers' salaries and extending their contracts, with an aim to build good rapport with the existing workers so that they might stay longer. As he pointed out,

Of course we also want to treat our workers well because we want to keep those who have been working for years; they are experienced and productive workers for the factory. Moreover, they do not need to go through the whole process of training or administration anymore. (18. 10. 2012, personal interview)

On the other hand, when asked whether outsourcing agencies have control over their activities beyond the formal workplace, the outsourcing officer who handles a few hundred factory workers replied without hesitation that:

We [outsourcing agency] do not care about what they [factory workers] do outside the factory [...] we do not bother at all how many boyfriends they have outside the factory [...] as long as they report to work every day and they do not create a problem in the work place. (28.12.12 personal interview)

The statement above reflects that the main concern of the outsourcing agency is to maintain the productivity of the workers in the workplace. Anything else beyond the line of the work dimension, such as the free time of factory workers, is beyond the interests of the outsourcing agency. In line with the interest of retaining industrious labourers on an everyday basis, outsourcing agencies impose strict disciplinary measures on workers. The following section demonstrates migrants' exposure to various kinds of disciplinary practices in relation to their working lives.

4.3.3 The Disciplinary Practices

The rules stated explicitly in the employment contract restrict factory workers' freedom within the duration of contract employment. They are not allowed to marry any Malaysian, or to participate in any political activities, or activities organised by trade unions in the host society. Furthermore, workers are prohibited from changing employment or engaging in business without permission from the outsourcing agency. The more relevant aspects of the daily working lives of workers are the rules regarding the disciplining workers if they are 'absent' from their workplace.

For instance, if any worker does not work on a particular day, without an MC (medical certificate) approved by the outsourcing agency, he/she may have RM 100 (Euro 23) per day deducted from his/her salary due to absence. Moreover, workers who do not punch their cards to start working in the factory at 6 AM as scheduled find their daily salary is reduced by half. The delaying of monthly salary issued to workers is another, 'soft' disciplinary strategy to make workers report to work constantly. For instance, for a Burmese worker who did not go to work for two days, the outsourcing company then only issued his salary on 25th of the month, instead of on the 7th of the month.

Sometimes, workers are obliged to do overtime, and they are left with little room to refuse. The factory can discard a worker by informing the outsourcing agency if the worker is absent from work for more than two consecutive days without a reasonable justification. Female workers who are sent for a physical check-up at the beginning of the first and the following, second year will have their contract terminated by the factory if they are found pregnant. To avoid the termination of contract, women opt for abortion. One of the interviewees reported how she had found herself pregnant after she had just renewed her contract. She decided to go for an abortion when she was in the fifth month of pregnancy, with the help of her housemates. Later she dropped the abortion plan because she could not afford the operation charge of about RM 2,000 (€ 468). Soon, she was unable to work in the factory, when she was in the eighth month pregnancy. The outsourcing agency asked her to pay a penalty fee of RM 1,500 (€ 351) in order to get her passport back. She was depressed and eventually she 'left' the hostel quietly early one morning, without having paid the penalty. According to her housemates, she is still living

in Penang but she doesn't want to keep in touch with them because she is afraid that the outsourcing company might find out her whereabouts and insists her to pay the penalty (Between August 2012- March 2013, personal field notes). Besides, if within the two-year contract duration, any costs are incurred by the worker for travelling home for festivals, holidays, or visits, the transportation fees shall be borne by the worker herself/himself. In addition, the factory workers are obliged to reserve RM 1,200 (€ 281) as a deposit, and to fill out a form which indicates the particular dates of departure and return. Otherwise, the workers have the option to find two colleagues who are willing to act as guarantors. In case the person does not resume work, the two colleagues will bear the deduction of RM 1,200 from their salaries.

In view of the everyday work lives of migrants, in which they are experiencing unfavourable employment contract terms and conditions, unequal health services treatment, and disciplinary control, it is difficult to hear the following response from a female factory worker when asked about her reflections on her being in Penang:

We are unhappy about it [unfavourable circumstances under the management of outsourcing agency] but it is good for us that we have the factory worker work permit because we are free to move around to places we like; furthermore, we are not afraid of the police at any time. Even if the police try to make trouble with us, we can just immediately call up our agent and they will help us. All of us have the contact number of the particular agent who is in charge of us. Thus, we are protected because we have the work permit. The work permit is important for us. (18.02.2013, in-depth interview)

In other words, workers acknowledge the crucial part of having the legal status which allows them to move freely without fear. The thought of seeing a compromise between unsatisfying working experiences on the one hand with the possession of a work permit which allows workers to remain in Penang on the other reflects a valid point of view, especially from the perspective of this factory worker. The point raised also implies the interdependent relationship between outsourcing agencies and workers, which is centred on the work dimension, as workers consent to continue working because they also depend on the renewal of their work permit to be able to stay on in Penang. Chapter 5

examines the social relationships and activities of factory workers in their spare time, the other half of workers' social reality. However, the following section (4.4.4) discusses the work dimension of construction workers who are less regulated or not controlled by outsourcing agencies in comparison to factory workers. The aim is to show a different picture of workers' experiences in the workplace, and under the labour migration regime.

4.4 Construction Workers

The management of construction workers is discussed, in order to depict another contrasting setting, one in which workers who do not have a strong connection with outsourcing agencies. In general, construction workers receive a higher salary and more mobile for construction projects in different locations in comparison to factory workers. For example, workers⁸⁴ who work for large-scale building projects are managed by so called 'mini' bosses at the construction sites. The 'mini' bosses are mostly Indonesians who work directly under local employers for construction projects. Workers are paid on daily basis by the mini bosses and they can also borrow money from them. The wages are based on their skills, and are decided by the mini bosses. Mr. Rahman, claimed that he has brought (*'balik kampung bawa'*) – about 2000 male workers – from Indonesia over the past 20 years, and particularly from his own village, to work in the construction sites in Malaysia, and informed me that most of the workers would run away to find jobs with higher daily salaries on other construction sites. He maintained his status as an undocumented mini boss throughout his stay in Malaysia. Mr. Rahman will pay cash in

⁸⁴ I interviewed 19 male construction workers during my fieldwork, and some respondents claimed that they were documented workers, while some respondents just registered under the 6P program; most however had undocumented status. I had a hard time checking on their statuses because unlike factory workers, the outsourcing agencies enrolled documented workers, as factories do not take on workers with unregistered status. In other words, due to the different recruitment methods and the nature of the working environment in the construction sector, it is easier to 'live' with an undocumented status as construction sector. Besides, I also came across other categories of construction workers who are recruited directly by the local employer, as well as foreign construction workers who become the employers of locals and of workers of their own nationality.

advance if the worker does not have enough to pay. Thus, to some extent, Mr. Rahman is experiencing high levels of fluctuation in handling workers.

Regarding the recruitment cost for a worker to come to Malaysia, the worker has to pay RM 2,000 in cash to the Indonesian agent for documentation purposes, and another RM 4,000 for the processing fees in Malaysia. The rate for construction workers is considered slightly higher than that for factory workers because an outsourcing agency charges in general RM 5,000 per head for recruiting each factory worker. The rates in the past were RM 1,800 for the agent in Indonesia, and RM 1,500 – 1,800 in Malaysia. He usually takes three to four months to observe each new worker before proceeding to make a work permit for him. He does not withhold their passports. For workers who run away when they receive their work permits, he will not lodge a police report. He will collect the remaining money that the absconded worker owes him from their parents in the village. The parents in the village return him the money when they are informed that their son has left him. Therefore, he only takes on young men whose parents are still alive. The outsourcing agency with which he registers his workers for work permits ‘reward’ him with RM 400-500 for processing the registration of each worker in their agency. However, it is worth mentioning that there are various types of construction work, such as ‘general labourers, electricians, plasterers, carpenters, painters’ and the like (Abdul-aziz, 2001). The construction workers I came across worked in different types of construction and engaged in small-scale projects, often moving from place to place following the project. Because construction workers receive their salary in cash on a daily basis and they keep their passports, it is easier for them to move and be independent. Construction workers move with their boss after the completion of each project. Usually, they build some temporary small huts near the construction sites and live there. They have to bear their own healthcare bills. However, a new approach was introduced in April 2013 for the recruitment of construction workers when I left the fieldwork; the Construction Industry Development Board (CIDB) established a non-profit organisation, the Construction Labour Exchange Centre Berhad (CLAB), to bring in and redistribute construction workers to contractors. The first transition center is located at Nilai, Negeri Sembilan. For the recruitment, the ratio of one local to three foreigners shall be strictly adhered to. The types of projects (e.g. housing, high rise buildings, infrastructure, plumbing and sanitary

works and the like) are also taken into consideration.⁸⁵ One main difference is that ‘the employer should be a registered contractor with the Construction Industry Development Board (CIDB) and possess a valid CIDB registration/license’ in order to proceed for the work permit application for workers (World Bank, 2013, p. 100).

4.5 Conclusion

In this chapter, I have discussed the interface between outsourcing agencies and local recruiters on the one hand, and outsourcing agencies and factories on the other. In addition, I have highlighted their interdependent relationship with workers. Government regulations provide the overall framework for the activities of outsourcing agencies. Outsourcing agencies receive the mandate from the government to facilitate the formal migration of factory workers; at the same time, they cooperate with the local manpower agencies to enable the migration of prospective workers. They work out an overall detailed budget to propose to factories stipulating their role in absorbing the day-to-day management of foreign workers.

I have also elaborated how workers are administered by the outsourcing system. In other words, how migrants are subjected to the labour migration regime. Figure 2 (pg. 95), on the roles of outsourcing agencies, draws a clearer picture with regard to its interconnected relationships: the mandate from the government, the business partnership with factories, the coordination work with local private recruitment agencies in origin countries, and the employer for the workers. While the profit-oriented marketing model of the outsourcing system is constrained by the rules and regulations set by the government, outsourcing agencies are also able to negotiate with factories on the profit they receive as a ‘lump sum’ from the factories in order to supply and manage workers on 24-hour basis. Thus, outsourcing agencies absorb the risks in this profitable worker-management model, i.e. they take responsibility when workers abscond during the employment periods, when unfit workers are ‘sent’ by the local recruitment agencies, and the like. In this process,

⁸⁵ Berita Harian. (2013). ‘Kad khas pekerja asing binaan’, 21 June, Retrieved July 11, 2015 from http://www.kkr.gov.my/public/kad_khas_pekerja_asing_binaan.pdf

workers are treated in an instrumental way, more as objects than as humans who are being administered in the host society. In addition, migrant workers are both being subjected and they also subject themselves to the local migration regime.

Workers' everyday work schedules is structured, rigid and formal, and they receive lower salaries compared to the local Malaysian workers for the same working hours and workload. In particular, the daily sayings of workers reflect their hopes of gaining more incomes through the overtime schedule, and their feelings of frustration about the lack of transparency in the payment slip and other issues. Nevertheless, despite their exposure to exploitation, which agrees with the findings of previous studies, workers work for the normal working schedules of 8 hours daily, with extra 4 hours of overtime occasionally; they have days off, access to basic health services, and the routinised daily activity of waiting for the bus to and from the factory. As compared to Autesserre's research subject on the high-profile international peacebuilder who argued that the expatriates followed the 'profoundly unthoughtful and automatic nature of the "security routines" in the host society, the factory workers learn to follow the bus schedule in the initial stages, and the everyday ritual of back and forth from hostel to factory and vice versa then becomes a normal activity and habit for them after they have grown used to the working schedule, and to some extent, the discriminative nature of the workplace.

5 HOW FACTORY WORKERS ASSERT THEMSELVES OUTSIDE THE FACTORY

In the previous chapter, I elaborated the structural conditions which the workers are exposed to in the migration processes and the formal workplace. Against the backdrop of the exploitation of workers in the factories, I argue that workers are ordinary people who live normal lives outside the factory. Their normal activities challenge the notion that they are either merely passive ‘victims’ or active ‘fighters’. I support this argument by looking at their ‘everyday practices’ in the social life dimension. Outside the factory, the opportunity to realise their existing skills and immediate talents proves to be an important activity to further enhance and increase their self-satisfaction and self-esteem. As factory workers interact with other people, places, and their immediate environment, they act as transmitters of ideas and are also constantly exposed to new ideas. Thus, the time spent outside the workplace is necessary to provide an insight to the other 40-50 percent of their everyday lives not spent in the workplace.

Chapter 5 aims to demonstrate how factory workers spend their free time by engaging with and relating to various activities outside the factory. This is in contrast with the work-related nature and setting of which workers are being administered by the highly regulated and structural outsourcing system discussed in Chapter 4. To recap: practices, for this study of labour migrants, are framed as the everyday practices, or the ordinary doings, sayings and thinkings of migrants. Workers’ activities involve both intentionality and routine which reflects the social practice in the host society. I argue that workers who demonstrate a lively engagement and involvement in various normal and ordinary activities, as listed and discussed the sections 5.1- 5.3, cannot be labelled as passive victims who may lack the motivation to take part in any kind of extra activities after work. In the same vein, but on the other hand, however, they are also not active ‘fighters’, as the activities do not directly challenge the outsourcing agency, police, or the migration regime. Rather, their doings and sayings signify the practical ways in which factory workers structure their daily lives, more often observed in their individual strivings to live a better life in the receiving society.

Migrant workers' ability to make the best out of their present circumstances is witnessed in the way that they seek to benefit from the loose structure of free time. In this Chapter, I discuss workers' free-time activities in their second and sometimes third jobs (i.e. outside the factory) in the receiving society; Section 5.1 demonstrates the expansion of the skills they bring from their origin countries, and the aspiration to improve their lives as ordinary people. In addition to these economic-oriented ventures, workers are also involved in fun-oriented events together with friends, colleagues, and members of the local and non-local population (Section 5.2). Some workers continue to keeping up with their spiritual activities, while some encounter and embrace spirituality to improve their personalities (Section 5.3). In the end, I conclude that factory workers take part in social life in accordance with their capacity and motivation to seek a dignified and satisfying life.

5.1 Second and Third Jobs

Workers manage their free time after work independently based on their own preferences. This section aims to elaborate workers' active involvement in their second or third jobs, apart from their work in the factory. I argue that workers take advantage of their immediate skills in order to earn extra income, and at the same time, their satisfaction and confidence levels increase over time.

Workers are brought into Malaysia and to work in specific economic sectors as permitted by the Malaysian authorities. The skills are defined and categorised according to the respective economic sector, and their skills are also built up during their work in the Malaysian factories and constructions sites. For instances, factory workers receive training in the factory upon arrival to ensure they have the necessary skills to operate computer-controlled machines, while construction workers start with the basic construction-related skills and they become more skilful over time. However, there is an exception in the case of garment factory workers because they are expected to already possess basic sewing skills in order to be recruited. In other words, workers are required to perform productively in the workplace. However, what remains important and yet still requires investigation is the personal transformational journey that workers encounter and experience outside the factory. As Archer highlighted, actors bring in their own agency, creativity or skills from

elsewhere. Archer's argument is particularly useful as they are migrants in this study, the change is possible whereby migrants adapt and make use of their existing skills to better their lives in the foreign place.

Factory workers engage in a variety of irregular jobs during their free time. They work for eight hours daily, not including overtime. They also find some hours to work in the evening when they are on morning shifts. Otherwise, their free time includes Saturday night, Sunday, and when the factory shuts down during public holidays; these days, times or hours will often be used to engage in part-time work. The nature of informal jobs in other sectors is mostly on a temporary or short-term basis, and depends on the workers having friends inside or outside the factory to link them up with the opportunities. For instance, when I asked how the factory workers gained the opportunity to work for some hours in a hotel, Irlah, a female Indonesian factory worker, told me that since many of her factory friends were working part-time in the hotel, they had already established contacts inside the factory.⁸⁶ Workers themselves disseminate information about job opportunities to one another in the factory. Workers receive payment based on the total hours they work; often, they can only work for 3-4 hours on weekdays and eight to twelve hours on Sundays. Irlah further explained that some of her friends who manage to work in part-time jobs or during public holidays – that is, when the factory 'shuts down' for four days – can earn around RM 300 – RM 400 (€ 70 – € 94). According to her, the extra earnings are used for daily expenses and the monthly salary is sent back to their hometown.

The types of jobs and rate of payment the migrant workers accept as second jobs are not attractive for the local work force. For instance, for house cleaning they receive RM 5 (€1.17) per hour. As one respondent said, the amount they charge is equivalent to the salary for factory work on Sundays (also RM5 per hour).⁸⁷ Overall, second jobs generally

⁸⁶ Fenny, an Indonesian female worker, showed me pictures taken with her mobile phone that displayed some of the colleagues wearing uniforms prepared by the hostel as waitresses, in which they were smiling happily for the camera (12.11.2012 Personal Field note).

⁸⁷ During the fieldwork, a colleague from my centre was interested in getting some workers to help with cleaning her apartment. Therefore, she requested that I ask some interested workers about the cleaning task. I took the request as an opportunity to approach the workers and to note their responses. Ah Jhie, a

earn the equivalent pay per hour as working for the extra (Sunday) working days. A respondent stated:

[...] it is good to work on Sunday doing cleaning if there is an offer to do it [...] it is better than spending time in the hostel and gaining no income for the day. (19.05.2013, field note entry)

The local employers in the services sector, e.g. those running hawker stalls or restaurants, tend to look for foreign workers rather than local employees because the former are more likely to exhibit the toughness required by the job and they are willing to accept a relatively low payment rate per hour. Therefore, the availability of part-time jobs also corresponds to the needs of local employers who are interested in recruiting workers for a few hours for some demanding tasks, i.e. washing dishes. For instance, there are cases of the Vietnamese and Indonesian workers working in Chinese hawker stalls. Many workers get hired by co-nationals – for example, Burmese workers tend to work in Burmese shops because they can speak the Burmese language; likewise, Bangladeshi workers are employed in Bangladeshi shops because they speak both Bahasa Malaysia and Bengali. These immediate skills, talents and strengths depend on the workers' dispositions, such as languages spoken, and personal skills and physical strength. A Burmese female former factory worker explained,

[...] I also worked in the Burmese restaurant as a cook during weekends in order to earn more money. I can earn about RM 50 (€ 11.70) per day! (17.03.2013, field note entry)

Vietnamese female worker, indicated that they were willing to take up the offer on Sunday, and stated that the pay rate would be RM 5 per hour, and that it would depend on the employer how fast they want to get the job done. If the employer wants to make it fast, up to two persons would be needed. Also, the employer has to organise transport in order to take them to the destination. Later, Ah De, another Vietnamese female respondent, told me personally to contact her at any time in case there was an offer of an apartment-cleaning job, because she and others were always inclined to take on cleaning tasks.

Cooking is a personal talent which enables workers to seek job opportunities beyond the formal workplace. Lanh, a Vietnamese factory worker who was working in a sewing factory for her eighth year said,

[...] I used to work for 18 hours a day, as a part-time cook in a canteen for two years, and at the same time I worked in the factory from 8am to 6pm. Then, I started a business selling Vietnamese products six years ago. I collected the orders from friends inside and outside the factory and would deliver upon request to their hostels in the evening. Otherwise, they could find me on the street, with all the products,⁸⁸ in the evening. At home I used to work as a dress tailor. Therefore I can sew very fast in the factory and I often help to hit the target of the day, so my supervisor in the factory does not allow me to take leave because she is afraid that if I am absent, the team may fail to hit the daily target. I work very hard because my ambition is to earn as much money as possible and to save as much as possible from working here. I hope I will not need to work anymore when I return to Vietnam. (15.10.2012, field note entry)

Workers' additional learned or inherited talents are used to help them achieve their aspirations. Their talents also help them to shape their lives in the coming days. Lanh's elaborations help to illustrate the way workers turn challenges into opportunities by drawing on their talents. The highly urbanised context of Penang, in which workers are embedded, is an important variable to be factored in when considering the various opportunities they encounter and experience. If workers are based in rural areas, there are less opportunities to take on second jobs. Occasionally, workers are approached by local people because of their physical strength to carry out some tasks. For example, Ah Dye, who is also a factory worker, said:

[...] last time, a local Chinese man needed some workers urgently to help with weeding the cemetery, which is mostly grassed over. The cemetery is just behind the hostel. He talked to one of the community policing members, Ah Khang, to contact us. According to the local man who wanted to recruit us, he would pay

⁸⁸ She sells the majority of the Vietnamese products, such as body lotion, powders, Maggi noodles, coffee, condoms, contraceptive pills, phone cards, different Vietnamese sauces for cooking, and the like.

RM 5 per hour. We felt that this would be really hard work, therefore we negotiated for a rate of RM 6 (€1.4) per hour, but Ah Khang did not agree. We insisted. Eventually, the local Chinese man agreed to pay for the rate we asked for. (29.12.2012, field note entry)

The quote highlights how workers succeeded in negotiating the payment rate with a local Chinese man based on the type of task they were supposed to carry out. The formerly mentioned reasoning behind the hourly rate charged for cleaning is in line with the overtime salary rate in factories on Sundays. For weeding, the workers demanded a higher rate because it is more physically demanding. This indicates that factory workers possess a certain level of confidence regarding what their labour outside the factory is worth.

Apart from negotiating the rates, workers felt good about their immediate skills, especially if the skills are appreciated by others. The opportunity to display their skills encourages them to further develop them. At the same time their self-confidence increases over time. As was indicated above, some female workers draw on their talents as skilful cooks; at the same time, they gain a strong sense of being proud, and feel satisfaction with themselves. Ros, 39 years old, widow, a female Indonesian worker from Medan, was paid to prepare dishes for some special private events of the supervisor in the factory. This was because the supervisor liked her cooking and asked her to cook for her, offering some extra income for the task. Ros is also good at body massaging, which she learned when she was a midwife in her village. She arranges times when she is not working in the factory in order to manage all the calls from her local and non-local colleagues asking for massage appointments. Her business and popularity has spread through the word-of-mouth recommendations of her clients. For 45 minutes of massaging, she collects about RM 15 – 25 (€ 3.5 – 5.8). In a third job, she helps a business friend peeling potatoes when there is no overtime scheduled in the factory. According to Ros, she uses the extra income from non-factory work for daily living costs, of which she estimates the food and clothing cost is about RM 350 (€82) monthly. This way the monthly salary for factory work can be entirely sent back to Medan (Indonesia) to save. She sends back about RM 350 – RM 500 (€81 – 117) monthly to save for the pilgrimage to Mecca. Despite her discipline to allocate time properly for different jobs and financial management, Ros also uses a portion of the earnings to allow herself some luxury. She bought, for instance, a gold necklace and

bracelet for herself. Referring to the gold necklace, which cost RM 900 (€ 210), she said proudly in an interview,

[...] this is the gold necklace I just bought. I sent back enough money for saving last month; therefore, I do not need to send back money for this month. Thus, I decided to spend the money to buy this gold necklace. (15.11.2012 field note entry)

Purchasing a gold necklace and bracelet is an investment practice among the female factory workers because they are confident that the value of gold is more stable and reliable than that of money. Apart from buying gold, a young female factory worker sends money back to her mother to keep for savings in order to support herself so she can pursue a higher education back in her origin country. She said,

[...] I work in the factory in order to save money to support my study fees in university. I have a relative who managed to self-finance herself to further study by working overseas temporary. I am going to learn from her. (07.12.2012, field note entry)

The practices of street-traders displaying and selling their products beside the busy roadside is a common and familiar scene in Asia. Such scenes can also be found in the hostel area, where fresh vegetables are sold. Selling vegetables is one of the alternative extra income-generating strategies of many Vietnamese workers. Most of the Vietnamese women workers collect unwanted vegetables or the vegetables that are filtered out by the local farmers in the nearby farmlands. There are different ways to do this: some workers get the Bangladeshi farm workers to help them collect the abandoned vegetables, by means such as agreeing to lower the charge for sexual favours in exchange for receiving cheaper vegetables for selling and for their own consumption⁸⁹; some workers collect the vegetables by themselves, such as the case study of Ah Dae (the following section); some workers collect the vegetables by themselves because the farmers have left the relatively stale ones on the farms. They 'repack' the vegetables and sell them to the other factory

⁸⁹ In this specific case, there are three female factory workers who work for sex work in their free time, and some of their clients are Bangladeshi men.

workers at an affordable price.⁹⁰ Some of the Vietnamese workers indicated their experience with this kind of work as they had sold and grown vegetables in their home villages. It therefore suggested itself as a means to make money that they could easily take up in the host society and context once the opportunity arose.

Picture 6 Selling at Rm 1(€ 0.23) for Each Bunch of Vegetables



The workers make use of the necessary skills, such as to identify and pick ripe water spinach or mustard leaf. To carry out this type of occupation requires a high degree of self-discipline. The following case study elaborates the case of vegetable-selling as the second job of a Vietnamese female worker:

⁹⁰ Individually, they leave to the farmlands by walking or taking bicycle immediately after coming back from work. After taking some time to pick all vegetables, they then packed their vegetables into bunches and sell at RM1 (€ 0.23) per bunch.

Picture 7 Ah Dae Picking Water Spinach on Abandoned Farmland



Ah Dae earns a basic salary of RM 520 (€ 121.8) monthly in the factory, but picks vegetables in addition if there is no overtime.⁹¹ If Ah Dae is working on night shifts in the factory, she then goes to the farms in the early morning, around 6.30 am. In the case of morning shifts, she goes to the farm in the evening, around 6.30pm. According to Ah Dae, the vegetable picking has become very competitive because many workers have discovered the same spot at which to collect the vegetables farmers have abandoned. All pick the vegetables for re-selling to (co-)workers. This means that she must arrive at the farm site as early as possible, before other workers come back from work, in order to have a comparative advantage and be able to collect fresh and relatively high quality vegetables that will earn a good price for the day. In one of our conversations, she revealed happily that the few hours of selling vegetables tops up the monthly total income from factory work, and sometimes the income from selling vegetables is even higher than the factory salary. She highlighted, for instance, that she earned around RM 500 (€ 117) in August 2012 from selling vegetables; this was at the time when factory work was limited to the

⁹¹ Initially, she came to pick vegetables for her own consumption, but after a while, she started to pick for selling.

regular 8 hours a day and no overtime was scheduled. On another occasion, Ah Dae mentioned that she only had time to sleep for two hours a day for several days in a row, and subsequently lost weight because she was so busy. To ease her burden and avoid the time-consuming picking, she would sometimes purchase a big bunch of vegetables directly from a Bangladeshi worker in the farmland and resell it to her co-workers. Using her good judgment and common sense related to the vegetable selling business, she would point out that the vegetables do not look good in rainy season, and so workers are not likely to buy the vegetables. At times, she will bring the remaining vegetables to another place, namely Paya Terubong for selling as she is confident that the vegetables would be sold out in the area because it is one of the migrant hotspots. She had started to sell vegetables following in the footsteps of one of the former factory workers who had also sold veggies from the farmlands. Later, some other Vietnamese workers followed her example, but some workers collect vegetables only for their own daily consumption.

Ah Dae's daily schedule is guided by strong self-discipline and physical toughness, and it is a routine which she endures because it allows her to spend her free time earning extra income without being dependent on the uncertainty of the factory overtime schedule. This ultimately feeds into a feeling of pride and enhances her self-confidence as a capable and independent earner, able to find alternative income-generating activities to achieve her goals.

At my request, one evening Ah Dae took me to the farmland before she was due to start her nightshift in the factory. We used my motorbike, and she asked me to stop at one spot, where she wanted to check with a helpful Bangladeshi worker who always helped her to collect vegetables. However, on that day the worker was not at the site. Meanwhile she talked to two other Bangladeshi workers, who had a big bunch of vegetables in front of them. Ah Dae asked if they would sell the vegetables to her but they refused. Driving on, at our second destination we had to walk quite a few minutes to the field where Ah Dae started to pick vegetables from the seemingly abandoned farmland. There were wild grasses everywhere, and water spinach. She picked water spinach. Just 50 metres from the abandoned farmland, there was a slasher and a small hill, where a developer was slowly

converting part of the farmland for the construction of a building. Two construction workers were working in the place nearby the farmland.

Just after 10 minutes, while I was sitting on the small hill,⁹² someone appeared and shouted at Ah Dae ‘Why you come again? Go away [...] never come here again [...].’ Ah Dae had already told me that there was a fierce and unfriendly Chinese farmland owner who used to chase her away or scold her for picking the water spinach. Ah Dae just stood up while he was scolding her. In the meantime, I started to talk to the local Chinese farmer in Chinese⁹³ while Ah Dae was working hard to pick the water spinach. She tightened

⁹² She asked me to sit somewhere while she was picking the water spinach, I did not offer help as I could not really recognise and differentiate the good versus bad water spinach which grew together with the wild grasses. Further, she did not bring an extra pair of gloves for me to pick the water spinach. Thus, I decided to sit and write down my observations.

⁹³ The Chinese farmer expressed his dissatisfaction over the fact that a big flow of Vietnamese female factory workers would come to pick vegetables. The first group who came over started in 2003 when the first batch of factory workers were sent to Relau to stay. In the beginning, they came here to buy some vegetables from the farm owners. They bought them to cook. Later on, they started to pick the abandoned vegetables left by the farm owners and to resell them. The farmland owners were quite open to this because they did not sell the abandoned vegetables. However, the situation changed when the flow of Vietnamese who came to pick vegetables got much bigger. Usually as many as 20 to 30 would come in the mornings and evenings. Moreover, according to him, they indirectly destroyed the new vegetable plants when they picked the unwanted vegetables left in the farmland. What made him angry was that some of them also stole vegetables when he and the staff were not around in the farmland. Therefore, he decided to chase them away. He said he did that to every Vietnamese who came over to pick vegetables. I argued with him, pointing out that the water spinach was growing at this place on the abandoned farmland, which the owner has left unattended. So, they didn’t steal the vegetables from the farmland that had caretakers. Secondly, they would sell the vegetables to their own community and therefore they did not compete with the farm owner in terms of market. Thirdly, they did it by their own labour, which meant they had to pick the vegetables under the hot sun and transport them back by their own strength or using a bicycle. He didn’t seem agree to these points. He said they would pick around 20-30 bunches of vegetables; therefore they could easily earn RM20-30 per night. Secondly, he was concerned about the high numbers of them coming every day. This has disturbed his farmland. However, we didn’t end up fighting. I tried to talk softly to him. I said if they stole vegetables from his farmland, then he could report them to the police, but that it was not possible to send them to the police because they were picking the water spinach from a piece of abandoned farmland with only abandoned vegetables and wild grasses. He also pointed out that the farmland owners were already becoming more lenient in comparison to

each bunch of veggies with the rubber bands⁹⁴ and she wore transparent gloves to pick the vegetables. Within an hour she managed to collect about 15 bunches; by then it was around 6pm. She wanted to go back to the hostel early to be able to start selling the vegetables before the factory workers arrived there. Eventually, at around 6.30pm she packed the day's total of 18 bunches of water spinach, placing them into a green bag ('*guni*'), and carried them off to the motorbike.

Pointing out the nearby construction area and the developer encroaching into the abandoned land, she remained steadfast that she did not do anything wrong by picking vegetables from the abandoned farmland and the soon-to-be-gone farmland. However, she agreed that since a lot of factory workers had started to come and pick vegetables, the competition over vegetables that could be picked at field sites had significantly increased. Back at the hostel place, she spends around two to three hours selling water spinach, including brinjal, field mustard, bitter gourd, and cucumber, and sometimes she also sells tropical fruits, like papaya, guava, and mango whenever she gets it, along with other sellers, lining up all together with their products by the roadside, be it in the early morning or in the evening, in order to manage her daily 'sales' activity. Her main customers are Vietnamese factory workers. She gets all the other types of fruits and vegetables from the farms. Sometimes she travels by bus to other hotspots with a majority of migrant workers in order to sell her remaining vegetables, because the competition in the existing spot has increased. Pointing to a young Vietnamese female worker with long hair, fair skin, and a pretty appearance, Ah Dae stated:

[...] Anh can always sell many bunches of fresh vegetables at the same price, i.e. RM 1 but in smaller portions, because her male partner (*abang*)⁹⁵ is growing vegetables in a farm. He always brings various vegetables for her to sell. She told me that she earns RM 1,500 (€ 351) monthly just from selling vegetables. They

the past. This was because the developer was going to take over the whole farmland, and that all the farmlands would be gone in a few months. At the end of the conversation, he asked me not to ever come again.

⁹⁴ *Getah* In Bahasa Malaysia

⁹⁵ *Abang* is a translation; in Bahasa Malaysia it is used loosely to refer to a male partner.

got to know each other when she was helping to weed the grass in the cemetery. He also bought a gold necklace for her. (12.03.2013, field note entry)

This quote draws attention to the role of immigrant women's local partners, who often support them in business terms. As with this example, Anh's partner is a Bangladeshi farmer, Mibur. According to Ah Dae, Anh is married in Vietnam but she kept it a secret in order to receive the support from Mibur. However, the feelings for Mibur might also develop over time, particularly as Mibur treats her like his future wife. Mibur intends to marry her and supports her where he can; for example, he often stands beside her when she sells the vegetables on the street. Ah Dae had observed how Mibur feels jealous if other male workers approach Anh.

I observed another Bangladeshi man waiting for a Vietnamese woman when I helped Ah Dae to sell her vegetables. At the same time, a Burmese man visited the Vietnamese girlfriend with whom he had established a two-year relationship, and Ah Dae was approached by a construction worker from Myanmar asking about her housemate. When he was told by Ah Dae that the housemate had already left Penang for good, the man looked upset, and he gave the soft drink he had brought for her housemate to Ah Dae. Afterwards, Ah Dae told me that in fact her housemate had found a new boyfriend and did not want to be interact with the Burmese man anymore.

The majority of the workers are aware that the income from a second or third job is only a supplementary income to their main salary as factory workers. The additional income is derived at considerable risk because they are not supposed to take up any jobs other than working in the manufacturing sector, as indicated in their permit. At the same time, the workers admit that it is an 'illegal' activity, and they try to keep the outsourcing agency unaware of the second income activity. If workers are caught working in other sectors, they can be repatriated immediately. Moreover, it is stated in the contract that the employers do not take any responsibility or offer any assistance when workers are caught by the authorities for being involved in illegal income generation activities. In such a case, workers have to return the money which was initially paid upfront to the agents for the

processing fees of their work permit application.⁹⁶ Nonetheless, all the labourers I encountered during my field research were willing to take the risk. Up until I completed my fieldwork, none of them reported to have encountered any serious offence, even though some outsourcing agencies were aware of their free-time activities.

Mr. Abdullah, the supervisor of outsourced workers in an outsourcing agency, reported that they did not mind workers' additional income-generation activities as long as the workers reported to work every day. However, he added that workers have to take responsibility for their conduct outside the factory. I often witnessed Mr. Abdullah's presence in the hostel area, where he managed all issues related to outsourced workers under his supervision. At times, representatives of the Municipal Council of Penang Island (MPPP) came to spot-check upon receiving complaints from the local residents because the sellers had blocked the roadsides during heavy traffic. As a result of such raids by the MPPP, workers lose their products,⁹⁷ but they are not reported to their employers, the outsourcing agencies. While a second job is often a fixed part of workers' everyday existence outside the factory, not every migrant worker engages in extra-contractual labour. For example, Yati, who put all her efforts into monitoring a strict budgeting plan, managed to support the expenditure of her brother's wedding in the first and second year when she worked in the factory, and brought back around RM 7,000 (€ 1,639) in the third year. She budgeted the daily meals by consuming the cheapest and most available vegetables, such as water spinach, eggs, Maggi noodles, and so on. She established a habit of spending no more than RM 5 (€ 1.20) a day on meals from the very first year. This requires a high degree of self-discipline and control, but also highlights the element of choice underlying this way of life. She recalled that she did not opt to do part-time work in a hotel as a waitress in the first year because she insisted on wearing the veil, which contradicts hotels' working procedures. For the future, after returning to her village in

⁹⁶ The return is compulsory if any worker decides to leave the job within the contract period of two years. The penalty could total up to RM 1,500 (€ 351), as imposed by one of the outsourcing agencies I came across doing fieldwork. The penalty charges depend on the decisions of specific outsourcing agencies.

⁹⁷ Workers use mobile phones to inform each other about the spot-checks by the MPPP in order to protect their products from being taken away. They then either hide the products when the MPPP approaches, or temporarily stop their selling activities for few days.

Indonesia, she intends to use the savings she earned over the past three years to start a business.⁹⁸ This example illustrates workers' capacity to make use of their talents and skills outside the factory, in order to improve their monthly incomes through different strategies, and live a happy and dignified normal life in Penang.

5.2 Recreation Activities

In spite of the opportunity to gain additional income during their free time by utilising various skills, workers also get involved in recreational activities as part of their daily practices. This section aims to elaborate how workers' leisure time spent relaxing is a reflection of their ordinariness in terms of everyday practices in the receiving society. The element of fun which is cemented into workers' time schedules outside the factory brings alive their aspiration to shape a work/play balance and a happy life.

The main recreation activities involve fun, entertainment and time devoted to spiritual needs and related practices. Both types of activities imply a certain degree of freedom and allow workers to enjoy new experiences and encounters and to bond with others – migrant workers as well as members of the host society. Moreover, certain enabling conditions are in place that allow them to act free from the social constraints and control in their places of origin. This implies they are free to make friends, to go to places that they like, to use the money they earn based on their consumption preferences, and generally to spend their free time as they wish, e.g. by learning new skills. Given that their immediate surroundings are immersed in a variety of cultures, lifestyles, and beliefs, they engage and interact with locals and non-locals on a daily basis.

Over here, I can allow men to enter the house. This is not a problem. But if I were in my village, the villagers would throw stones at my house. [...] we can never ever wear anything like this (i.e. exposing any part of the body) when we step out of the house [...] we can only do this when we are here. (12 September 2012, field note entry)

⁹⁸ She ended the contract in February 2013 and returned to her village.

We (interviewee and her colleagues) only meet in the factory and hostel. But we do not bother about what other people do outside the factory. That is their business. We do not keep in touch when we leave Penang or once we are back in our villages. We lose contact with other workers when they return to their country, or even when they change to another factory. Some others, they also change or stop using their old phone numbers. [...] We only mind our own business here. [...] Even if we are back in our villages, we will never gossip to the villagers what other people have done here. (14.01.2013, field note entry)

The first quote above reflects workers' experiences of different living styles in comparison to those in their origin and host countries. In the host society, workers are aware of the flexibility to adjust and adapt to the new living environment because they are on their own to working overseas. Further, workers have the freedom to establish friendships with their hostel mates, colleagues in the factories, and new friends outside the factories. This free style of establishing relationships with male and female friends across countries or from the same country is possibly even viewed as a taboo in their villages. On several occasions, I voiced my doubts openly to female workers concerning whether their behavior and choices of living styles in the host country might possibly be made known or reported to their origin villages. However, in the second quote, the female workers reaffirm their confidence that they will lose contact when they return home or change the factory. The affirmation that their 'stories' will remain only in the host society suggest that workers get silent cooperation from each other, avoiding exposing the social life they encounter in the host society to their home villagers.

Young workers who come to work in Penang for the first time feel free of parental control. Most especially, they control their own money salary and can make independent decisions with regard to their daily expenditure and their activities during their free time after working hours. The housemates in the hostel are the immediate contacts for the majority of the workers who stay, for example, in Relau – one of the migrant hotspots. Workers' housemates therefore play an influential role in the way they manage their daily

lives. According to Heti,⁹⁹ who successfully runs a restaurant the customers of which are mostly factory and construction workers, said:

[...] they are mostly young and first-time workers who come from the rural villages [...] when their housemates invite them several times to spend time at Karaoke to relax after work [...] it is hard to reject the temptation many times [...] but having joined in the karaoke on one occasion, you would get to know more friends in karaoke [...] and so you will go again [...] (15.02.2013, personal interview)

The time spent in joining in with karaoke is a time to reward oneself, a time for relaxing and having a good time with friends, after the long day of hard work. During weekends, I could observe that female workers would dress up with heavy make-up when they left the hostel in the evening. Some workers leave with friends and share a car because it is cheaper than a taxi; others leave alone in private cars waiting for them outside the hostel. Some workers organise their birthday celebrations in karaoke bars. Few workers view these activities critically; for example, a female factory worker who had been working in Penang for about nine years stated:

I estimate that nine out of ten young female workers are exposed to an unhealthy living style and they are physically 'contaminated' by working here. I will not allow my daughter to work here. (07.02.2013 field note entry)

With their preferences for consumption and lifestyle habits, migrant workers do not distinguish themselves from ordinary locals in any way. Instead, similar to ordinary local people who work hard in the workplace, they also make use of spare time activity opportunities to ease the pressure. This entails an element of freedom, because being a migrant worker and living in the host-country context allows them to experience a new lifestyle. It is, for example, very popular among the workers to reward themselves by going to fashionable places to have food. They take the opportunity to hang out and plan their dinner at KFC when they receive their salary. As a female respondent reported,

⁹⁹ The story of Heti will be discussed in detail in Chapter 6 (Section 6.3)

It is too expensive to consume KFC back in Indonesia. Therefore I rather enjoy KFC once in a while when I work here. (15.03.2012 field note entry)

On the issue of ‘new’ dress codes such as short pants and sleeveless tops, an Indonesian young female worker who had just returned to the hostel after a short break to visit her village disclosed an incident which had occurred between her and her father:

My father found that I had brought back a pair of short pants, and he got really angry. He shouted at me: ‘Is this what you learned from working in Malaysia?’ He threw away the pants outside the house and warned me that he does not want to see this kind of ‘indecent’ attire anymore! (04.11.12, field note entry)

During our conversation, she was exactly dressed the way her father disapproves of – indicating that she did not intend to change her looks while in Penang and that she actually perceived the possibility of wearing what she wants as freedom, because it is not acceptable and tolerable in her place of origin in Indonesia.

Apart from clothes and dress codes, the majority of female workers are fond of hairdressing and visiting hair salons to straighten their hair and/or to get a ‘new look’ by colouring it. The fashion of straightening the hair, and its popularity among young female workers in the hotspot, resulted in the opening of about 10 hair salons in the hotspot alone. The local-owned salon hairdressers make a good business from the hair-matters of female factory workers. For instance, Mrs. Mandy, who opened a barber shop located in one of the hostels for workers, narrated how workers are generous in terms of spending money on their hair. She has both local and non-local customers. But the beginning of each month – that is, when the factory workers receive their salary – is the busiest time for her to schedule appointments.¹⁰⁰ As another dimension of the freedom of changing one’s personal appearance, upon having to return to their places of origin, a re-transformation has to set in. As one Indonesian young female worker said, she changed her hair color back to the original black when she travelled back to her village because she could never return to her village during the Raya festive with the ‘yellow’ hairstyle. In the context of her place of origin it is considered shameful to change her appearance.

¹⁰⁰ The workers have finished repaying their loans in the first few months of the first year.

Penang has been known and is being advertised as one of the tourist paradises in Malaysia. The easily accessible shopping malls are the favoured places for workers to hang out and meet friends, especially during long holiday breaks. A consumerist lifestyle and material things, such as pricy shoes, decent dresses, cosmetic products and the like, represents a strong temptation for workers. In shopping malls such as Bukit Jambul they enjoy going to movies, food, and shopping.

Nonetheless, workers also spend time searching for cheaper stuff in the weekly *pasar malam* (night market) in which the workers can find a whole range of items, e.g. food, shirts, shoes, fruit, drink and the like on every Monday. The night market is located 15 minutes away by foot from the hostel. Yati, who intended to buy a pair of shoes for working in the factory, negotiated with the Chinese boss of a stall hawking hundreds pairs of shoes to lower the price. He eventually agreed to the price she negotiated in view of her identity as a factory worker. However, he refused to lower the price for the shoes I was interested in buying for myself. Later, Yati told me that this was because he knew that I was a local when I spoke to him in Chinese. Indeed and initially, Yati helped to ask him to give me a reduced price, but I spoke in Chinese which indirectly spoiled the plan. The incident led me to reflect on workers' skilful strategies to negotiate with the hawker boss for getting the items they needed.

In the next paragraphs I showcase the example of Irlah, who is trying to make ends meet between her formal job, informal work, and recreation. In the interview, Irlah voiced her growing dissatisfaction with the long-hours working schedule and the fact that the migrant workers' monthly salary is much lower than that of the local factory workers. She lives together with a local partner who supports her in terms of daily meals and rent. Irlah is responsible for sending remittances back home to pay for the study fees of her daughter. She revealed her difficulties in saving, partially due to her uncontrollable purchasing behavior. She pointed out a pair of shoes in the entrance of the hostel, saying:

I cannot control myself when I go shopping. I wanted to buy many things. One time, I spent almost half of my monthly salary on purchasing clothing, cosmetic products, shoes, etc. I felt so regretful afterwards. For example, I spent money on

a pair of expensive shoes but I hardly wear them anywhere. What a waste!
(23.02.2013, field note entry)

During the holiday break for the Raya¹⁰¹ celebration, she invited me to go with her to the hostel of her colleagues for dinner. On the way, she decided to stop at the salon in order to get a new hairdo for an evening's dinner. Generously, she spent RM 12 (€ 2.8). Happily smiling she said,

Look at me now, do I look prettier? [Laughing] This is just for fun once in a while.
(21.08.2012, field note entry)

The effort to style herself and to look good in the eyes of her colleagues is a way to boost her self-confidence through compliments received from others. At night, when we returned from the dinner, she called up her daughter and reminded her to do well in her studies, to read the Quran every day, and to obey her elders. She passed the phone to me to speak to her daughter to encourage her daughter to study hard. She reported proudly to me that her daughter, who is 8 years old, washes and irons her school uniform by herself. She then burst into tears in front of me, sharing the feeling of missing her daughter and feeling sorry for her for not being able to be near her daughter and do what a mother is supposed to do. The affection and love for her daughter, and at the same time the suffering while she is away from her reflects – on the one hand – a dimension that is usually overlooked in the functionalist discussion of labour migration regimes and remittance economies. On the other hand, it is likely that the psychological impact of this situation – workers being separated from their loved ones and leaving them in the care of their relatives – also has something to do with the erratic consumption patterns. At times, Irlah has to borrow money to remit. In urgent cases she approaches an Indonesian woman who lends money to workers with an interest charge. The latter repeatedly comes to Relau, the migrant hotspot at the focus of this study, to collect the repayments. In times of sufficiently available overtime, Irlah joins the popular rotating credit groups, locally known as 'kut', to save money for remitting.¹⁰² The advantage of joining the credit group is that these are

¹⁰¹ The New Year for Muslims all over the world.

¹⁰² The workers named it 'kut', a term which carries the same meaning and functional roles as those of 'rotating credit group'. Some workers initiated a rotating credit group with housemates or colleagues from the same work department and along ethnic lines, to deposit regular sums of money. Each member of the

interest-free; however, the disadvantage is that it takes few months to complete a circle. This requires proper planning to make sure the total sum is received when needed. Besides, Irlah works as a part-timer in a kitchen peeling potatoes when she is in need of money. The owner of the kitchen place – Suti¹⁰³ also acts as broker who introduces local clients to Irlah to improve her income and expenditure deficit with earnings from sex work.¹⁰⁴

The case of Irlah illustrates the importance of aspects outside the formal labour regime to make ends meet and the migration a financially rewarding enterprise. Some practices, such as establishing relationships even if a woman has a partner or husband ‘back home’, working in a second or third job, joining credit circles, and so on form the cornerstones of everyday life of migrant workers. They are challenged in two ways: To be able to afford a normal life at their place of work in the host society, and to remit and save in order to improve their overall prospects. In this context, even sex work is considered a legitimate strategy to improve one’s situation. It allows special consumption and is an option to earn money in the shortest term. Penny elaborates the experience of her colleague:

group takes turns in withdrawing all the money. The group may have between five and ten members, who have already established trust among one another. For instance, five workers decided to form a group and agreed to contribute RM 200 per person per month. Thus, each member takes turn to receive RM 1,000, and it takes five months to complete a circle. Workers tend to join the rotating credit group in the first year, and it continues to the second year. In this way, a Vietnamese respondent saved between RM 5,000 and RM 6,000 (€ 1,170 - 1,405) annually and remitted it to her family. Most of the workers also expressed that they are more flexible in relation to the monthly income after going through the first half-year of loan repayment. Thus, they are also likely to continue joining ‘*kut*’ when they receive more overtime.

¹⁰³ Suti’s story will be further detailed below (section 5.2.1).

¹⁰⁴ Apparently, the temporariness of staying in Penang is a persuasive explanation for women engaging in sex work and other types of non-reciprocal relationships. Ah Kuang, a volunteer member of the community police, who used to get along with Vietnamese female workers, gossiped with me about his ‘knowledge’ of their social lives. For instance, he mentioned that one of the Vietnamese workers who stayed on the 19th floor was involved in sex work with Bangladeshi and Indonesian workers. The earning is RM 50 per night if the women are younger than 40 years. Very young women can charge up to RM 100 per night. According to him, two to four female workers had regular clients in Block B.

The monthly salary as factory workers is small, but if you work ‘part-time’ (a.k.a sex work), you can send back remittances equal to RM 5,000 (€ 1,170) in a year. (18.10.12, group discussion)

Because low-skilled workers are assumed to stay only temporarily in the country for work purposes, they are not allowed to bring along their partners to live in Malaysia. Furthermore, there is no legal prostitution in Malaysia; occasionally, foreign female workers and the underground syndicate who provide sex services in the entertainment places such as karaoke bars¹⁰⁵ and discos have been caught by the authorities and reported in newspapers. Relau is reportedly the most popular place to find sex workers. A local Chinese female¹⁰⁶ in her 50s highlighted this point and shared her insights. About herself she disclosed that she has had a few relationships with some Indonesian construction workers, whom she calls her ex-boyfriends. Furthermore, she also has some male friends from Bangladesh. According to her, the Indonesian factory workers used to go out with men from different backgrounds, but mostly Chinese men in their 50s, during week-long

¹⁰⁵ An interviewee who works under the agent system told that she had an experience of travelling to Malaysia through the Social Visit Pass in the past, and overstayed in Kuala Lumpur. She was brought to an underground karaoke bar where she saw a majority of local Chinese clients. In a police operation, a police officer did not send her back but helped her to find a job. The police officer ‘forced’ a small factory employer to employ her to work without legal documents and advised her not to return to the ‘entertainment sector’. Later, she returned to Medan and she lost contact with the police officer. She said she did not have intercourse with the Malay Muslim policeman because he insisted that he wanted to help her for a good cause. (13 February 2013, personal interview)

¹⁰⁶ She attended the presentation of my preliminary findings in Penang (March, 2013) and we engaged in a conversation after the seminar. She reported that she was aware of the sexual relationships of female factory workers in her former factory with old Chinese local men for the purposes of generating extra income. She further suggested introducing me to undocumented workers from Bangladesh, Nepal and Indonesia for my research if I am interested. I was very curious and thus I set up a few follow-up appointments with her. Through her, I interviewed an undocumented construction worker who had been staying in Penang for 20 years; a former colleague who managed foreign workers from Vietnam and Indonesia; and some male workers at a local construction site. The proposal to meet an undocumented Indonesian female construction worker who had been working for over 10 years in Penang was cancelled because the respondent refused to be interviewed.

holidays,¹⁰⁷ e.g. during Raya. It is highly attractive for them financially; reportedly, earnings from about RM 3000 to RM 5000 per month can be generated this way.¹⁰⁸ As mentioned in Chapter Four, the hostel restricts the entry of male and female workers who do not belong to the hostels. Workers find alternative places to offer their sexual services. For instance, a room had been rented out for sexual activity in one of the hostel buildings; the cost was RM 20 (€ 4.60) for the use of a towel, and RM50 or RM 100 for an hour's rental.¹⁰⁹

However, not all workers who have local partners or relationships are sex workers. Ros, a widow of 42 years, who came to work in Penang for the first time, had a relationship with a male construction worker from Aceh who was 10 years younger than her. After ups and downs in their relationship – mainly she was concerned about the age difference – she came with her boyfriend to visit Suti during the Raya festival in August 2012. Ros told me quietly but happily that they were booking a motel room in town.¹¹⁰ Then, she left with her boyfriend to join his Acehnese friends in karaoke in another area. Nonetheless, she eventually separated from the younger boyfriend and she was then involved in a new

¹⁰⁷ They will accompany the clients to go Genting Resort etc.

¹⁰⁸ The rates for sex work depend on workers' appearance, such as how soft and fair their skin is. The young female workers might get more than RM 100 (€ 23) each time, whereas the 'not-so-good quality' ones will receive between RM 20 (€ 4.6), RM 30 (€7) and RM 50 (€11.70). Furthermore, she said the female workers are also quite selective; they refuse to 'serve' local Indian and Bangladeshi male workers because they have dark skin. Instead, they go for fair-skinned men, such as Chinese. In general, the Bangladeshi workers will take Indonesian or local Malays, for RM 30 (€ 7) to RM 50 (€ 11.70) per service. The Nepalese workers will take Indonesian and Vietnamese clients at similar rates, i.e. RM 30 to RM 50. The young local Chinese men will go for Indonesian girls because the rate is cheaper than that for Vietnamese girls. The Bangladeshi male workers will pay RM 100 – 150 (€ 23 – 35) to Vietnamese girls because they like their fair skin and they are very generous in paying money because they can hardly find women. The good-looking Nepalese male workers are also involved in sex work, in which the clients are local wives of wealthy men. The rate is RM 500 (€ 117) for overnight; RM 200 (€ 46.80) for 2-3 'games'; RM 300 (€ 702) for 5 'games'. (23032013 field note entry)

¹⁰⁹ On her account, she stated that some of her Bangladeshi friends used to visit that particular block for the purpose.

¹¹⁰ She said he paid RM 130 (€ 30) per night for the motel that they went to occasionally.

relationship with a Javanese construction worker. As far as I know, she never asked for money, from the relationship and likewise she never lent money to her partner.

To some extent, the emotional attachment in relationships is an important and essential part on understanding the temporariness of livelihoods which workers experience while away from their origin country. Ah Lanh was found establishing a relationship with a local Chinese man in his mid-50s. Sometimes when I visited Ah Lanh's hostel, her housemates would laugh out loud and informed me that she was dating, as she would be having dinner with him after selling the products to her Vietnamese clients.

Both Ros and Ah Lanh were financially stable in terms of managing their monthly salary, remitting back home, as well as caring for their appearance. The feeling of being appreciated by others, in relation to love relationships, also plays an important role in workers' everyday lives.

Embarking on one-time sex relationships was also explained to be a way to express sympathy with somebody. For example, Thong, in her early 40s, divorced mother of a 16-year-old son, was said to have four boyfriends in different parts of the city. When helping the local security guard to clean his house, she did not refuse when he approached her for sex. The guard himself narrated the story, emphasising that she received RM 50 as payment for cleaning the house. Thong confirmed in an interview one day thereafter that she helped Mr. Gen to clean his house as his son was out stationed for few weeks. She stated that she took pity on Mr. Gen, who is an elderly man without a wife taking care of him. Thong's story demonstrates the conscious decision she made, which was partially grounded on the basis of having compassion for the lonely life of an elderly person.

5.3 Spiritual Activities

Workers also spend recreation time responding to their spiritual needs. This section establishes an understanding of what they do in the way of spiritual activities. Religious institutions, such as different types of Churches and Buddhist temples, play a significant role in the daily lives of workers. They participate actively in the religious activities, either by contributing their energy, i.e. the female Burmese workers volunteer their free labour

to preparing the meals in temples, or by contributing other skills, such as taking part in the choir in church services. At the same time, they organise the self-study group for Dhamma discussion for Buddhist devotees, or Bible classes for Christians, over the weekends. In the pursuit of an understanding of the religious element in migrant workers' daily lives, I elaborate the case study of a former Vietnamese female factory worker. Rachel had worked as a factory worker for some years in Penang. Later, she started to volunteer at a church-based Vietnamese NGO in Penang. The NGO lasted for a year, i.e. in 2011, before it was closed down due to lack of funding. Besides that, she also served as a Vietnamese translator because she spoke Mandarin. She admitted that it took her five years to accept and eventually convert to Christianity as she learned about the religion in Penang. Rachel actively approaches her fellow factory workers mostly for the purpose of sharing her faith as a Christian. At the same time, Rachel demonstrates her capability in helping factory workers in various dimensions: On the one hand, she acted as a coordinator for the Christian workers' group to arrange monthly meetings to discuss arising matters such as the preparations for Christmas celebrations, weekly Bible discussions, and meetings. On the other hand, the Vietnamese workers call her for emergency matters such as to send them to the clinic. Rachel travels between different buildings in different locations after working hours¹¹¹ to visit workers and encourage them to get to know the religion. A Vietnamese female worker who knows Rachel reveals her experience:

I feel I am happier now after becoming a Christian and try to be a good person. Initially, I thought the religion had restricted me from doing things that I usually did, such as getting irritated easily and fighting with others. Rachel has been very patient to visit me quite often [...] now I feel I have become better. (28.11.12, personal interview)

There were two festive occasions on which I joined the Vietnamese workers during Christmas. It is worth mentioning that around twenty of them were invited to join the 15th Year Church Anniversary dinner initiated by the local Christian fellows in a hotel. All of them were dressed up and were excited. This was the first time they had attended the grand

¹¹¹ She is now working in an office-based job.

anniversary dinner, for which a bus was arranged to pick them up. The workers put on a stage performance which was the outcome of a few thorough discussions and rehearsals during the evenings after factory work. Besides this, Rachel had also helped to arrange for one of the workers' hostels to be the place where they could organise meetings, or for some relaxation activities, e.g. singing, making music. Thus, they organised a small Christmas celebration with the participation of around 25 male and female workers in said hostel. They danced, sang, played some games, exchanged small gifts, and eventually cooked and ate the Vietnamese traditional dishes together in the small place. Rachel reportedly also introduced a young female Vietnamese factory worker to a person who could teach her to cut hair.¹¹² She commented

The girl who just passed by both of us [...] she was very unhappy when she had just arrived and started to work in the factory. [...] The salary is low and the working hours are long. By chance, I introduced her to someone from whom she could learn the skill of cutting hair after the factory working hours. She is looking very happy and confident nowadays; she is very grateful to me for giving her the opportunity to learn to cut hair. (28.11.12 field note entry)

5.4 Conclusion

The everyday practices of factory workers are driven by their 'capacity to aspire', which indicates workers' aspirations to improve their lives. The everyday life dimension of factory workers showed that workers actively assert themselves through different activities which are often related to their immediate talents, in order to thereby gain dignity and self-satisfaction that they might not be able to gain by working in the factory, even though some of the workers manage to hit the daily targets set by the factory. The ability to aspire, as reflected in the factory workers' doings and saying outside the factory, is different from that displayed by the subjects of Bayat's disenfranchised, who are aspiring

¹¹² The girl walked past Rachel and I when I had just conducted an interview and was about to leave Paya Terubong. She looked at Rachel smilingly and waved to say goodbye to Rachel on her way to return to her hostel.

to survive in urban settlements in which they resist the assertion of control by local government through everyday encroachment, and also contrasts with the examples offered by Appadurai, who demonstrates that the marginalised urban poor are endowed with the capacity to aspire to act collectively in order to protest against urban government management, via institutional support such as legal training and counselling. These two prominent examples demonstrate that in some way everyone has the 'capacity to aspire', either as active fighter or passive victim. However, the factory workers' practices outside the factory showcase their 'capacity to aspire' to live a better life, and workers' activities show their active daily engagement in doing ordinary things. In addition, I argue that workers' ordinary everyday practices indicate that they aspire to live a normal life, in which this aspiration it does not manifest at either of the two extreme forms of passive or active resistance. Besides, as Archer insightfully pointed out, the notion of habitus does not play a major influential role, especially in migrants' cases. This is because, as Archer says, change is possible given that migrants adapt to their surroundings, or actually bring in the immediate talents that they inherit from their origin countries, while at the same time they learn and upgrade those skills that make better sense of their existence in the foreign society, such as in Penang. Therefore, it is readily understood that migrants have different set of dispositions from members of the local population, who spend their whole lives living in Penang. Examples of this include the ordinary activities of Ah Dae, who draws on her immediate skills to pick, pack and sell vegetables in the free time, and Ros, who offers a skilled massaging service to her colleagues. Ah Dae demonstrates her abilities in knowing where to access the farm land, how to escape the fierce farm owner, and when to schedule her activities in order to get a good catch from selling vegetables; Ros, who agrees to engage in cooking and massaging activities, reveals her own inclinations to perform the tasks that allow her to earn extra money and also to give her a sense of self-satisfaction and self-realisation.

Emotion is an important component in the framing of the everyday lives of factory workers because the positive feelings, such as a sense of pride and happiness, motivate them to achieve and sustain their personal goals, be they money-oriented or non-monetary in nature. In the same vein, the workers relate to daily sayings and actions which light up the elements of having fun and feeling proud, such as rewarding oneself by purchasing

gold necklaces and bracelets, enjoying celebrations in karaoke bars, learning haircutting skills and the like. The pleasure of doing extra work outside the factory in order to provide fresh vegetables at affordable price- for other workers, or to make others look good by giving them a good haircut, reflect the ‘ways of feeling and experiencing certain activities’ in the normal life dimensions of workers (Everts et al., 2011). Furthermore, workers attached meanings to their everyday doings and narratives outside the factory. Fundamentally, narratives in the daily practices of workers point to the importance of their sayings, ‘the stories that people create to make sense of their lives and environments’ (Autesserre, 2014). Factory workers who take up various strategies for second/third jobs, recreational activities in order to have fun, or other activities to remain spirituality connected, are basically building up the various facets of life in order to lead happy, satisfactory, and contented working lives in Penang, reflecting a desire to live with dignity in the host society.

I contrast the workers’ meaningful life perspectives, in the sense of being satisfied, with their realising their potential within the dominant remittances perspective. I argue that their devotion to sending remittances only displays a comparatively minor part of their everyday practices in social life; far more telling are the dedication of talent, realisation of their own potential, and pursuit of a satisfactory life, which they practice, and which are the main reasons they engage and relate, though not necessarily greatly connected to the pressure to send remittances. Moreover, the meaningful life perspective also points to the dimension of feeling appreciated, feeling pride and confidence in their ability to exercise their immediate talents in the host society. The aspiration for a good life is meaningful when they are able to bring together the utilising of their immediate skills, which as a consequence boosts their self-esteem and self-confidence, and at the same time enables them to earn extra money. Workers’ narratives about the way they live against the backdrop of exploitations in the factory, as shown in the narrative from Ah Dae, who happily told me that she managed to earn better than the monthly salary without doing overtime, demonstrates her self-confidence and self-discipline in running her vegetable-selling business. In addition, Ah Dae’s narrative reveals a feeling of disappointment concerning the monthly salary expected from the factory, and yet also indicates her pride at being able to earn extra money using her skills. In other words,

workers' narratives underlying the 'emotional life' go beyond affection, but also encompass negative feeling (Everts et al., 2011). On the one hand, the narrative of Irlah, who sees herself as having had to separate from her daughter due to her intentional aspiration to be able to afford the same daughter's study fees; on the other hand, the self-reflective sayings regarding her erratic shopping behaviour may indicate her intention to live a normal life in the host society. For instance, being able to support her family in the origin country, and at the same time being able to support herself and to buy favourable clothing, shoes, and cosmetic products allow her to feel like she is balancing her work and personal life and make her able to be proud of her appearance in the receiving society. Furthermore, the aspiration for a meaningful life is also reflected in finding a partner in workers' private lives, or simply enjoying time in karaoke bars or joining in with celebrations, which are the dimensions that are not reflected upon in the dominant remittances-based perspective. Nevertheless, these dimensions also reflect the routinised activities which ordinary actors practice in their everyday lives.

6 HOW MIGRANTS BECOME ENTREPRENEURS: THE RISOLES BUSINESS CONFIGURATION OF SUTI

The investigation of human activities opens up the exploration of actors' agency in the society, through the events in which they engage and interact altogether. Chapter 5 explored the everyday practices of factory workers in their social life dimension. In this and the following Chapter, I will demonstrate two exemplary configurations which evolve through the stories of two foreign 'workers' who have lived and shaped their lives over years while having both documented and undocumented status in the receiving society. I bring in Suti and Babu to illustrate their emancipation journeys, which are loaded by the ordinary activities that they engage in and are able to relate to in their everyday activities and sayings, which are centred on business and spirituality, respectively. I argue that they are ordinary people because their everyday performances are ordinary practices, and with considerable aspirations to improve their lives and to help both local and non-local people.

For this Chapter, I selected Suti¹¹³ as the central person who displays a strong character as an independent homemade *Risoles* cake maker. *Risoles* are popular in Indonesia, and made with a special recipe to make them tasty. The terminology of configuration is used loosely in referring to the interdependent relationships which Suti establishes with her immediate environment through the cake business in everyday life. She establishes her social and economic activities through the *Risoles* business, through which she builds up various spontaneous and intentional connections with people related to her business. There are several people mentioned in Suti's stories who possess both similar and different characteristics in comparison to Suti's strategies and ways of life.

¹¹³ I met Suti, a female Indonesian, when I was searching for a room to rent in the initial stage of the PhD project in 2012. She was recommended and introduced to me by a local Chinese resident who claimed that she was hard working, independent, and generous. Moving into the smallest room of the flat Suti rented from a local Chinese tenant, I started to mingle with Suti and other factory workers on an everyday basis.

Exploring Suti's business configuration opens up the opportunity to establish a deep understanding on her active engagements with different actors and her surrounding environment in the host society. In particular I identify other significant traits that have evolved out of Suti's business configuration, which will be discussed in a unique way by 'following' the everyday activities of Suti in the process of making Risoles, as follows:

Purchasing ingredients for Risoles is a routine activity for Suti; she is a regular customer of the grocery shop near her flat, which is own by a Bangladeshi businessman named Bihar, who also owns a few shops at various migrant hotspots. Notably, Bihar snaps up any business opportunities which he comes across, as his business strategy is strongly driven by his interest in the high-profit and also, to some extent, high-risk approach. The introduction to Bihar's life experiences in the host society sheds light on his aspirational practices, or more precisely the ambitious business goals he pursues (Section 6.1). We then follow Suti's next step in making Risoles, which is a time- and energy-consuming task in her everyday schedule. This section brings up her ideas about employing part-time workers, through which other interesting characters are added into her everyday practices and sayings – in particular the life stories of an undocumented female worker named Cheya, who manages her life independently and who works for Suti temporarily. Cheya has shown her capacity, cooking skills, and conscious efforts to stand on her own feet in view of her flexible and practical everyday doings and grateful thoughts. Suti and Cheya might have learned subconsciously from each other, and thus they show some similar approaches in terms of bringing their daughters to work as factory workers in Penang, and renting their rooms to factory workers, among other practices. Suti's engagement of factory workers to assist her in making Risoles enables her to establish direct contact with factory workers, who are also her main customers. The main message of this section is the capacity of Suti to engage with different group of people in helping her Risoles business and the making sense of her social relationship within the surrounding environment to further support her business (Section 6.2). Then, the next section aims to demonstrate how she maintains her old and new business partnerships, as the regular scheduling and sending Risoles is cemented into her everyday activities. More importantly, there are two inspiring businesswomen, named Heti and Mariah, who transformed from factory workers into owners of a successful food selling business, which

will be presented in the section. The narratives of their success story have become especially inspiring and motivational examples for other young factory workers to follow (Section 6.3). I then offer a ‘thick’ description of Suti’s continuous and conscious effort to keep the Risoles business running (Section 6.4). This section provides observational insights into Suti’s gifted and natural personality in establishing good friendships with the surrounding people and environment, which is also reflected in her personal relationships. The active social relationships help expanding the Risoles business, and to keep her living a normal life in the host society. In addition, I also bring in other characters related to Suti’s stories, such as Sri and Ah Choong, who have only indirect contacts with Suti, but whose experiences contribute to the overall argument that migrant labourers are ordinary people who are highly aspirational in their everyday doings, sayings and ideas in terms of improving their lives in the receiving society. In the last section, I make some concluding remarks based on Suti’s everyday practices (Section 6.5).

[...] If I were not smart enough, I would not be possible to stay here [...] I am managing everything by myself over the past few years. (03.10.2012, Interview with Suti)

The above statement is a reflection by Suti, an undocumented worker, on her life over the past 13 years in Penang. Suti comes from Medan, Indonesia. Thirteen years ago, she was a housewife with three young daughters, and her husband was doing well financially. She lived a comfortable life. On one occasion, she travelled to Penang with two of her children for holidays. It happened that her mother, who was already working in Malaysia, introduced her to a job with decent monthly salary, RM 1,300 (Euro 304). She admitted that she was motivated by the aspiration to gain working experience overseas, and to enjoy the freedom of being financially independent. Thus, she started to work in Penang. Later, she separated from her husband, and left their three young daughters with him. However, she still keeps in touch with her daughters and remits around RM 100 (€ 23.40) monthly for them. She has gone back to Indonesia twice by ferry in the last 13 years. She has worked as a waitress in the high-class restaurants at the tourist hotspot, as a cook at a food stall in the food court, and as a cleaner, and has also been jobless at times.

I became one of Suti's tenants during my one-year field research. Mr. Gen, the security guard in the building, who is in his 70s, took me to Suti's flat. He was aware that Suti was looking for a new tenant to replace the former female Indonesian renter, who was going to move out of the smallest room in the flat. Suti shared the master room with her eldest daughter, named Raila, who was a factory worker. The other, medium-sized room was rented to a female factory worker, named Irlah, who lived with her local partner, named Abdul. Abdul worked as a garbage truck driver. Suti had been renting the current flat from a local Chinese landlord since 2011 through a friend's recommendation. Previously, she was staying in other places located near the present flat. She had to move out due to the former landlord declaring bankruptcy.

Making Risoles is better for me because there is no boss or supervisor to scold me anymore. I am the boss and the worker! (15.09. 2012, Suti's personal account, field note entry)

She has made homemade Risoles cakes to support her living costs over the past six years to date. Suti takes her responsibility as the head of the flat seriously, and the decision to rent out rooms is made with proper consideration, as she stated:

[...] if I have a choice I would not rent out the rooms because I use the space in the house for making the Risoles business [...] the business is good [...] but given that I need to handle every single thing with regard to the house as I am the head, I face challenges from time to time [...] thus I rented out two rooms to help with the monthly rent. (03.10.2012, Interview with Suti)

To interpret Risoles as simply cakes or things will tend to be very narrow and shallow. Instead, I argue that the making of Risoles must be seen as an important skill, an immediate talent and instrument through which Suti makes connections with her immediate surroundings and other people. Thus, it is a lively story itself given the relationship between Suti and the Risoles.

Picture 8 Risoles Placed Together in A Plastic Container for Sale



6.1 Purchasing Risoles ingredients

In Suti's everyday life, she constantly engages with the surrounding environment through her Risoles business. As the usual first step in making Risoles, Suti has a clear plan and budget with regard to purchasing the ingredients at the most convenient time and walking distance for her. The other people who live in the area have become her most frequent and familiar contacts to whom she relates in making the business run successfully. While relating to others in various types of social relationships, Suti also makes herself known to the local and non-local people who live in the area. Suti purchases the raw materials for making Risoles, such as potatoes, flour, chili, cooking oil, prawn, eggs etc., from different grocery shops located nearby the flat. Bihar, aged 36, is one of the grocery shop owners, originally from Dhaka, Bangladesh. He married a local Malay Muslim from

the Kelantan state and has two children.¹¹⁴ Bihar has five grocery shops¹¹⁵ spread over different places on Penang Island, and there are 13 Bangladeshi male workers and one female Indonesian working for him. Initially, Bihar attracted my attention because he seemed to have a good knowledge of the agent system. Furthermore, he attempted a few times to invite me into a partnership with him, working in the profitable ‘foreign workers business’, in which he proposed that he ‘supply’ workers and I recommend the local factory to him. To trigger my interest, he shared a rough but clear profit calculation based on the cost of recruiting each factory worker, which was derived from his previous experiences (as discussed in Chapter 4). However, apart from his interest in pursuing all kinds of business for the sake of profitable returns, I probed him about his reflections on improving the treatment of workers by outsourcing agencies. He reluctantly¹¹⁶ opined that the only way to resolve the workers’ issues is by making the factory responsible for their workers, and also making them understand the workers’ situation. Nevertheless, most of the time workers are just secondary, as the prime concern for the factory is to make a profit in the shortest possible time.

Bihar worked as a factory worker in early 2000, for which he claimed that he paid around RM 6,000 (€ 1,400) or 10,000 Dhaka to the agent in order to get work in a fabric factory. He recalled that the daily salary was started as RM 14.50 (€ 3.40) and it was increased to RM 25 (€ 5.80) over the duration of five working years. In 2007, he got married to his local wife. In 2008, he started to establish an agent company, in partnership with two locals, a Chinese and a Malaysian. The seed money was derived the selling of

¹¹⁴ According to Bihar, he registered the marriage in Malaysia. Presently, he is applying for the status of Permanent Resident in Malaysia; the children, aged 2 (daughter) and 1 (son) are registered as Malaysians. He knew his wife when he was a factory worker and his wife was undertaking the three-month internship as his superior (supervisor) in the same factory. Their friendship developed and they got married. (17 March 2013, Personal Interview)

¹¹⁵ Two shops are located in Relau, another one, a grocery store, at KOMTAR, and two more shops at Tayapa (pseudonym) which has a majority of factory workers staying there.

¹¹⁶ He seemed excited to discuss the profitable business with me; I showed interest in understanding further, but I also interrupted and insisted on hearing his opinion on improving the working conditions of workers managed under outsourcing agencies in our conversation.

his father's land. He said that they spent around RM 900,000 (€ 210,000) in the initiative, but the company went bankrupt in 2009. He blamed the failure on his business partners, who he says betrayed him. One of his business partners is currently the boss of a factory. In the present circumstances, despite managing five shops, he reported that he was also involved in the business of renting hostels to foreign workers. On his accounts he asked his friend to handle the hostel business due to how busy he was in grocery shop business. From my observations, taking into account also the description of his former business failure, which involved a large amount of money and an unreliable business network, his current business approach, in which he continues to expand his business randomly even though he is overwhelmed with challenging issues in sustaining his grocery shops, suggests to me that his business model is prone to snap any opportunity, since it is built on a rather random basis and oriented toward the maximising of profits.

Bihar had recently recruited Mahmum, aged 29, who came from the same village as Bihar, to help him in the grocery shop business. Mahmum stayed in the same building where Bihar's shop is located, and he is also Suti's neighbour. Mahmum started to work for Bihar for about four months, and the work permit was issued under Bihar. He worked from 5 am to 12pm, in charge of purchasing vegetables, transporting products and the like in different shops under Bihar. He earned about RM 70- 80 daily (€ 16.30- 18.70).

Mahmun stayed with his Indonesian girlfriend, who had worked as an outsourced worker for already about three years. He was a former factory worker who had worked in a sewing factory through the arrangement of an agent.¹¹⁷ He borrowed RM 12,000 from his father to come to work in Malaysia. In 2007, the agent in Malaysia took 82 workers from airport by two buses to Penang.

All of them had received three months training in sewing. He was made the person in charge of Quality Assurance (QA) by the supervisor because he could speak and read English. The monthly salary was RM 1,200, including overtime, food allowance etc. He worked for 4.5 years in the factory. When the 6P programme was introduced, he took this as an opportunity to run away from the factory. He then registered for the 6P programme,

¹¹⁷ The agent was his uncle. He paid RM 12,000 (€2810) to the agent in Bangladesh.

paying RM 3,800¹¹⁸ (€890) to the agent in order to secure a work permit in the service sector.¹¹⁹ His friend, who came from the same village, asked him to work for the restaurant as a cook. He took up the proposal. At the same time, he also worked in an Internet shop. He worked for a year trying to manage with two jobs as in restaurant and Internet shop. He had to leave the restaurant because the business was not good, and the boss decided to close the shop.

Meanwhile, he also left the business of the Internet shop to his friend because it was not profitable. In the past four years, he estimated that he had sent back around RM 50,000 (€ 11,709) to his parents. However, when he decided to open a shop which was located in the same building, he borrowed RM 10,000 (€ 2,341) from his parents again.

According to him, roughly 50 Bangladeshi and Nepalese workers approached him for job recommendations. He introduced them to work in factories or shops.¹²⁰ He commented that many workers run away from the factory because the salary is low and the workload is demanding. He still meets the supervisor from the factory where he was formerly employed. To him, the factory has minimal concern for the workers who flee away. The only consequence is that the factory has to make a police report, and by doing so, the factory is then freed of responsibility for the absconders. He put it simply in saying that there were no side effects for either the factory or for him for running away.

Suti purchases the ingredients for her Risoles on a daily basis, and from time to time she gets updated on the happenings around the area through her conversations with the

¹¹⁸ He said it was for paying the fees for making a passport, issuance of 6P letter, insurance, levy, medical and agents' services.

¹¹⁹ He was not attached to any particular agent, and his relationship with agents is only by paying money to them monthly to renew his work permit.

¹²⁰ Interestingly, he also suggested to me that he could find a lot of Bangladeshis for me if I could introduce them to any factory that needed workers. Bihar also made a similar proposal, but he wanted me to introduce workers to him. He said there were a lot of Bangladeshis who wanted to come to work in Malaysia but they were cheated by agents; they gave them money but the agents then disappeared. In his case, his uncle, who was an agent in Bangladesh, helped him to manage, therefore he wasn't cheated.

grocery shop owners. Moreover, she is aware of her surrounding environment, in which she meets new people, and develops friendships with the people around the area.

6.2 Making the Risoles

The kitchen in the flat is Suti's main working place to make Risoles. The potatoes have to be chopped into small cubes. This is followed by blending all the ingredients which will be used to fry the potatoes in order to add flavour. Then she mixes flour with sugar, salt, eggs etc. and blends the mixture. The flour blending is deliberate, to make it softer and smoother for wrapping the tasty potatoes with. Eventually, she turns on the large scooking pot, which is full of cooking oil, and stands for hours to fry all the Risoles. Due to the heat from the cooking oil, as well as the hot weather, she sweats tremendously.

Picture 9 Suti's Kitchen for Making Risoles



At the same time, Suti was demanding and strict about the quality of the Risoles produced. To ease some parts of the workload, she recruited part-timers to assist the task of peeling potatoes and cleaning the kitchen. She paid RM 5 per hour and offered a meal

to each helper. During the fieldwork, she had employed Cheya, Ros, Irlah and Suta¹²¹ at different points in time. Irlah and Ros suggested to Suti that they could peel the potatoes the night before and thus she could save some time and workload in the morning. She rejected the suggestion, and argued that

The potatoes have to be cut only on the day itself, if they are peeled and cut the day before, the taste would not be good. (09.08.2012, field note entry)

Furthermore, she filtered out the Risoles which did not meet her standards; for instance, when there was not enough filling in them. She was very proud of the Risoles she made:

[...] My Risoles always get sold out by the end of the day. The factory workers enjoy eating Risoles! (12.07.2012, field note entry)

From time to time, she received phone calls from the shop owners if they closed the shops on particular days; for instance, there was no water and electricity supply for an afternoon in August 2013 and the restaurant closed for that day. She would then make up her mind to rest for the day. She often reduces the quantity of cakes in the early month when the workers receive their salary. Suti explained that workers will normally spend their salary on KFC or MacDonaldis in order to pamper themselves. Therefore the selling of cakes will drop slightly in the early part of the month.

Cheya, who had played the role of Suti's short-term part-time worker helping Suti in the Risoles business, is characterised as a flexible and dynamic worker who has had various working experiences with both Indonesian and local employers in the services sector. At the same time, she started her own small business selling Indonesian desserts to factory workers. Cheya's experiences have an added value in depicting Suti's business configuration, because Cheya is also an undocumented worker who has lived in Penang

¹²¹ More details about Cheya will be discussed in the following paragraphs. Ros is a colleague of Irlah. She was introduced by Irlah to help Suti. Suti was very satisfied with Ros's performance. While Irlah joined when Suti did not find any candidate yet as Ros was doing overtime in the factory. Suta is Javanese-born, in her 40s, and works in a food shop in the evening. Some time ago, Suti commented that she was unhappy with Cheya's performance and therefore she had stopped asking for her help.

for longer than Suti. To some extent, Cheya showcases her capacity to engage in various employment opportunities in the hostel area due to her strength in managing her everyday life, which is not greatly different from that of the local people.

Cheya is from Medan, Indonesia, and is 51 years old. She started to work in a garment factory in Malaysia in 1991 for seven years before working in a restaurant for more than 10 years. She was married in Indonesia in 1984, but separated after some years. She supported the study fees of her daughter, to whom she gave birth in 1993.

Since I started to work here, the financial worry in my family back home has improved. (28.12.2012, Cheya's personal account, field note entry)

Later, she remarried to a Malaysian Muslim man from Sabah, the East of Malaysia, but he had already passed away. She reported that the life of her family in Medan had improved since she had started to work in Malaysia. Cheya stayed in Penang Hill for 11 years, renting a room from a local Chinese. She had worked in a restaurant and canteen, washing plates and as a cleaner. Her daughter was married to a local Malaysian Muslim man, and she worked in a factory. She visited to Cheya on Sundays and supported her with RM 100 monthly.

Suti was friendly and helpful to her neighbours, friends, new and old factory workers, local residents, and people around her. For instance, Suti recommended a female factory worker to rent one of the rooms in Cheya's flat. In turn, Cheya gave RM 55 (€ 12.80) to Suti as a gesture of appreciation. Cheya rented two rooms to Indonesian factory workers who stayed with their partners, and one room was about to be rented to a local Chinese man. Cheya herself had rented the flat for RM 600 (€140) monthly from a local Chinese female landlord for about 2 years. For Cheya, the total amount of monthly rent collected from three rooms freed her from having to pay her own rent, and her water and electricity bills.¹²² The difference in terms of room arrangements between Cheya and Suti is that Cheya lives in the corner of the living hall while Suti lives in the master room with her

¹²² The master room and the middle room are each rented for RM 250 (€ 58.50) per month, and the third room, which is the smallest, for RM 220 (€ 58.50). The total collection of rent through this arrangement is RM 720 (€ 168).

daughter. Cheya's 'bedroom' is simply a division made by placing two closets, and the 'entrance' is covered by a simple curtain (see Picture 10). Besides, she accepted her 'brother'¹²³ to stay in her place while he was looking for jobs. I saw the 'brother' several times wandering near the building, sometimes with Cheya and sometimes alone. Cheya remarked,

[...] just like him (pointing to her 'brother' who was sitting in front of us) [...] how do poor people have enough savings to pay for agents? So he travelled to Penang as a tourist¹²⁴, then he overstayed while seeking a job; once he got the job, he would have enough money to register as documented worker [...] thus, we are waiting for the 6P [...] we already have enough money to pay for the registration fees after years of working here [...]. (03.11.2012 Interview with Cheya)

After a few months, I saw Cheya's 'brother' passing by on a bicycle. I learned from Cheya that he was employed by a local Chinese boss as a cleaner and that he had already moved out from her place. The scenario of supporting her 'brother' indicates that Cheya is familiar with the job opportunities in Penang, and knows that the local population needs their labour. Furthermore, workers are willing to register themselves as legal workers after they have started to work and when they have enough savings, implying that this is one of the practical strategies for workers confronting money issues in the initial stage of their migration.

¹²³ He was a man of around 45 years of age who came with a Visit Pass but overstayed with an intention of finding a job in Penang. I am unsure the truth of her relationship with her 'brother' as I cannot prove whether it is true from their sayings.

¹²⁴ ASEAN nationals are not required to apply for visa for a stay of less than one month, except those from Myanmar. However, if the person intends to stay for a period of three months, he or she has to apply for the Single Entry Visa. The fee for an Indonesian national is RM 20 (€ 4.60). (Immigration Department of Malaysia, 2013)

Picture 10 Cheya's Special Arrangement for Her 'Bedroom' In The Living Hall



Cheya moved independently and conveniently with a bicycle to manage her daily life and to reach different job locations. She had more Chinese friends because she had worked for them in the past. She was very confident about job opportunities and she told me that it was quite easy to find jobs for herself in Penang. According to her, previously, she usually took up two to three jobs daily. However, she reported that she was becoming fatter and already getting old, with less energy, and thus she could no longer manage to do several jobs as she had before. Lately, she rejected the invitation of a Chinese boss who was interested in employing her to work in the evening in their newly opened hawker stall. She received payments on a daily basis and therefore if she did not work, she did not get paid. Cheya felt the satisfaction of relying on her skills to continue living an independent life. The feeling of pride and being proud of herself resulted from her capacity to engage and relate with her immediate surroundings via work-related and social relationships.

Cheya started to work under the employment of a local female Chinese cook in one of the food stands in the hawker market as she did not work in the former food restaurant at night anymore. As mentioned earlier, Suti had hired her to help her to peel potatoes

prior to my arrival. However, Suti was not satisfied with her performance.¹²⁵ Under the new employment, Cheya earned RM 5 per hour, and most of the time she earned RM 50 per day.¹²⁶ I went there to observe her working in the new place: She was helping to fill the dishes taken by customers and to collect money from customers while the Chinese owner was cooking. It seemed to me that the local Chinese boss had great confidence in her ability to perform her task. It could also be that the local Chinese boss had no time to serve customers as she had to concentrate fully on cooking the meals. Sometimes, Cheya collected the leftover raw vegetables and distributed them to her friends, who she claimed were undocumented workers. Cheya is able to find jobs for herself in a short time and she has no problem to work for an Indonesian boss or local Chinese boss; to some extent, this shows that she has integrated into the Penang society skilfully.

From time to time, she makes some desserts to place in different food shops. On one occasion, I was with her when she was selling her homemade desserts in the fasting month by placing the dessert on a temporary table. Suddenly, she saw an MPPP vehicle driving in our direction. She suddenly hid all the dessert containers back in her trolley and pretended to be calm because there is no way to run away with the trolley anymore. I was surprised that the MPPP vehicle did not stop even though they realised that Cheya was doing the cake selling on the street. Cheya waved slightly to them, indicating that she

¹²⁵ When I approached Cheya to find out the reason why she stopped working part-time for Suti, she informed me that Suti had told her that the business had slowed down since the ‘disturbance’ of MPPP’s spot-check, and for that reason she did not need a helper for the time being.

¹²⁶ I visited the hawker centre which is a newly constructed building with over 20 hawker stands which sell a variety of food ranging from noodles, cheap rice, and fruit to drinks. The majority of the owners are Chinese and the customers are also mainly members of the local Chinese population. The hawker center took around one year to completely construct, and was opened officially in November. I went there a few times to observe whether there were factory workers who were doing part-time jobs, but I heard a few owners complaining that the business was not good and that they were under pressure to pay the monthly rent for each hawker stall, i.e. RM 900 (€ 210). Some hawker stalls closed due to lack of customers. As far as I know, the food prices are not affordable for the factory workers to consume on an everyday basis. There was one food stall which sells fruits; the owner was a local Chinese man who had married a Vietnamese woman and they had a child who was around 12 years old. His wife came to sell vegetables near my building from time to time. I had a few conversations with her next to the hostel building because she spoke Mandarin.

understood that she was contravening the law and that they would not take away her things. Later, Cheya said,

[...] they are good people [...] that they did not come and take away my things
[...] it is fasting month [...] they must be doing good to give me a chance.
(11.11.2012, field note entry)

When the MPPP lorry disappeared from view, she replaced the desserts and gently asked the factory workers who passed by her to buy them. I bought a package of the additional *cendol*¹²⁷ drink that she made, along with a dessert, and pondered on her statement that,

[...] The Malaysian government is generous [...] we as foreigners are not subjected to paying more for water and electricity bills, as well as for daily products compared to the local population. (11.11.2012 field note entry)

In other words, she felt grateful that she received the same treatment in terms of utility charges as the local population. Her contentment came directly from her capacity to adjust herself to the daily working schedule and her flexibility in moving around to manage the grocery list, as well as in meeting friends, and above all, in living a meaningful and normal everyday life in the receiving society, in the sense of being satisfied, appreciated, engaging and helping others, and realising her potential.

6.3 Scheduling and Sending Risoles

A strong sense of discipline regarding a daily schedule is a crucial element which further supported Suti's ideas and skills in the Risoles business. Suti scheduled her time and established a quantity of Risoles to be made for each slot, and had it delivered promptly to the few food shops nearby the flat on foot. She made about 50 – 70 Risoles for each round, and she delivered to five locations on a daily basis. The Risoles-making shows her toughness in making a profit from her skills.

¹²⁷ The drink is made by coconut sugar.

I demonstrate a particular example of her determination, discipline and toughness. During the Raya in August 2012, she worked diligently for weeks and planned for three schedules: 3am, 8am, and 2pm, in order to produce about 600 Risoles daily for six food shops. She moved to night-shift working. Eventually, she managed to collect the money she had intended to send for remittances but she spent money for food during the festival. The daily working schedule below showed her commitment, dedication and hard work. She only slept for 4 hours per day, and in between she took naps in the afternoons. A part-time worker would prepare the potatoes in the evening and she would then start work at 12 midnight. The first round of Risoles was sent to two places at 4 AM, and this went on until the final distribution of the day ended at 5 PM. She collected the earnings of the day from different shop owners.

Table 5 Suti's Daily Working Time (As of June- August 2012)

Time	Task	Delivery to food stall/shops
12am-1am	Start to make Risoles by getting ready with all the preparations, e.g. blending garlic, chili, small dried sea shrimp, special powder, eggs, making flour, fried potatoes cubes and the like (The first round)	
1am-4am	Send Risoles to the hawker stall	Siti's lorry and Heti's food shop
4am- 6am	The second round	
6am- 8am	Send to the food shop and take breakfast	Noryati's food shop
8am- 11am	Rest	
11am-1pm	Third Round	Mariah and Restu
1pm-3pm	Rest	
3pm-4pm	Fourth Round	Heti's food shop
4pm- 5pm	Fifth Round	Ratna's food shop
5pm- 8pm	Buying raw materials via Siva's transport	
8pm- 12am	Rest	

According to Suti, both of the community police officers, named Ah Pong and Mr. Kuang, knocked on the door to request Suti to cook Maggi noodles for them as they noticed that Suti was working at midnight to make Risoles. Suti admitted that she had cooked the Maggi mee with eggs for them because she felt it was a manageable task. A relationship of mutual support between Ah Pong and Mr. Kuang, and Suti was observed; Suti requested them for some help from time to time – for instance, when she moved the refrigerator from Heti’s block to the house.

In order to provide a clearer picture of Suti’s surrounding environment and atmosphere, I illustrate the place in which Suti is embedded and from which she conducts her Risoles business. Block A is a new building in Relau, and the majority of residents started to move in and stay in 2009. It has 19 floors and with 12 apartments in each floor, standing with a total of 228 apartments. The first and second floor are empty, to be used for any community function/ activities. The management office is located on the first floor, and there are two officers there¹²⁸ who are in charge of the maintenance and management issues of the building.

The dissatisfaction over the incomings of foreign workers who stay in the building are reflected in the following discussion. Mr Pang,¹²⁹ a local Chinese man in his early 50s, who bought an apartment in this building and stays with his family, informed me that most of the houses were rented out to outsourcing agencies for factory workers. He estimated approximately 30 percent of the people living in the building were locals, e.g. Malaysians, Chinese and Indians. Many of the local residents had slowly moved out in the past years. He criticised those landlords who had bought the apartments in the building but who were renting them out to outsourcing agencies as being rich people who never cared about the comfort of the local residents. There were a few shops in the ground floor, a hair salon, a shop to sell mobile phones, two grocery shops, a restaurant (formerly an alcohol shop

¹²⁸ I learned that one of the male officers, who was in his 50s, was in a relationship with an Indonesian female worker in her 20s; she was also a friend of Suti’s daughter. She visited Suti’s house a few times after work and during festive celebrations.

¹²⁹ He worked as a private car driver for almost 20 years. Mr Pang was a member of the community police before moving into the apartment. He continued to play his role as community police member in Block A.

owned by a Nepalese boss), an Internet shop, a traditional herbal clinic for treatment, and the office of an outsourcing agency.

In the first month, when I had just moved in, Mr. Pang gave me the impression that he was not friendly and acted very rudely toward everyone. It seemed to me that all the foreign workers disliked seeing him too. Suti dislike Mr. Pang because he was very rude to everyone. Suti never talked to Mr. Pang. They either tried to avoid or ignored him, but everyone listened to his instruction to join the long queue.¹³⁰ He often raised his voice whenever he talked to others, especially male foreign workers. In the early morning and evening, I often saw him holding a stick and walkie-talkie, and fiercely instructing the foreign workers to form a long queue next to the entrance in order to take the two lifts. From far in the distance, one could hear his loud voice with one or two more helpers,¹³¹ shouting:

Take your queue! Quickly, take your queue! I told you to queue! (07.11.2012, field note entry)

Later, I realised that Mr. Pang could not tolerate the violation of the agreement between the agent and management level, in which they agreed to house only six workers in each apartment. As they had put 10 to 12 workers in each apartment, the building was

¹³⁰ The instruction was only intended for foreign workers. For instance, he would ask the locals to jump the queue, as he said there were not many locals as compared to the numbers of foreign workers.

¹³¹ Usually, the helpers are also community police, in this case, Ah Kuang and Ah Pong. Ah Kuang rented a room in the same building and he told me some insightful information about Vietnamese workers' social lives. He further introduced me to his housemate Radi, who was a Bangladeshi worker, for an interview. Radi stayed together with an undocumented female ex-colleague who had worked in and run away from the same factory. She now worked in a grocery shop. He joined the community police and was helping to ensure the safety of residents in the building and the area. He and other five or six other members wore the printed shirts and walkie-talkies given to members to wander (*ronda*) around some places at night in order to safeguard them. Ah Pong had an Indonesian factory-worker girlfriend who stayed in the building. Ah Pong was in his early 30s and worked at various temporary jobs from time to time. He had a car and therefore sometimes he would help to transport friends of his girlfriend to the clinic, etc. Suti informed me that Ah Pong was a lazy guy and that he relied on his girlfriend to support him and provide his meals. Ah Pong came to visit Suti during the Raya festival.

overloaded with residents. Mr. Pang pointed out the maintenance issues, especially the lifts, which should have been usable for up to five years before requiring repairs, but had had their life span shortened to approximately three years due to overuse. This had added to the costs of living of the local residents who stayed in the building.

The issue was related to the brief historical development of the newly established building, which had been turned into foreign workers' hostels: Mr. Pang elaborated with an angry tone that he and a few other members of the community policing started to take control of the building at some time in 2011. They made an effort to stop foreign male strangers from entering the building, and they would ask those strangers to leave the block if they were found wandering inside. He related an experience in which he had spotted a used condom left on the staircase. He admitted that sometimes he used physical violence and beat 'stubborn' male wanderers with the intention of warning them against trying to gain access to the building.

The corridors are often used by residents to dry their laundry. Yaya, an Indonesian female worker, mentioned that she had lost seven pieces of her underwear and three bras over the past three years. Furthermore, Kak Ni, the person in charge of the transportation team for two outsourcing agencies, revealed that she had received complaints from the female workers about the insecurity and harassment they experienced in the building: some female workers reported the incidents of male factory workers attempted to 'sneak peek' (*curi tengok*) through the window when they used the bathroom and toilet. Kak Ni suggested that they grill chili powder and put in a spray bottle and use the spray on the voyeurs. According to Kak Ni, the female workers followed her suggestion. In addition, both Kak Ni and Mr Pang cited a recent incident which took place in early 2012, of catching and punishing a Bangladeshi man who was found to have stolen a bra from one of the factory workers in the building. The suspected thief was caught by Mr Pang and two other community policing members. They forced him to stand in front of the entrance with the bra, so everyone noticed him when passing around the entrance. However, according to Kak Ni, the Bangladeshi friends of the 'thief' were upset about the shaming punishment, and denied that he was the thief. Another incident took place in which a man sneaked in the building and exposed his penis to three houses of female workers on two

different floors in the early morning, around 8am. Mr. Pang said that at the time he was away having breakfast with Mr. Gen and therefore he could not possibly catch the wrongdoer.

After a year, however, the situation slowly improved in 2012. I started to stay in the building in June 2012; this was the period in which some control mechanisms were imposed, such as introduction of chip for entry, CCTV, a closed entrance, and a local security guard who was a resident in the building. Further, the main entrance was to be opened only during two peak times for factory workers to enter and leave for work, i.e. 5.00 am- 6.30am and 7.30am- 8.15am; and 5.00pm- 6.30pm and 7.30pm- 8.30pm. Otherwise, the residents would have to use the staircase to climb up to their hostel if they did not have chips for entry. The usage of chip for entry becomes a problematic issue for workers because some houses received only two chips from their agents while other houses received six chips from their agents to share. A worker told that she bought a chip for RM 20 (€ 4.60), and that she would be charged RM 50 (€ 11.70) if she lost it. Later, Mr. Pang discovered that agents had given them duplicable chips and instructed Mr. Gen to identify the users. In addition, a resident filed a police report about the incident of foreign workers using the fake chips and posted the report on the announcement board.

Picture 11 Mr. Gen Caught the User of a Fake (Red) Chip; The Blue Chips Were Given Out by the Management.



Picture 12 The Closed-Door Entrance and CCTV Started in Mid-June 2012.



Picture 13 Indicating the Opening Times for Peak Hours, During Which Workers Did Not Have to Rely on Their Chips



Nevertheless, Mr. Pang emphasised that he was asked to provide assistance by the outsourcing agencies, especially when there were issues of drunkenness, mostly involving Nepalese workers, which took place in the hostel. They would sometimes fight with their hostel mates when they were drunk. The incidents of drunkenness had reduced when the former alcohol shop closed down in June 2012. The shop was later reopened but then is sold rice and food, and was run by an Indonesian woman who was married to a local Malaysian Muslim man. Last but not least, there were transport services without a legitimate license (*'kereta sapu'*) which served as an option for workers to travel. Suti paid attention and observed the people and happenings around the area. She was particularly aware of the new shops opening or closing because her interest was centred on the Risoles business.

Suti sent Risoles to the food shops which she had approached earlier and which agreed to sell Risoles. The selling price for each Risoles was RM 0.50 (Euro 0.12). The shop owner earned RM 0.10 cents and Suti earned RM 0.40 from each Risole sold. In addition, she would also receive extra orders from some regular customers to make various types of cakes. Suti stated that there were many places where she could place her Risoles, and that some shop owners also asked her to place the Risoles in their shops. However, the demand for Risoles was greater than the quantity she managed to produce on a daily basis. Thus, she focused on a few shops which were located near her building for the convenience of delivery.

Mariah

I will now discuss the two businesswomen that Suti engaged actively on a daily basis, named Mariah and Heti, who were former factory workers. They successfully transformed their talents into a stable and profitable business after marrying local partners. Mariah was able to employ a long-term female worker to assist her daily, while Suti and Heti still rely on the assistance of short-term workers.

Mariah was 35 years old. She was from Medan and she started the business of selling various cakes and drinks in 2001. She had come to work as a factory worker in 1998. Later, she met and married a local man. In 2001, her husband bought a lorry and she started the

business. When I met her, her first child was already 10 years old, and the second child five years old.

I have never expected I would be married to a local husband. But it happened.
(02.03.2013, Mariah's account, field note entry)

Suti sent 50 Risoles to Mariah's hawker stall in the afternoon at 12.30pm, and a second round after 2pm. Mariah only started to open the business in the afternoon. Mariah's food stall was located next to the workers' hostels buildings, which were also populated by local residents. Mariah fried banana cakes, flour with vegetables, and she also sold fruits cut into pieces, and made different types of sugar drinks. In contrast with Heti's food shop which was right on the ground floor of the building, Mariah's hawker stall was located in the open area, next to other stalls which sold different foods. The major difference between them is the rent they need to pay, as Heti paid a much higher rent compared to Mariah. The stall had very simple facilities: a table to display all types of products, and a gas stove and large size cooking pot which serve as the most important equipment to help her start the day.

Mariah started her business at 12 pm daily because she had to send and pick her daughter up from school in the mornings and afternoons. She employed a female Indonesian to assist her, called Sri. Sri was 57 years old, and had been employed by Mariah for about four years. From time to time, Suweti, the daughter of Sri, would join her during her free time. Mariah paid Suweti RM 5 per hour for the part-time job.

Sri enjoyed her freedom living and working in Penang. She was an independent income earner who had been undocumented for some time. However, she managed to endure the hardships involved, and brought her daughters in to work in the factory. Sri came to Malaysia in 2005 by air, to work as a domestic worker, when she was 49 years old. However, she ran away after working as a domestic worker for two years because she felt overburdened by the workload in the employer's family. She then worked in a coffee shop for two years. Then she took up the job vacancy at Mariah's hawker stall when the neighbour discontinued her employment and asked her to recommend someone for the job.

Sri lived together with four daughters¹³² who worked in different factories because she rents a flat from a local Chinese. Suweti was the eldest daughter, aged 33 years old. She started to work in Penang when she was 19 years old. She divorced her ex-husband whom she married in Medan, when she was 21 years old. In 2011, Suweti and Sri registered themselves for the 6P programme. She had the experience of living as an undocumented worker for a year, during which time she worked at three jobs daily: In the morning, she helped in a food stall which sold noodles from 7am- 10am, for which she was paid RM 6 (€ 1.40) per hour; in the afternoon, she helped in another hawker stall which sold economy rice, where she earned RM 4 (€ 0.90) per hour; and then in the evening she worked until midnight helping on another hawker stall which sold fried rice. She learned to speak Chinese from her friendly Chinese boss, who sold noodles. From time to time, she also worked as a cleaner, e.g. whenever somebody offered her the spot to clean houses. Nonetheless, Suweti observed a strict self-discipline in order to follow the three time schedules involved in her working in three shops.

Similarly to the way Suti financed Raila for the advance payment in order to bring her to work in Penang, Sri also financed her three daughters who were brought to work in Penang, and the daughters will return the money on monthly basis when they started to earn money. Three of Sri's sisters came in 2011 and 2012, two through outsourcing agencies and one via a direct-company employment contract. They all stayed in the same flat, including Suweti who had left her hostel in Paya Terubong, which accommodated 12 persons in three rooms. At the time of my field research, they had lived in the rented flat for 2 years and they had been moving from time to time over the past four years in Relau due to the house owners' intention to take back the house. Suweti's local boyfriend visited her once a week. Sri introduced the boyfriend to Sulaweti. Sri and Sulaweti's boyfriends shared the payment of the monthly rent, which was RM 300 (€ 70) per month, while Suweti paid for water and electricity bills, as well as the Astro fee.¹³³

¹³² One of the daughters had just decided to return to Medan once she had ended her employment contract.

¹³³ A private media company which collects a monthly fee.

Picture 14 Sri, Who Worked at Mariah's Hawker Stall



Apart from spending her time in Mariah's stall, Suweti also joined the weight loss programme which was introduced and recommended by the landlord. Her boyfriend supported her in joining the programme, which was costly. However, she intended to look slimmer and be more confident about her appearance. Furthermore, she also wanted to change her daily diet and become healthier. She hoped that in the future, she could open a small business selling food, similar to what Mariah is doing now. However, this was only feasible if she could marry her local partner, as she reflected:

[...] I can rely on the status of intermarriage with a local to access the available benefits, such as doing business similar to Mariah, who could open her business because her husband is a local [...] (18.12.2012, Interview with Suweti)

Nevertheless, the idea of doing business by relying on the status of a local partner could be materialised only if at the same time the workers realised their immediate potential when the opportunities arose. I bring in Heti's case, adding it to Suti's business configuration, because Heti showcases the gradual realisation and successful move toward capitalising on her gifted potential and opening a food shop. Above all, she started from a small business which built up her self-confidence, and led to several further transformational steps.

Suti spent more time chatting with Heti as she delivered two rounds of Risoles to her shop. In addition, they were closer to each other because Heti had introduced Irlah to Suti to rent Suti's middle room in June 2012. I discuss Heti in details in the following section.

No matter how difficult it is and how tired I am [...] I just remind myself to bear with the toughness, work hard and keep the spirit of willingness high in this endurance [...] (12. 11.2012, Heti's reflection, field note entry)

Heti was Javanese, born in Medan, and had travelled to work in Penang as a factory worker when she was 20 years old. After two years, she married a local Malaysian Muslim man whom she met in the same factory. After they had married in 2001, they registered in Indonesia and stayed for a month, and then later she followed her husband to come back to Malaysia. In the beginning, she had to travel back to Indonesia every three months due to the expiry of her visit pass. She went back to Medan to give birth to her first child in 2002. According to her, she was not allowed to work for the first five years due to her being a foreign spouse.¹³⁴ Thus, she took care of their first child while relied on the monthly salary of her husband, who worked in the factory – about RM700-900 (€164-210), for the household expenditures. After the maturity period of five years, she resumed work in a local factory. She worked for three years, with a monthly salary of RM 600 (€140). She decided to move to a new factory in order to earn a higher monthly salary. As she reflected, the combined salary of her and her husband was just enough to pay the monthly instalments on a loan for car, house rent, water and electricity bills, and meals, and in addition the allocation of RM 400 (€ 93.60) for the childcare of her two children¹³⁵. She lamented that they hardly had any savings.

Today, considering Heti's transformational journey to gain the status of financial independence, in which she started from a hardworking factory worker, then became a full-time mother, then a cake trader, and finally attained her present status as the owner of a food shop at the age of 35, I soon understood how and why Suti and a few other factory workers had the dream of opening a business. Heti had gradually become financially

¹³⁴ Foreign spouses are allowed to work under the current rules and regulations.

¹³⁵ She gave birth to two children in five years.

independent, and beyond that, the stable business model brought success and satisfaction to her.

The journey of realising her own potential started off with her attempts to sell her homemade cakes, rice, and a variety of dishes¹³⁶ on the street for a year. The opportunity to be a street trader was attributed to the move of her family to the migrants' hotspot, which accommodated the majority of foreign factory workers. Her husband was unable to help her because he was working full time as a cleaner. Heti recalled,

I lacked of confidence when I first started [...] I started off making RM 30 (€7) to RM40 (€9.40) net daily, and later it increased to RM 80 (€18.70) net daily [...] I became more confident that I could do the business [...] (18.11.2012, field note entry)

She informed me that it was similar to the way that Suti did business nowadays, which was to place cakes at different places. As she became more confident in her small business, being encouraged by the increase in her daily income, she began to feel that it was better than being a factory worker. Nonetheless, she also needed to face hardship in the form of incidents in the MPPP came and took away all of her belongings, such as cakes, plates, and even the table to place cakes and the like, and she cried for days. One of the MPPP's main tasks is to prohibit those who do not have work permits from work on the street. They do not catch factory workers. Normally, she would replace these with new ones as that was cheaper than the payment of the fine in order to reclaim the loss. She was becoming more confident due to making an independent income based on her immediate skills.

A real opportunity knocked on her door when the owner of a restaurant who was a Bangladeshi national approached her to take over the business. The food shop was located at the ground floor of the same building in which she stayed. The Bangladeshi owner had decided to close down the poor business which was unsustainable in the long run. She was offered to make the cash payment of a total of RM 15,000 (€3,512) to the Bangladeshi owner to buy the built-in kitchen utensils, refrigerator, tables and chairs and the like. Heti explained the process of negotiation in which she proposed to give the RM 10, 000 (€

¹³⁶ This refers to cakes, rice, and food in Bahasa Malaysia and Bahasa Indonesian: *kuih, nasi and lauk*

2,341) as the first cash payment, as this was the only money she had. In addition, she negotiated with the owner to allow her to collect the remaining RM 5,000 (€ 1,170) over another month. The boss agreed to the proposal and eventually Heti also cleared the debt as promised after one month. It meant she had just started as a cook in May 2012, while I had just begun to rent Suti's room in early June 2012. Heti displayed a high level of confidence in herself in running the food business, and more importantly, she was able to make an autonomous decision to take up the offer. This shows that her talent was also recognised by others who had confidence in her capability to earn profit.

Her husband had resigned from his job as a cleaner to help her in the food shop. In the first few months, she introduced herself as local Malay, and I could not differentiate her appearance, speaking Bahasa Malaysia with the local female Malay Muslims. She did not wear a veil, often tied her hair, she liked to wear normal jeans and T-shirt, had a very fair skin, and was slim and short. It was only after a few months that she agreed to an interview on one of the Saturday nights, at her home.

Talking about her food business, she attributed her success to her valuable skills, as she smiled, looked into my eyes confidently, and said: [...] I am a good cook, I am quite fast in cooking, I am excellent at budgeting; I know which dishes to cook first, I am strong physically [...] Not everyone has all the qualities I mentioned. Some can cook well but they are not strong physically. (23.11.2012, personal interview)

For instance, she explained that she generated around RM 700 (€ 163) income per day, then she paid RM 50 to a part-timer, kept RM 100 each for herself and her husband, kept RM 100 for the capital of each day, and the '*duit*' balance (remaining money) would be spent on paying electricity and water bills, accumulation of money to buy beverages such as Pepsi,¹³⁷ rent for the restaurant (monthly RM 1,300 [€ 304]), house loan,¹³⁸ and

¹³⁷ She said she might need around RM 10,000 (€ 2,341) at one time to purchase a huge store of soft drinks at a cheaper (bulk) price. This indicated that she was able to make the cash payment of RM 10,000 based on her thoughtful daily strategy of saving and allocating money.

¹³⁸ She bought the house at the price of RM 70,000 (€ 16,393) and the parking lot at RM 8,000 (€ 1,873). According to her, the price of the flat has increased to RM 140,000 (€ 32,786) in just three years.

Astro fee. Furthermore, she allocated RM 200- 300 (€ 46.8 – 70) to spend on eating out or shopping with her family at the weekend as a way to reward herself for working hard.

Running a food shop successfully fulfilled the aspirations for satisfaction of an ordinary person. Especially, she expressed proudly in a high tone that,

Within a year, I paid cash for the renovation of the house, which cost RM 13,000 (€ 3,044), cleared the remaining debt in cash – a total of RM 5,000 – and I paid the combined total of RM 10, 500 (€ 2,450)¹³⁹ fine due to being found guilty of employing three factory workers as part-timers in my restaurant [...] and I completely paid off the monthly car installment [...] (23.11.2012 personal interview)

She compared the profits from running the restaurant for a year with the eight years of hard work in a factory during which she could not afford to make any savings. Over time, the feeling of living a satisfactory life meaningfully by optimising and enhancing her skills enabled her to continue cultivating the demanding self-disciplinary schedule on a daily basis.

Managing a food shop is a demanding task which requires strong determination both physically and mentally. All this while, she has been repeatedly reminding herself to ‘bear with the toughness, be hardworking, and keep the spirit of willingness to do so’. The mantra works for her tight and tireless daily schedule (as shown below) which reduces her sleep time at night for merely four hours. In addition, she spends about 15 hours in the food shop daily, six of which are used mainly for cooking. She earns the profit from carrying out various tough responsibilities simultaneously – as a cook, boss, worker, business woman, wife, and mother. She works hard enough to cope with all demanding tasks in order to maintain the profitable food business, which is liked by the majority of the factory workers. She delivers freshly cooked and tasty food at reasonable prices ready

¹³⁹ When talking about immigration officers coming to ‘attack’ her shop, she said, ‘[...] It must be because someone was jealous of my business and therefore reported me to the immigration officer. She paid off the fine for the three part-timers, at RM 5,000 (€ 1,170) each, and reduced to RM 3,500 (€ 819) each after an appeal. At another shop which sells ‘satay’, the undocumented workers successfully escaped. However, some workers were caught in one of the other restaurants too.

on tables for workers, especially during the two peak hours during which workers leave and come back from the factory. Most importantly, it is her willingness to withstand with the toughness demanded by the business, and to give her whole heart and hands diligently in cooking, as shown in her daily schedule. She takes pride in her ‘products’, the daily dishes she sells to the majority of the factory workers.

Table 6 Heti’s Daily Schedule

Monday – Friday	Tasks
3.00 am	<ul style="list-style-type: none"> • Wake up • Start to cook for about 20 varieties of dishes • Open the shop • Work as a cashier
8.00 am	<ul style="list-style-type: none"> • End the first part of the day • Do some cleaning.
9.00 am	<ul style="list-style-type: none"> • Calculated the total sum before taking a nap at the flat
10.00 am	<ul style="list-style-type: none"> • Sleep
12.00 pm	<ul style="list-style-type: none"> • Wake up • Open the shop • Start to cook new dishes • Sell to workers especially at the peak hour at 6.00pm • Do cleaning • Make preparations for next day
9.00 pm	<ul style="list-style-type: none"> • Close shop • Calculate the total profit • Rest
11.00 pm	<ul style="list-style-type: none"> • Sleep

Saturday	Tasks
A self-declared rest day for family and relaxation. Eating out and shopping.	
10.00 am	<ul style="list-style-type: none"> • Wake up
Between 1pm to 4pm	<ul style="list-style-type: none"> • Take more naps in-between

Table 6 Heti's Daily Schedule (*Continued*)

Sunday	Tasks
3.00 pm onwards	<ul style="list-style-type: none"> • To make preparations for planning the dishes • Budgeting and purchasing the raw vegetables in different places
6.00 pm – 10.00 pm	<ul style="list-style-type: none"> • To cut the vegetables with the help of a worker so all the raw materials are ready to be used for the following days

Despite feeling proud as the breadwinner in the family, Heti's weekly family activities on Saturday displayed the art of self-balancing between work, family, and herself. She took Saturday as a self-declared day off, for relaxation and to spend time with her children.¹⁴⁰ Even more, she tried to find interesting places to eat out with her family. At the same time, she would try to learn to make the food she ate elsewhere when she thought it tasted good. Heti also spent the holidays at a famous tourist spot at the Langkawi Island with her family. She was aiming to employ a good cook and a helper from Medan after four years. Meanwhile, she also aspired to open a grocery shop and have a third child.

Bihar, who was mentioned earlier, has a different business model in comparison with Heti's food business. Heti commented that Bihar has a tendency to rush to open new shops and to rely on new business opportunities but his business is still unstable. For instances, Bihar used to borrow money from her before he moved. He often asked Heti to lend him between RM 200 (€ 47) and RM 300 (€ 70). Heti emphasised that she would lend to him when her mood was good. She would then take the raw material from his shop for the money she lent to him; besides, she had learned that Bihar intended to buy a lorry to transport all his business products. Heti pointed out that to date, she was living a comfortable life because she earned a good income, and in contrast Bihar still had a worried look on his face due to his debts and business. Furthermore, she cited an incident which reflects an unthoughtful decision by Bihar: he had bought a lorry load of potatoes from his Bangladeshi friend, which cost him more than RM 10,000 (€ 2,341). But he did not properly consider beforehand whether there was enough storage capacity to store all

¹⁴⁰ Usually, she sends two of her children to her neighbours, who were local Chinese, to look after while she focused on her business downstairs.

the potatoes. To add, due to the rainy season and lack of storage space, the majority of his potatoes went bad, and he made back little hardly more than RM 5,000 (€ 1,170), or less than the purchasing price for the potatoes he had bought in such a huge amount – which he had thought to be cheaper to buy in bulk.¹⁴¹ In comparison to Bihar, Heti seemed more thoughtful, stable, doing business step by step, and focused. This reflected and indicated her identity and confidence in making a long term and successful business for the present and in the future.

6.4 Keeping the Risoles Business Running

Suti received crucial support at different stages of the *Risole* business. Suti's current partner, Siva, had been in relationship with Suti for the past six years, and Suti acknowledged that had supported her financially in the beginning of their relationship. Siva, an Indian taxi driver, was married and had a daughter and a grandson. It was when she met Siva by taking his taxi service that they started the relationship and she began the homemade *Risole* business. Siva generously financed her for the basic kitchen facilities and equipment in order to kick off the cake-selling business. To date, Siva still supported the expenditure for purchasing raw materials to make Risoles. Suti had never had to bother taking public transport because she bought the necessary materials when Siva picked up Raila in the evenings. Raila had recently moved out from her hostel to stay with Suti. Raila's hostel was far away from Suti's flat. It took her up to 30 minutes by walking to get from one to the other. Thus, Raila relied on Siva's important role in providing transport support on workdays. Siva sent Raila to the workers' waiting spot which was at the entrance of her arranged hostel to take the bus to the factory at 5am, and to pick her up in the evening at 5pm. Siva's visiting schedule to Suti is fixed; for instance, he comes with

¹⁴¹ Suti was angry one evening because she had bought a few packages of the potatoes from Bihar at his persuasion as he had a big storage of potatoes. Suti said she was unhappy and angry about the price of potatoes she was offered, when she learned from Ros, who has a food business, told her that she got one pack for RM7.00 (€ 1.6). But Suti said she had got it at the price of RM7.50 (€ 1.75). She found this unfair on her. Therefore she swore that she would never buy potatoes from Bihar's shop again. (5 November 2012, Personal Field note)

breakfast to eat it with Suti; he rests from 9am to 11am and leaves for work; and in the evening after picking Raila of which he leaves the flat at 8pm. Siva never stays overnight in Suti's place.

Suti not only works in the *Risole* business but also celebrates certain important and meaningful festival events. Suti invited different groups of people to join her in celebrating the Hari Raya Haji, which is the New Year for Muslim. She started to cook from 12am until 5am, though taking some time for rest. Around 20 female factory workers dressed up in their traditional customs, the *Baju Kurung*,¹⁴² came to Suti's house in the early morning. They were the colleagues of Irlah, and the workers who stayed on the same floor as Suti. They took photos, ate the various dishes prepared by Suti, and then left to visit other friends or relatives after spending a few hours in Suti's flat. Raila also brought her colleagues to eat and stay overnight in Suti's place after coming back from their work. In July 2010, she persuaded Raila to work in a Japanese factory recommended by her friend. In order to bring Raila to work in Penang, Suti had pawned all of the jewellery she owned, such as gold necklaces, earrings and the like, to pay off the total sum of RM 2,400 (€562) to the agency in Medan. Raila repaid the money to Suti when she started to receive her salary. About five of Raila's colleagues talked and ate the food happily. In the afternoon, Raila went out to go window shopping with the five colleagues. One of them, named Ifa, was the partner of a local staff member in the management office of the block. Mr. Lee was one of the officers who is responsible for the management of the building. He was in a relationship with Raila's colleague. Sometimes, Suti called up Mr. Lee to help her distributing her cakes. Suti made a good impression on Mr. Lee.

Suti knew Raila's friends quite well because Suti used to cook for them when they came to Suti's flat. Raila controlled her salary and she did not give Suti any financial support. On the contrary, Suti gave RM 10 (€ 2.30) daily to Raila to buy her daily meals. Raila kept most of the monthly salary for saving and allocated a small portion for shopping. Suti monitored Raila's movements, making sure she did not engage in any 'unhealthy activities', such as hanging out with male workers. As Suti put it,

¹⁴² Traditional custom

My daughter only works, eats and sleeps. I cook for her and I will give her money to buy food if I do not cook. I wash her factory clothing. She never offers to help in my business. She keeps all her monthly salary as savings for her marriage. She visits her auntie once in a while in order to access the Internet. I do not allow her to go anywhere with strangers. I know all of her colleagues and occasionally I invite them to come to eat and stay at my place. (09.09.2012, Suti's account, field note entry)

Raila did not bother about the restrictions as stated by Suti because she had got to know her Indonesian-born boyfriend through the Internet; he worked as a teacher in Jakarta. They had been in touch online, especially during Raila's days off. Suti approved of their relationship and they had decided to get engaged in early 2013, while preparing for their wedding ceremony in the middle of the year back in Medan. According to Suti, Raila had managed to save RM 10, 000 (€ 2,341) and to bring it back for her wedding by joining the '*kut*' with her colleagues. Furthermore, Raila was satisfied with the few close colleagues who worked in the same factory. For instance, she celebrated her birthday as well as attending the birthday celebrations of her friends in a Karaoke bar; she joined the Cameron Highland trip organised by the factory; occasionally she joined them to visit some famous local tourist places such as Kek Lok Si, and the New Year eve fireworks near the beach.

The festive celebrations also brought two of Suti's sisters' family members to her flat. Suti did not live alone in Penang as she had two sisters there, and even her mother was living in another part of Penang. The first young sister was married to a local Malay Muslim and had given birth to four daughters who received an education in the primary and secondary schools in Penang.

Throughout my one-year fieldwork period, Nopi only visited Suti twice; the first time when two female relatives came from Medan in June 2012 for few days, and the second during Raya. On both occasions, Suti deliberately took her time to buy and prepare proper meals for her visitors. The considerate effort she made shows that she was looking forward to and welcoming their visit. The transnational tie continues to exist, even though Suti has not been back to Medan for quite some years. Suti is closer to the youngest sister,

named Juli, who married a Singaporean Chinese man and gave birth to two children. Juli visited Suti quite often because the location of her place was nearer to Suti's one another compared to Nopi's place. Furthermore, Raila also went to Juli's house to access free internet during her days off. Juli was a housewife, and her husband collected traditional herbs from the forest to sell. Suti's mother worked as a cleaner in a shopping mall in Penang. However, Suti and her mother were not on good terms because her mother disliked her continuing relationship with Siva. Suti did not listen to her mother and therefore they rarely met or greeted each other. Both the sisters were aware of the relationship Suti established with Siva, and also with Mr Tan, in his 40s, a widower with four children in their twenties, who approached Suti during my fieldwork in mid of 2012. It was either Siva or Mr. Tan who would bring Suti to Juli's house when Juli delivered her second child in August 2012.

Suti spent her time freely without depending on her sisters or mother. In addition she showed strong self-confidence as she enjoyed the freedom to develop relationships based on her choice regardless of any disapproval or rejection from her family members. Nevertheless, Suti had been engaged in partnerships with local men at various stages of her life. For instance, she was married to a local Malay Muslim man and had the marriage registered in Thailand in 2005. Unfortunately, the marriage had lasted for only five years because the local husband was involved in several extra marital affairs. Above all, in those few years, she hardly had any money left in her pocket. In the end, she went fishing in a nearby pond in order to fill her belly. The hardest time at some point made her feel hopeless about her future. Furthermore, she was very upset because her plan to rely on the status of inter-marriage with a local partner in order to start a small business was upset. Eventually, she decided to leave her local ex-husband. Then she got to know a local policeman for a short period of time before she met Siva.

Suti admitted that she enjoyed the fun of going out for food at night, and visited various places with Mr. Tan. They often arranged the meeting at night and it seemed that Mr. Tan was serious about the relationship because he had proposed to marry her, as well

as introduced Suti to his children.¹⁴³ Further, Mr. Tan had organised and sponsored a two-day trip to visit Kuala Lumpur with Raila and Suti. Both the local people who were Suti's partners visited Suti during the Raya festive celebration. The illustration of Suti's personal relationships with two local men shows that she had integrated into the society without much difficulty. She had unique characteristics such as her confidence, which showed in how she managed two relationships. At the same time, she was admired and appreciated by her partners, who willingly extended a helping hand for her.

There was also a female local Chinese in her 50s who stayed alone in the flat, and she and Suti often greet each other. She was also invited to join Suti's celebration. Suti also invited the two members of community police, Ah Pong and Mr. Kuang, as well as Mr. Gen for the Raya celebration. After I moved in to Suti's room, Mr Gen informed me that Suti had given him RM 20 (€ 4.70) as a gesture of appreciation for his recommendation. Suti often tried to establish a good relationship with Mr. Gen by greeting him whenever they met on the ground floor, and sometimes she would offer him some cakes. For Suti, Mr Gen was a good elder. Likewise, in Mr Gen's view, Suti was a good, hardworking, and independent woman. For example, Mr. Gen complimented my volunteer spirit in helping Suti to distribute the cakes to different places on my motorbike. He commented that he took pity on Suti because even though Suti offered to pay others to help her to distribute the cakes, there were none who could do the task. Suti also noted the important role of Mr. Gen in allowing Siva to park the taxi in the parking lot, which was left empty as some owners rented out the apartments to outsourcing agencies. Mr. Gen kept a detailed record of the parking lot and the users. He was asked by the management level to keep a written record of visitors. Mr. Gen opened the entrance to Siva willingly because he knew him. For outsiders, Mr. Gen was instructed not to allow them to step into the building. Usually, the parking lots were allocated only for owners of the house.

The above description showed that Suti mingled and skillfully adjusted herself to integrate into the surrounding environment through the cake business configuration. Nevertheless, she did not live a luxurious life, as she relied on the profit of the cake

¹⁴³ However, Suti was very upset after the meeting because the children ordered pork dishes and, being a Muslim, she did not eat pork.

business to support her living costs. Siva did not support her in terms of sending remittances, or on those occasions when she registered to legalise her status. Therefore, Suti had her own strategy when she needed money. She joined the credit rotating group, the 'kut', which consisted of the majority of the businesswomen she had got to know through the cake business. Each of them contributed RM 200 (€ 46.80) weekly, which went on for 10 weeks, in order to collect the total sum of RM 2,000 to make her own passport. Besides this, Suti also resolved the money issue by borrowing money from Tilah, the female Indonesian-born moneylender, when she needed money urgently. Borrowers were obliged to pay 20 percent interest. For instance, she borrowed a total of RM 1,000 (Euro 234) from Tilah. Tilah often made an appearance at the hotspot area, and it seems that she was known by some of the workers. Suti was approached by Tilah several years ago for loan offers. Suti saved Tilah's contact number and eventually called her up lately to borrow money when she decided to legalise her status. For the following 10 weeks, she had to repay RM 120 (Euro 28) weekly, as Tilah would drop by to collect it. Suti commented that this was a good option for her if she needed to provide some urgent and extra money in a short timeframe. Particularly, throughout the years, Suti had been juggling in between the status of an undocumented migrant to become a documented worker. She looked extremely nervous following spot-check by immigration officers in the area. It was only in June 2012 that she proceeded for an effort to make a new passport and a work permit through some private or underground network. Her reaction was prompted by an incident which took place in the residential area. The officers from the immigration department carried out a spot-check operation and caught some undocumented migrants in early June 2012. According to her, she needed to pay RM 5,000 (Euro 1,170) to get a work permit and passport. When I left the field in April 2013, she was still waiting for the work permit. She told me that she was in the midst of registering herself under a local Indian who ran different businesses to be her agent. The local Indian was a friend she had got to know prior to moving to the present place, when she had overstayed after she left her local ex-husband. Apart from Suti, both Cheya and Irlah also had the same experience of getting loans from Tilah. Tilah expressed confidence in lending money to businesswomen rather than factory workers because the latter received low monthly salaries. As Suti fell under the category of businesswomen, she had a good

reputation, which enabled her to gain easier access to financial support for loan services from Tilah.

The same goes for Cheya, who approached Tilah when she needed to borrow money. Cheya used to borrow money on two occasions to gain a work permit. She thought it was good to get financial support from Tilah, as she was unsure where or who to borrow money from in times of emergency.

Another angle which captures the flexible approaches of Suti in managing her life in Penang was through her past experiences and personal networks. She had been playing the role of intermediary to introduce interested factory workers to clients who were looking for sex work services. The relationship between Suti and one of the factory workers, named Fenny, who used to visit Suti's flat from time to time, broke down due to an incident as follows: Suti called up Fenny continuously in order to persuade her to go to a karaoke bar because she wanted to introduce clients who were rich and willing to pay women to either sleep or drink with them. Fenny rejected the proposed plan by Suti and told her that she did not need her introduction as she could find the clients by herself if she wanted. Out of anger, Suti scolded her stupidity for rejecting her initiative. She further chided Suti for taking advantage of the relationships with two local men, in which she had been very demanding on Mr. Tan, getting him to pay money to buy expensive things. For example, Suti persuaded Mr. Tan to buy a second-hand refrigerator for the flat, and later asked him to buy a washing machine. Raila, her daughter, also took advantage of the two local men who were having relationships with her mother, with regard to transportation and money.

Suti's business configuration exemplifies her capacity to take advantage of her personal talent in making cakes and the skillful ways in which she interacts with the surrounding environment in her everyday life. Suti's daily working schedule for the Risoles business indicates her toughness and discipline in her everyday practices. I have showed and discussed the details of Suti's life experiences in formal and social times in the past 13 years in Penang, especially the continuation of the Risoles business to date.

Suti took pride of the Risoles she produced, as shown throughout the stages of preparation, making and selling. Comparing her working style with factory workers, she made the following remarks on the flexibility and adjustment of schedule that she enjoyed:

I am the boss; I am the worker. I do not have a supervisor to control my work. If I feel sick, I give myself a day off. If I need more money, I will work harder in order to produce more cakes. I adjust my own working schedule and I am free from any hassle from a supervisor. I have freedom and I am happy! (24.09.2012, field note entry)

In Suti's business configuration, the stories of businessmen and -women provide an insight into workers' integration into the society through different means and strategies. The sketch of another individual, A Choong, has added below because he portrays a different business module in which he had the advantage of own transport to deliver his products. He illustrates that an ordinary worker who possesses both the local and origin languages is capable of communicating with local people and offering private transport services needed by workers. As for Ah Choong, he relied on both the strength of familiarity in terms of language and services offer to workers to live an independent life with his local partner.

Ah Choong was a Vietnamese who married a local Chinese wife few years back. Both of them lived in a flat in Paya Terubong. Ah Choong quit the factory work but the wife continued to work in the factory. Ah Choong spoke simple Mandarin and he often came to Relau in the morning and in the evening to sell his products; for example, he bought duck eggs from Butterworth, and ham; he used a special machine that his Vietnamese friend brought for him from Vietnam to make the ham. The Vietnamese factory workers were his main clients. Sometimes he came by his motorbike and sometimes by car. He brought along the products and sold them in different places. When there was a disturbance by the MPPP, he would receive text messages or phone call from some of the Vietnamese street traders to warn him not to sell the products. He sold port to Vietnamese factory workers and he received warnings from the local police to deter him from selling pork in the area. Besides this, he used his car to transport workers who were

in need of private car services. This strategy enabled him to earn extra income apart from selling the products in different areas.

6.5 Conclusion

The everyday work and life dimension of Suti is consciously centered on keeping the business running smoothly. Suti's business arrangements challenge the formal migration labour regime because she lives like an ordinary local who establishes connections and relationships with her immediate environment and people through the idea of selling homemade Risoles to the majority of the Indonesian factory workers. The case study of Suti manifests within the framework of everyday practices that including ideas, which, is similar to Autesserre's proposed component of practices that 'narratives include "views" or "an idea" "which has its active interaction with material concerns in practices' (Autesserre, 2014, pp. 34–35). Suti's everyday activities enhance the analysis that the business ideas display Suti's capacity to engage and relate with the surrounding environment and people.

In addition, the life experiences of other characters, namely Bihar, Mariah, Heti, and Cheya, demonstrate an observable journey of emancipation: Initially, they joined the workforce in Malaysia as factory workers, cleaners or construction workers. Over time, they encountered different experiences and opportunities as they were woven into the interactions with local and non-local population both inside and outside the factory. Hardship triggers a sense of independence whenever and wherever they come across an opportunity to realise their skills. Workers gradually shape their lives beyond the workplace by taking advantage of their immediate potential, and further enhance it. Nonetheless, their narratives about strong self-discipline and dealing with hardship in everyday life are the key entry point to transforming their lives. They value their skills, which enable them to strategise for a good life. As a consequence of realising their immediate potential, the workers gain self-confidence, and they make further steps to pursue their aspirations, which any normal local individual would do. When the product they produce receives appreciation from other workers, it boosts their feeling of self-satisfaction, and so contributes to their living a satisfactory life. Getting involved in in

business is one of the strategies that helps Suti and others who navigate their intrinsic skills and capacity to integrate completely in the host society.

Overall, I argue that migrants are integrating into the host society through practicing all kinds of ordinary activities, which reflects their capacity to aspire for living a better and more meaningful life in Penang. In Chapter Seven, I present the case study of Babu, who demonstrates the importance of the spiritual dimension in connecting with others through faith in the receiving society.

7 HOW FAITH CONNECTS: THE SPIRITUAL APPROACH OF BABU

The Chapter aims to demonstrate an important dimension of the practices which reflects the ordinariness of migrant workers while living in the receiving society: that of satisfying their spiritual needs and practicing their faith in their everyday lives. I portray as an example the lifestyle and spiritual arrangements of a construction worker, named Babu, and argue that workers actively engage and relate with each other through the foci of spiritual belief. The practicing of one's faith in a foreign country shows the importance of the satisfaction of the need for spiritual consolation in migrant workers' everyday lives.

Babu stood out as the central person who was held in high regard by both the local population and the co-national workers during my field work. Indeed, Babu had established good connections with various groups of people who were hierarchically different: From the wealthy Burmese shop owners and local bosses, to the high-ranking Burmese monks, to the ordinary co-nationals. Therefore, I choose to illustrate Babu's spiritual practice and arrangements, which evolved out of his day-to-day work-life activities. At the same time, he was a reliable leader and a committed volunteer who actively facilitated, initiated and engaged in various activities in his everyday life. To a large extent, spiritual beliefs offer an insightful angle to capture the social practices of workers in the host society. Babu established a high frequency of engagements with four main categories of people, characterised by a mixture of documentation status, economic sectors, and sex: first, Babu engaged with the employers in his formal work and part-time job, which working for two jobs became the routinised daily schedule for him. He showed his capacity, loyalty and discipline in managing two jobs, which had already lasted for years, and the local bosses had confidence and trust in his ability and commitment. Babu lived a stable life by engaging himself with the two regular day and night working schedules and establishing a long-term employer-employee relationship with his local bosses (Section 7.1). Second, Babu showed his engagement beyond the workplace, offering to help his fellow co-nationals, and his spiritual pursuits connected him with the activities in the two local Buddhist temples, where he would spend most of his free time.

The narratives of voluntary spirit from him and his fellow group members with regard to the two temples reflected the satisfaction of individuals who feel proud to be making a contribution according to their faith in the host society. Babu's everyday actions and sayings with regard to extending help to the needy also reflected his aspirational vision to live a meaningful life, which mirrored the spiritual belief that lies within him. In line with this, I elaborate on the spontaneous establishment of a self-help group in 2006 by Babu for those co-nationals who were interested in volunteering their time, skills and labour for the construction projects in local Buddhist temples, of which Babu was the main leader. This engagement with the local Buddhist temples for volunteering their free labour was highly appreciated by the local people. This is because it was a hard work to construct the several buildings in temples which were located in the hill.¹⁴⁴ It demanded physical strength, and with their help and free labour, the temples do not need to pay the labour costs. Besides, the self-help group also served as an important support mechanism for the members in their normal days or in times of emergency. The term 'donation' is one part of the narrative through which Babu made sense of his spiritual ideals, with the everyday activities in which he related actively to the people, the temple where he would fulfil his spiritual needs, and the practicing of his faith in Penang (Section 7.2). Third, Babu's everyday activities were not only confined to interactions with the co-nationals who worked as construction workers, factory workers etc. He also established a good relationship with the founder of the first Burmese shop in Penang, who had a higher social status because of his reputation as a reliable leader. The personal life stories of this person, Tongshan, provide another picture of the transformational journey of ordinary workers as they integrate into the local society through business strategies. However, Babu, who had a lot of interest in the practicing of his faith to satisfy his needs, had rather different approaches to life from Tongshan, who offered help occasionally, as compared to Babu who was constantly giving help to others, to the point that it has become his habit (Section 7.3). I draw the conclusion that the spiritual approach taken by Babu demonstrates the everyday practices of an ordinary person who intentionally centred his life on spirituality, and in the pursuit of his life aspiration, which was based upon his beliefs, by engaging in

¹⁴⁴ The Buddhist temples generally favour a location which is quiet, surrounded by nature, with trees, and which covers a considerable area of land which is able to accommodate several buildings.

various activities and relating to the surrounding people and environment in Penang. (Section 7.4)

[...] I am going to introduce to you a good Burmese leader and volunteer [...] Babu called me yesterday and told me that he and his men can help in the following months to construct the buildings on the hill. [...] I have seen many Burmese volunteers who came to help, to me; Babu is the best amongst all others. He is reliable and all his group members respect him. He has the best leadership skills. I am going to ask him to help out with a few projects in the temple [...] to erect the staircase [...] I can count on him. I just need to communicate with him and he will settle the rest with his group members [...] (23.06.2012, Mr. Yaw's personal account, field note entry)

Mr. Yaw expressed his excitement, as stated above prior to my first meeting to get to know Babu. The statement indicates that Babu's talented leadership was highly appreciated and valued by Mr. Yaw, a local, who was 70 years old. Mr. Yaw donated a piece of land on a high hill for the purpose of hosting monks and yogis for a meditation retreat. He was a local retired police officer who spent all his retirement time establishing a Buddhist temple.

7.1 Engagement with the Employers

This section elaborates Babu's daily schedule for his work, which shows his routinised activities as an ordinary worker and his direct interactions with the local bosses. Babu had worked in the construction sector in Penang for 13 years. Initially, he had come to Kuala Lumpur (the capital city of Malaysia) in 1994, and returned to Myanmar after some years. Later, he travelled to Penang in the year 2000 and since then he had worked under the same Chinese boss as an electrician. The working hours were from 8.00 am to 5.00 pm, from Monday to Saturday. His time off was on Sundays and the Public Holidays. Babu received his salary on daily basis. In other words, he was not entitled to a monthly basic salary, which is offered to factory workers in the manufacturing sector. He lost his salary on a particular day if he was absent. Yet, on the one hand, there was no penalty imposed by the employer for his absence. Furthermore, under the daily payment scheme,

he did not receive any income on his time off, i.e. on Sundays or public holidays. On the other hand, there is some flexibility for the employers in the construction area in terms of deciding the daily payment for migrant labourers. Workers can negotiate with their employers when they have become more skilful and experienced. Babu, who had made negotiations with his boss for an increase in his salary, expressed the intention to leave his regular job if the negotiations did not work out:

[...] I talked seriously to the boss, saying that I will leave to work in another place if he does not agree to increase the daily wages [...] I work very hard and with the increase, I would certainly work harder. [...] The boss does not need to follow us when we [Burmese co-workers] work [...] he never knows if we do not work hard in each project [...] we have never ever work unproductively and I will never cheat my boss [...] We are very independent because we drive to the location of all projects using our own transport. The boss will top up our wages for the transportation charge, though. Every time, I commit fully and deliver the job; for example, if the boss says I need to get it done in five days, I make sure the project is done properly within five days as intended. (23. 06. 2012, field note entry)

The above statement is self-explanatory. Babu negotiated with the boss in order to raise his daily wages. He argued that he deserved the salary increase based on the self-evaluation of his work performance. The boss eventually agreed to his persuasion. In addition, Babu's proactive approach to confront the boss for salary increase demonstrated his agency in which he does not victimise himself under the unfavourable circumstance, and the basis of his demand is to receive the salary he deserves based on his improved skills but not at all to defeat the power of the boss.

In relation to the salary scale from his past 13 years of working experiences, I draw on a table (Table 7) to give an indication of the salary increases from time to time. According to Babu, the boss decided on the salary scale when he started to work in 2000. After working for three years, he demanded that his boss increase the daily payment. As a result, he got RM 5 increase per day for another three years, i.e. RM 35 per day. In the following seven years, the boss adjusted RM 5 –10 (€ 1.20 – 2.30) per day increase on two subsequent occasions. However, this was adjusted to an increase of RM 25 in 2012,

which reflected his self-confidence, commitment and dedication toward his job and the improvement of skills was recognised by the boss.

Table 7 Babu's Salary Increment over Years (2000- 2012)

No.	Year	Salary per day (8AM- 5PM)
1.	2000 (for 3 years)	RM 30 (€ 7)
2.	2002 (for 3 years)	RM 35 (€ 8)
3.	2005 (about 4-5 years)	RM 45 (€ 10.50)
4.	2010 (about 2 years)	RM 50 (€ 11.70)
5.	2012 (January)	RM 75 (€ 17.60)

In relation to Babu's formal job, I introduce Chungmi¹⁴⁵, who was also from Babu's origin village in Myanmar and who had initially recommended Babu to work in the same company. In comparison to Babu, Chungmi did not speak the local language even though he had worked for the same company already for 21 years. Further, Chungmi had never got involved in voluntary work as Babu had in the temple. Instead, he volunteered his time after working hours in a Burmese shop because of his long-term friendship with the shop owner, named Tongshan, which will be introduced in the section 7.4. Thus, Chungmi's everyday activities after work, helping out in the shop that he was familiar with, had become his established habit.

The personal life stories of Chungmi showed his restricted engagement with only the Burmese shop owner over the past 20 years of working and living in Penang. Chungmi arrived alone in Penang in the early 1990s. Upon arrival, he searched for jobs and by chance, he went into a shop looking for a job, and the Chinese boss who interviewed him decided to recruit him. Since then, he had been back to Myanmar once in three years and remains in his hometown for a year before returning to Penang again. The boss allowed

¹⁴⁵ Chungmi was one of the few Burmese workers who had started to work in Penang since the early 1990s. In the interview, he recalled vividly that there were only a few Burmese workers who worked in Penang at that point of time in comparison to the current time, when there were a high number of Burmese workers in Penang.

him to stay in a room in the office. In mid-2012, he brought his nephew, who worked in the local bank in Myanmar, to work under the same employer as him. Chungmi earned RM 70 (€16.40) daily and he remitted RM 1,000 (€ 234) monthly to his wife and two children. But he was stationed in the office, while Babu was always outstation on projects related to electricity. After the office hours from 8.30 AM – 5.30 pm, and every Sunday, Chungmi used to spend time in Tongshan’s shop to help manage the business. Later, he became a good friend of Tongshan and his wife, named Shamlu, when they opened their shop on the second floor of KOMTAR.¹⁴⁶

The second level in the KOMTAR building was developed into an ethnicised place, with the majority of businesses being Burmese restaurants, grocery shops, and an Internet cafe. ‘Little Myanmar’ was known amongst Myanmar workers who did their grocery shopping there during weekends or weekdays and also socialise, shop and eat out there. A variety of products imported directly from Myanmar could be found in the various shops run by the Burmese shop owners, such as Burmese national dishes, drinks, beauty products, traditional items, newspapers in the Burmese language, and the like. Furthermore, in the early part of the month, the crowd of Burmese workers is even bigger because they came to use the remittance-sending services of sending remittances provided by the Burmese shops.

Babu and his wife, named Moun, went to KOMTAR once or twice a month to send remittances and buy Burmese products. According to Babu, the undocumented workers were alerted to the frequent spot-checks conducted by the police in ‘Little Myanmar’, particularly during the weekend. Therefore, those workers who made their appearance in ‘Little Myanmar’ were in their majority documented workers. This information corresponds to the practice of an undocumented construction worker who is in his 40s, who revealed that he sent remittances back to Myanmar by making a call to a Burmese shop which provided the services of collecting the money directly from his place.

¹⁴⁶ KOMTAR is an acronym of *Kompleks Tun Abdul Razak* (Tun Abdul Razak Complex). It is the tallest building in Penang, a 65-storey complex accommodating offices, shops, food-courts and the Penang central government’s office.

Therefore, he did not need to step into the hotspot where police could be found easily. He said,

Nowadays, if we have no business to do in KOMTAR, I seldom go. Police operations often takes place there. I just need to make a call and they will ask someone to collect from me. (19.11.12, personal interview)

The business strategy of the Burmese shops had adjusted to the convenience of the clients, who were conscious about their safety in time of police's operation. Babu was aware of the happenings in KOMTAR because he was also known by the Burmese shop owners there for the help he had extended to others.

Picture 15 Little Myanmar, Komtar



Here I introduce the night work schedule of Babu, in which Mr. Chang was Babu's employer – the latter's second job since 2004. Babu agreed to this second source of livelihood, taking charge of a badminton court from 7.00 pm to 12 am on a daily basis. The second job boss, named Mr. Chang, was a friend of his first boss. Mr. Chang knew Babu and he identified Babu whom he thought was a reliable person to take up the job.

Babu received RM 530 (€ 124) monthly for the first few years, and his present income for the part-time job had been adjusted to RM 600 (€ 140). The long-term employment relationship with Mr. Chang reflected the fact that Babu lived up to the expectations of Mr. Chang. In addition, the boss offered him free accommodation; he and two colleagues stay in the place. His wife, named MOUNG, joined him in 2009, and she was working in the services sector. He converted one of the store rooms, which was used to keep unused chairs and tables in, into a simple 'bedroom'. The 'bedroom' was simply a layer of plastic on the floor to make their 'bed' and a few wooden exhibition panels to divide the room into two areas, i.e. the 'bedroom' on one side, and the dusty chairs and tables on the other. There was a radio, a fan, and a simple dressing cupboard in the store room. Mr. Chang covered the water and electricity bills. Furthermore, Babu had a temporary kitchen and he was free to make use of the place to organise weekly meetings or celebration parties with his countrymen. The free usage of the venue indicated the trust his boss had in him. It was also a win-win situation for Mr. Chang because leaving the place empty without residents might attract thieves at night. For the last few years, the boss had installed an 'automatic' machine which allowed the local and regular badminton players to book the badminton courts on a daily basis. For Babu, the installation of the machine brought more advantages to him, as he could now always assign his friend to standby in the office to open the entrance for the badminton players. The place was of considerable size as it comprised three badminton courts, two store rooms, three public toilets, a kitchen, and a lobby hall which could easily accommodate about 100 people. As such, the second job gave Babu the freedom to access the facility, and therefore the place became an important site, such as a venue for organising social activities.

The social activities which were carried out in the evenings or after work took place at Babu's place. Parties for birthday and wedding celebrations were held there. For example, in the same month (November 2012), Babu and MOUNG were preparing for the one-month-long first-time visit of their daughter, son, and mother-in-law. Therefore, apart from the family visit, which also took place for the first time for Babu, he decided to seize the opportunity to organise a birthday party for their daughter, named May, who was aged

17. Around 100 Burmese workers attended the birthday celebration of May.¹⁴⁷ Among them, the invitees included the business men who owned food shops in KOMTAR, such as Thongsan and his son, Mavar,¹⁴⁸ as well as other leaders who were from the same group. The birthday celebration started at 8 pm and ended at 3 am. Moug prepared a few traditional Burmese dishes while Babu arranged for transportation to bring invitees to his place. The other group leader, named Myint, who took leave on purpose, represented the group members to present a gold bracelet to May. Beers were prepared, a three-layer cake was bought for the celebration, guitar was played by one of the Burmese workers with singing by the group, and dancing followed after the dinner. I was told by one of the Burmese workers that they had also celebrated Myint's birthday at Babu's place. The group members came together happily for the occasion.

In addition, Babu also hosted the party for the wedding of WengNai (another group leader) at his place in the evening. The formal wedding ceremony was organised in temple A¹⁴⁹ with the blessing ceremony by the monk in the morning. WengNai married a Burmese wife, named Neini, who was 20 years old in November 2012. Babu, his family and group members gave their full support at the first wedding in the group which was organised in Penang. For instance, Moug helped Neini with the make-up and dressing in the early morning. Babu and the other group members facilitated the food preparation, setting up the wedding site in the temple as well as the transportation for attendees. Around 15 friends of Neini who worked in the agriculture and construction sectors attended the

¹⁴⁷ I received an invitation card from Babu for joining the birthday celebration of May and the wedding ceremony of WengNai in the temple and in Babu's place. I accepted the invitations and I conducted participant observation when joining these occasions. Most importantly, the opportunity to participate their activities met one the objectives of my study which is to explore the social life aspect of workers.

¹⁴⁸ Mavar and her three sisters had been living in Penang for 10 years. She was the eldest sister, who had opened two food shops in KOMTAR, while one of the other sisters had opened a food shop in Bukit Mertajam. The remaining two sisters were working in the construction sector. Mavar brought in their youngest brother, who was aged 19, to help her run the business. The brother had been staying in Penang for only three months.

¹⁴⁹ During my one-year field work period, Babu was actively volunteering his free time at two local Buddhist temples. For convenience, I name them Temple A and B. Temple A was managed by a Burmese monk while Temple B was managed by a local Malaysian monk.

wedding ceremony, while around 50 of WengNai's friends joined him on the actual day in the afternoon at the temple and in the evening at Babu's place. The men wore suits and the women were dressed up with colourful traditional skirts and make-up. Thus, apart from the temple, Babu's place served importantly as the site of various social activities. Spending free time to organise and participate in birthday celebrations and wedding ceremonies sheds light on the normal activities that workers engage and become involve in the receiving society. In the next section, I discuss the daily engagement of Babu with his group members and how he related with the two local Buddhist temples.

7.2 Engagement with the Co-Nationals and Local Temples

In the everyday life dimension of Babu, he actively engaged with the co-nationals who sought his help, and he facilitated a self-help group which was comprised of the co-nationals who were interested in volunteering their time, skills and labour for the construction projects in local Buddhist temples. Babu established the self-help group spontaneously at the request of the people he had previously helped to form a group under his leadership. The self-help group was established in 2006 and consisted of the majority of the Burmese workers who worked in the construction, manufacturing and services sectors in Penang. The status of the group members included UNHCR card holders,¹⁵⁰ documented and undocumented workers, and the majority of them were Buddhist, with some Christians. Babu led the group with the assistance of another four leaders who were working in the services sector and construction sector. All the group leaders and followers were occupied with normal working schedules on weekdays, and they would come together for the weekly construction projects in the temples on Sundays. Similarly to Babu, Sundays and the public holidays were non-working days for them, used to come together for group meeting at Babu's place. In most cases, the agenda for the meeting centred on the issues concerning the organisation and preparation for the Buddhist ceremonies in the local Buddhist temples. Babu's leadership, and the self-help group as well as the local temples had a direct and reciprocal relationship, in which Babu would lead his followers

¹⁵⁰ Refugees who registered and received the document from the Office of the United Nations High Commissioner for Refugees (UNHCR)

to volunteer their labour for the various construction projects in the local temple A and B. In turn, they would have access to the local Buddhist temples for organising wedding ceremonies, prayers ceremonies¹⁵¹ and chanting for the passing away of their loved ones, and they were encouraged to participate in meditation retreats, Dhamma study classes, or Dhamma seminars which were held in the temple. For instance, some Burmese factory workers attended the Sunday Dhamma study class which was taught in the Burmese language, and Babu took leave to join in the meditation retreat camp of his interest organised in the temple. They continue to maintain a work-life balance by putting in extra effort to join the spiritual classes in the temple during their days off.

The self-help group is dynamic, and the aspiring personal life stories of some leaders are worth mentioning in order to help explain their practices in the everyday work and life experiences. I provide examples of two leaders who have gradually transformed their lives for the better, in comparison to the earlier years when they started working. The examples demonstrate that ordinary workers take charge of their capacity for improvement while living in Penang.

Myint, one of the group leaders, had transformed from a waiter to become the owner of a hawker stall. He was a UNHCR card holder, the owner of a fish stall in one of the famous food courts in Penang, who had taken over the business from a local Chinese boss. Myint had been working in Penang for 8 years. He had started the job as a waiter a coffee shop. He used to stay in the coffee shop in the beginning of the first three years. He learns to speak Hokkien, a local dialect which is spoken by the majority of Penangites. Now, he communicates well in Hokkien with clients and local people. This fluency Hokkien was beneficial. In 2012, he took over the hawker stall selling fish steak from the local Chinese boss, for a price of RM 5,000 (€ 1,170). Myint's hawker stall closing and opening times followed the standard schedule of the centre. He worked from Monday to Sunday, from 3.30 PM to 1.00 AM. On his rest day on Wednesday, he often travelled to the temple to

¹⁵¹ The prayer ceremony was held in the temple, and organised by a male Burmese who has been staying in Penang for nine years, in memory of the passing away of his brother in Myanmar, where he was not able to return to for the funeral ceremony. They were around 15 female and 10 male workers gathered in one of the hostels in the late evening to make the food preparations prior to the prayer ceremony. Around 40 Burmese joined the ceremony in the temple on the actual day.

offer his labour for the ongoing construction project there. Myint's milestone achievement in his business could be read in his face when he distributed and presented his newly printed business cards to Mr. Yaw and me. The feeling of pride in himself for doing well in the business demonstrated his aspiration to live a better and normal life in Penang.

Myint's wife, named Silah, who worked in a sewing factory, and their son, named Sangsi, who was 18 years old, were also UNHCR card holders. Babu introduced Sangsi to work with the same Chinese boss and therefore they were colleagues. Myint had bought a new motorbike lately and he had moved out from the coffee shop and begun to stay with his family, renting a room from a local landlord. Myint had also introduced a Burmese worker who worked next to his hawker stall to contribute to the labour on Sundays, named Santun. Santun felt happy in the team work and he came very frequently to help out. Myint displayed a significant trait; he was able to learn the Hokkien language in a short time, and his language competence enabled him to work independently as the owner of the food stall at the tourist spot. Nevertheless, he and his family were still contributing their free time in the temple even though his life had improved. Through their engagement in the voluntary construction project in the temple, which indicated their activity outside the formal workplace, they were also making efforts to support each other, for instance, by recommendations for jobs.

The other leader was WengNai, who was briefly mentioned above in relation to his wedding, he worked under a Chinese boss and yet he had eight to ten Burmese workers who were employed by him. He had a good command of Bahasa Malaysia, and his specialisation was in mosaics. He demonstrated the qualities of a skilful worker and at the same time he is a successful employer. WengNai had stayed in Penang for around seven years working in the construction sector. However, he was able to work independently as he had different project schedules either from his direct employer or the personal callings for the projects from other local Chinese bosses who wanted to ask him to take over new projects, for instance involving mosaics, painting and renovation. He said that he had no worries about not receiving projects to work on from his boss. In contrast, he could not afford time to take up more projects, and he passed on those projects to his friends. He had trained seven to eight young Burmese workers to work for him. He had a Chinese worker who had been with him for some years but left after some time. He covered the

workers' daily food and drink as well, and provided accommodation and transportation to and back from work. He paid a minimum wage to a fresh worker of RM 50 (€ 11.70) daily, and he raised the daily wages higher ranging from RM 60 (€14) to RM 90 (€ 21) per day, depending on their skill. He informed me that he was willing to pay the higher rate because the workers were all good workers with good skills, as they saved his time if they could manage the task by themselves. They worked from 8 am – 6 pm, sometimes until 7 or even 8 pm. Similarly to Myint, WengNai's everyday activities were centred on the regular work schedule, and his spiritual beliefs continue to connect and motivate him to engage with his co-nationals for mutual supporting, striving for an independence, happy and successful life in his ordinary engagements in the receiving society.

The other two leaders were Myo, who had moved to the Kelantan state and who rejoined the group only occasionally for important events, such as Kathina ceremony¹⁵²; and Aung, who was a construction worker who also had a second job in a phone shop because he had a good command of Bahasa Malaysia, and his wife, named Mimi, who working in a sewing factory. The group leaders and active members attended weekly meetings in Babu's place.

Babu engaged with the four leaders as mentioned above, and with the group members on a daily basis mainly over organisational matters concerning the two temples. First and foremost, Babu facilitated the group members to work on various projects as informed by Mr. Yaw. Babu often highlighted the initiatives to help local temples could be referred to as 'donations' in the sense that they were contributing their free labour and time for the construction projects in the temple. In other words, they did it purely out of their genuine interest, and at the same time, they felt their efforts were appreciated by the local people, and they enjoyed the teamwork, which make them feel united and at home.

The usual arrangement was that Mr. Yaw paid for the lunch prepared by Babu's wife and others (wives or partners of other members), and for the raw materials for construction purposes. In general, Mr. Yaw just needed to inform them if he needed more workers for the coming Sunday. Babu had the mobile phone numbers of all his followers,

¹⁵² An important event for Buddhists to celebrate the success of Buddhist monks in undertaking their 3-month meditation training yearly.

and he would call them on Saturday evening. However, it still depended on their willingness to join the voluntary work. The temple was located on a high hill and they needed vehicles to get to it. Normally, they gathered at around 9 am in the coffee shop at the bottom of the hill. Most of the times, about five to six of them used their motorbikes to reach the temple while another ten or so volunteers were transported by Mr. Yaw's panjero vehicle. It takes about one to two hours by foot from the main road to the temple on the hill. They end the day at round 5 PM and they leave the temple together. During the period of my field work, they worked on erecting the staircase, and building a meditation hall, kitchen, pavement, and roads.

Mr Yaw relied on especially Burmese workers who were physically strong and generous to offer their free labour and time for construction projects in the temple. As such, over time, the construction projects in the temple had benefited enormously from the continuous support received from different Burmese groups. Besides, from time to time, Mr. Yaw also asked for recommendations from volunteers for potential candidates to work on some projects which required special skills. For instance, a volunteer named Soe worked in the construction sector, and recommended a Burmese fellow that could work on the plastering of the floor for the meditation hall. The Burmese boss charged RM4,500 (€1,053) for the total cost, informing Mr. Yaw that he charged only for raw materials, not including labour fees. In that sense he was making a partial 'donation'. Then, Soe and his friends volunteer to help with the plastering. They also allowed Mr. Yaw to make the total payment after the completion of the task. Soe said the Burmese boss had told him that it was fine to make the total payment at the end. The trust was built between Mr. Yaw and the Burmese workers which centred on the spiritual belief that they share together.

Besides, Mr. Yaw also employed an undocumented worker to help him manage the fruits in the temple. The following anecdote sheds light on negotiation and arrangement on employment matters between them. Mr. Yaw said:

I asked my Nepalese worker [undocumented] to get legalised because I am afraid and aware of the new legislation regulation which punishes employers hiring undocumented workers. However, he refused because the salary will be deducted for months to pay off the entire levy, documentation charges and so on. It is

difficult to find a suitable worker who can work and stay in this environment [high hill]. The monthly salary of RM 1,000 (€ 281) [without monthly deduction] is good enough for him as compared to the workers employed by the neighbouring farmlands, who receive only RM 800 (€ 187) from the early morning to the late evening. [...] Then, I told him to restrict his movements into town, which would expose him to being caught by police. More importantly, I made a deal with him that if he is caught by police, he should not reveal that I employed him. I will send RM 10,000 (€ 2,341) [the minimum fine for employer] to his family if he is taken into a detention camp. (12.2.13, personal interview)

The aforementioned account shows that the undocumented worker was willing to accept the minimal salary offered to him, and yet, he strategised to avoid a monthly salary deduction by refusing to be legalised. He might have considered that there was no incentive to become a legal worker because he would receive a more marginal salary if he agreed to the legalisation procedure. Since it was hard to find local workers to work on the hill, Mr. Yaw, who needed labourers but had no interest in either absorbing legal processing fees or increasing the monthly salary, eventually suggested a deal which could be more costly and risky for himself.

Babu related his extra effort with regard to the organisational preparation to help out at Mr. Yaw's temple, as being due to the special location of the temple, which was not easy to access. Every Saturday evening, Babu started to plan for the voluntary work on Sunday. As he expressed it,

[...] on Saturday evening, I find out the task for tomorrow after talking to Mr. Yaw [...] Depending on each task [...] for example, in the last project, we needed more volunteers who were really physically strong for moving the Buddha statue [500 KG] to the top hill, for which we needed to go up 376 steps [stairs]; I brought a special rope that was strong enough to move the statue [...] then I had to think and select those who I considered strong [...] I made a phone call to check whether they could offer help tomorrow [...] however I cannot force anyone to make free labour contribution because it is a personal decision [...] I also do not expect people who agree to join the voluntary work but refuse to work wholeheartedly

tomorrow [...] the temple is located on the high hill and it is not easy to go up [...] I need to check out the exact total number of volunteers who are willing to join in order to arrange the transport [...] I really need to make sure only people with genuine interest in working hard join us [...] it is hard voluntary work on Sundays [...] (13.11.2012, field note entry)

Picture 16 Babu's Group Mobilised 30 Members to Locate the Statue of Buddha (About 500 Kg) In a Building of the Top Mountain on 18 June 2012.



The narrative shows that Babu displayed not only the qualities of a leader in coordinating the volunteers but also that he was a thoughtful leader who made advance plans for the schedule on Sunday in order to make sure the task was accomplished efficiently. The routine to contact his group members for the voluntary work in the temple had become his responsibility over the past few years.

The volunteers felt proud of having spent time meaningfully during their days off. They would rather choose to contribute their labour in the temple than take part in entertaining activities or engaging with extra income-generating opportunities. This was because the times spent in the temple brought more satisfaction for them. A volunteer reflected that he gained more peace of mind and relaxation when he offered to help

because the temple was surrounded by nature, which gave him the feeling of being at home in his origin village. I witnessed their laughter, hard work, teamwork and the like when I joined them on the project during my fieldwork. They took pride of the work they produced. They invested time, labour and ideas in the construction projects, and as such they felt proud of themselves when the projects were accomplished after some months. On the one hand, they drew on their existing capacity to contribute in the team work; on the other hand, they learned new skills in the process. For instance, Babu was an electrical worker, but the construction of different projects demand various skills, which he also learned from his group members. In other words, some other new workers would catch up with new skills when they helped on Sundays. In the following discussion, I showcase a case study which is enriched with their various narratives at different stages in the accomplishment of the project. Their sayings demonstrate the pride they took in their doings for the temple, which also made them feeling happy and satisfied.

The case study of Kyaiktyo Pagoda

[...] the site was formerly bushy scrubland [...] in order to build the shrine we cleared the thick undergrowth [...] we used tires to build various layers of retaining walls [...] we painted the rock in gold [...] we cemented the pathway and the reclaimed land around the shrine [...] we erected the railings around the shrine [...] we made the concrete pavement [...] we built the staircase [...] we designed the mirrors [...] (7.11.12, personal interview)

The construction of the symbolic Kyaiktyo Pagoda in 2009 illustrates continuous efforts, commitment, discipline, and quality of voluntary work. The workers not only contributed their free labour, but they also developed new ideas for making the project better. They relied on their own capacity and skills for the project, which lasted one year. The discipline involved in following the weekly schedule to work constantly during their personal free time demonstrated their determination and genuine interest in practicing their faith to help in the temple.

Babu explained the processes they had taken in order to construct the symbolic Kyaiktyo Pagoda:

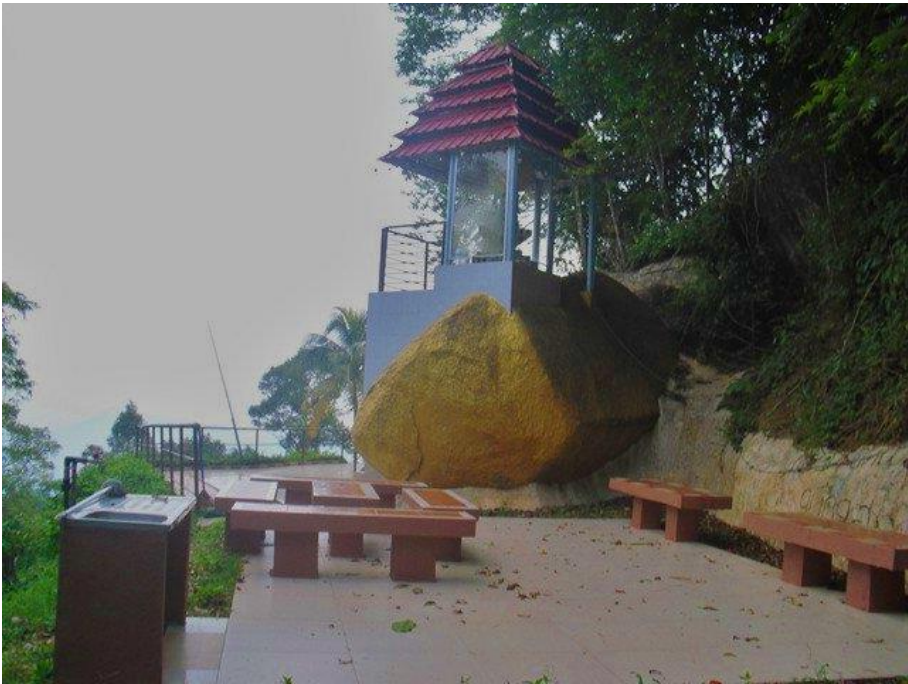
[...] we self-financed to build the shrine, which is out of our interest for the temple [...] we bought the raw materials such as the cement, roofs [...] the total cost is around RM 6,000 (€1,405) [...] at the same time, we completed the shrine construction all by ourselves [...] we worked on the mosaic work [...] we made decisions about the design of the wall [...] it is a very challenging task [...] it is really not an easy task [...] (7.11.12, personal interview)

[...] we spent almost one year to complete the shrine construction [...] we came constantly for four to five days monthly to continue building the shrine [...] you know we are full-time workers [...] we work as usual from Monday to Saturday for the formal jobs [...] only Sunday is our off day and therefore it is our free time [...] we all came together on Sundays to do it [...] (7.11.12, personal interview)

He indicated they took pride in the result, as he stated:

[...] we wanted to make it look good [...] we did not want other people to say that we do things simply [...] because we want to take pride in our work [...] we feel happy when it is done properly [...] if after x years, it is still beautiful [...] then only will we feel proud of our contribution [...] you see the name of our group and date of completion were written on the plaque with English and Burmese [...] (7.11.12, personal interview)

Picture 17 A Symbolic Kyaiktyo Pagoda (Also Known as Golden Rock in the Mon State, Myanmar) Constructed and Donated by Babu and His Group Members in 3 October 2009



The continuous effort to come together on a weekly basis to build the shrine had nonetheless demonstrated their aspiration to stick with their commitment to make it come true. They sweated tremendously under the hot sun; nevertheless, the emotion of happiness and working-together with their co-nationals who shared the same faith had in some way created and sustained motivation and fun for them in this routine voluntary work during their days off. They considered the tough task to be a good cause, which brought them satisfaction, pride and honour, and thus they engaged with the temple, and supported the ordinary voluntary work under the leadership of Babu.

In addition, Babu's group jointly organised the Kathina event, which is an important event for Buddhists to celebrate the success of Buddhist monks in undertaking their 3-month meditation training in one place yearly. This temple A was managed by a Burmese monk who had been residing in the temple for years. There were five big Burmese groups, of which Babu's group was one, all coming together to help organise the Kathina event. Briefly, each group was facilitated by two main group leaders who worked in the same sector or stayed in the same area. For instance, there were two groups which consisted in the main of factory workers, and they were located at different areas. In the eve of the Kathina day, all of the groups came together with their members to buy, prepare and cook the meals in the temple. Each group was located at a different site in the temple, which allowed them to organise their own chairs, tables, and meals separately. They also made transportation arrangements for workers to arrive the temple. Babu revealed that each group had to collect about RM 5,000 (€ 1,170) for the robes offering, making offerings in terms of umbrellas, robes, and other essential items for the monks, as well as RM 1,000 (€ 234) for supporting and preparing all the meals for over one thousand Burmese attendees who would come over for the celebration. In turn, the temple served as a place for Burmese workers to undertake meditation retreats,¹⁵³ weekly Dharma classes, and

¹⁵³ Babu joined one of the monk training programme for 2 weeks in a temple in 2010. The adult monkhood training was conducted in the Burmese language.

prayers,¹⁵⁴ as well as a place to host Burmese weddings.¹⁵⁵ In the Kathina event, Babu was often chosen as the host. The role again shows that he had gained popularity among the Burmese community.

Babu revealed that the leaders took on a lot of responsibility in deciding and bearing the cost of the event, as follows:

[...] we will calculate the cost [...] we discuss [...] we make decision [...] we share the cost amongst the leaders [...] (7.11.12, personal interview)

Picture 18 In one of the festive celebrations, the Myanmar volunteers from different groups formed a human chain in order to distribute the free food offered to attendees who joined the event.



¹⁵⁴ An interviewee revealed that they conducted a prayer in the temple to remember the passing away of the brother of a group leader. The group leader had not been able to return home and thus he decided to make it in the local temple where they had contributed their labour for the construction purposes.

¹⁵⁵ I was invited for two Burmese weddings during the one-year fieldwork period, which both took place at the same temple.

On Babu's personal reflection, his group members had high respect for him because he was willing to help wholeheartedly when they faced problems. As such, they followed his instruction to work in the temple in which Babu was also volunteering himself for the temple's construction projects. The respect for Babu could be also seen from their practice in which they often waited for Babu to join them before starting to eat the food for their lunch together every Sunday. In the following section, I will demonstrate the supporting role Babu played for the members.

If I am absent from work today, I only lose the salary for the day. But if I do not extend help to the particular person who needs emergency help urgently, he or she may lose a life.¹⁵⁶ (12.03.2013 Babu's personal account, field note entry)

The formation of the self-help group was also the outcome of Babu's continuous help offered to the needy in the past few years. Babu's phone number has been distributed to Burmese members and non-members. From time to time, he received calls seeking assistance from both group members and non-members in Penang. He received phone calls requesting different types of help, e.g. sending people to clinic/hospital/airport; dealing with police officers when people were caught. The callers were both male and female Burmese workers who had asked for Babu's help. Nevertheless, some who sought for his help might be individuals he had never met before. For instance, one of the group leaders, WengNai, knew him through another friend who was seeking Babu's help. WengNai recalled that she had observed Babu when he came along with a friend who had asked for help from Babu. For him, Babu's personality left a good impression for him. In time of emergency, Babu even spent his working days extending help to the needy. Thus, to some extent, this was a flexible arrangement as he had the freedom to opt to not work

¹⁵⁶ With curiosity, I probed Babu's response in view of his extensive help extended to other workers. He responded spontaneously and calmly with this statement. At that point, I was taken by surprise by his response, which indicated his genuine heartfelt desire to help the needy. Indeed, during the fieldwork, I had been constantly wondering about his pure intentions in giving help without expecting any reward. I kept observing his interactions with the group members, monks, and the local people. In the end, I was satisfied that I asked the sensitive question directly to him in order to clear my doubt as a researcher, as well as an outsider.

occasionally to allow him to help others. Babu revealed the full extent of his responsibility to lend a hand for his group members, regardless of day or night. As he said,

[...] I will back them up [members] if they are arrested by police due to illegal driving [...] if they can negotiate with the police, then they can settle the case by themselves [...] if they cannot manage the case, they call me up and I will go there immediately to offer help. I will tell the police we will 'pay' [bribe], and we 'give' the money. When they [members] ring me for emergency cases similar to this incident, I certainly will go to help them. [...] I don't care whether I am working, day or night time [...] (23.06.2012, personal interview)

Being caught by the police is one of the challenging circumstances that migrant workers face living in Penang. The negotiation skills demand a fairly good command of Bahasa Malaysia. Babu was skillful with regard to handling the issues with the police, as he received calls for help if members or non-members were caught by police for driving motorbikes without a legal driving license.¹⁵⁷ In most cases, he 'settled' the case by giving a bribe to the police in order to release his friends or the person involved. In some cases, he had 'paid' the police and the person involved would return the money to him later. Babu had a valid driving license with which he travelled to the capital city, i.e Kuala Lumpur, with the help of his friend by submitting necessary documents in order to convert his driving license from Myanmar to a driving license requested by the local authority. With the legitimate driving license, Babu could avoid having to bribe the police because he was a legalised driver. In particular, he used to take a motorbike and car to help the needy.

¹⁵⁷ In a conversation with an undocumented worker who was out of job temporarily, he told me that in fact the police recognised the plate numbers of 'illegal' motorbikes owned by the Burmese workers. Therefore, the police could easily identify them and ask for '*kopi*' money (bribe) when the police want to make some money. After several instances of giving '*kopi*' money to the police, he eventually decided to sell the motorbike to other friend, as he complained that he had become poor through bribing the police. (14.11.2012, personal field note) Another undocumented worker revealed that he usually bribed more than hundred Ringgit Malaysia in order to be released.

Babu bought a second hand car¹⁵⁸ in 2012 to use for his formal workplace and to organise social activities in Penang. Later, he gave permission to another four members to register their motorbikes under his driving license. For instance, Kotek, who worked in a car workshop, and his partner, named Momo, who came by motorbike from the Penang mainland, also registered their license under Babu's name. He showed to me the few motorbikes and the owners of the motorbikes in the temple which were registered under his driving license. I was amazed initially to figure out that around six or seven of them used motorbikes which are registered under Babu's driving license, to come to the temple to offer help regularly every Sunday. Furthermore, Babu also helped WengNai, who was 28 years old, to register his car under his driving license.

The formation of the Babu's group fitted in well to the everyday lives of workers who could get support and information¹⁵⁹ from each other in the receiving society. Particularly, workers in the construction sector are not able to rely totally on their employers for help. Instead, they tend to draw necessary assistance from their existing network.

Babu was one of the prominent figures in the Burmese community, who was capable of negotiating with the authorities in order to release his friends or group members. In the following, he speaks about what is considered part of his social activities:

Last Saturday, I travelled to a detention camp because a friend of mine was about to go to court. He is subjected to receiving a penalty; whipping followed by deportation. This is not the first time I have offered help to a friend who has been apprehended by police in one of the operations on undocumented workers. I am quite familiar with the 'system': I 'talked' to the officer before my friend was sent to court. The

¹⁵⁸ When I informed him that I was going to come back to Bonn in mid-April 2013, he suggested that he send me by car from Penang to Kuala Lumpur International Airport. I was taken by surprise by his hospitality and his familiarity with the directions from Penang to Kuala Lumpur which is about 360 km distance and it takes an average 4 hours by car.

¹⁵⁹ In one incident, I asked whether Babu could help to introduce a job to an undocumented worker who had contacted me for help. I passed Babu's number to the worker and he was immediately introduced to a job in the construction site for about RM 50 (€ 11.7) daily wages.

officer agreed to take RM 3,000¹⁶⁰ (702 Euro), and he released my friend. (7.11.12, personal interview.)

I went to the temple every Sunday in order to make friends with Babu and his group members. It was very rare that Babu did not appear on any particular Sunday. I followed up with him after hearing from the key informant, Mr. Yaw that Babu had gone to Kota Bahru, Kelantan, and thus he could not make it to the temple on one of the Sundays. It was an incident involving one of the volunteers who had joined to help in the temple, but he had been caught by the authorities in one of the police operations. The quotation above was told by Babu which he brought the ‘person’ along in a meeting which I arranged for the fieldwork visit of Gabi (former tutor) on 9 October 2012.

In addition to the personal account from him, I also captured other accounts of his helping others. For example, Silah provided an example about the story of Babu. She had heard about Babu’s reputation a few years back and she started to join Babu’s group in 2011. She has just registered under the 6P programme with her Burmese partner, named Yungyo, who was a construction worker. She worked as a helper in a food restaurant for about six years. She then worked on the construction site for a short period of time after she left the job in the food restaurant temporarily because the boss there refused to raise her salary. After around six months, the former boss re-employed her, paying the salary she negotiated, i.e. RM 60 (€ 14) daily. On her account, the boss had to recruit two local employees to take over her workload, and yet the performance was still not satisfied. On resuming her previous job, she managed to absorb the workload of the two former local employees, which satisfied the demands of the employer. Silah remarked that:

[...] Babu is good at heart and pure in his intention to offer help. For example, there is a Burmese worker, namely Aungsang, who was caught and being kept in the prison. Aungsang has a small baby and a wife to support. When Babu learned about this, he allocated time to visit the person in the prison and he brought food for his family. The police officer demanded RM 10,000 (€ 2,341) in order to

¹⁶⁰ The friend who was released from the detention camp is expected to return the money when he starts to work in the construction site.

release him. Babu realised that Aung Sang had not committed any serious offence (e.g. stealing) but he could not speak Bahasa Malaysia and therefore he could not express himself well. Thus, he was taken in by the police. After the negotiation, the 'price' to release Aung Sang was reducing to RM 3,000 (€ 702). He was released after Babu made the 'payment' through the money collected from us, which we lent to Aung Sang to have him released. (21.11.2012, field note entry)

The everyday activities and thoughts of Babu have proven that he engaged people and place in relation to the practicing of his faith, as he established a relationship with local Buddhist temples, and he facilitated group members in contributing to the temples. Temples and giving help had become routine activities in the everyday life of Babu.

Babu, who was respected by his co-nationals and by local people as a reputable leader, however, was also an ordinary person who gave priority to family activities. During the period of a family visit, Babu arranged a trip to Langkawi with them. More importantly, Babu took them to the temple where he offers help every Sunday while he continued to help in building the constructions. He showed them proudly some of the projects he had helped to complete in the past. Myint and family invited Babu's family for a dinner during the visit. In addition, Babu also organised holiday trips¹⁶¹ to Ipoh Zoo together with his group members. They made the travel arrangements by booking a bus.

7.3 Engagement with the Burmese Shop Founder

Babu engaged with his co-nationals from various backgrounds, including those who were considered wealthy, such as the successful businessman named Tongshan. The relationship with Tongshan showed that Babu had gained respect from Tongshan, who shared the same faith spiritually. The personal life story of Tongshan describes a transformation and aspirational journey of an ordinary businessman who engaged and related with his surrounding environment.

Tongshan was the first Burmese shop founder in KOMTAR, as mentioned earlier, and a friend of Babu. Babu visited his shop occasionally when he needed to send remittances to his family. In comparison to Babu, Tongshan was a wealthier elder who

¹⁶¹ During the public holidays, especially the Chinese New Year, he planned a trip for the group.

was enjoying his retirement and who had handed his business on to his sons. Tongshan claimed that he was the first person who founded a Myanmar shop in KOMTAR in 1997; he brought his wife to help him in the shop. Tongshan had been living in Malaysia since 1997, and overall he had been staying in Penang for around 20 years. He was 64 years old. He held a Bachelor Degree in Science from the University of Rangoon, and had received the second Diploma of Accountancy later in Myanmar. He had worked as the Senior Auditor in the Auditor General Office in Yangon. However, the salary¹⁶² was insufficient to support the living costs of his family with four small children. Thus, he applied for a job as the project coordinator in a palm oil plantation company located in Kuala Lumpur and worked there for the first three years before moving to Penang. The shop opened from Monday to Sunday from 10.30 am to 8.30 pm. Babu's wife, Mounng, was a close friend of Tungmi's wife, Shamla. Both Tongsan and Shamla remained in Penang under the Malaysia My Second Home (MM2H) programme.¹⁶³ Tongsan spent his retirement days travelling around the world. He had travelled to 15 countries – some European countries, such as Netherlands, Italy, Belgium, Hungary, Germany, and Denmark; and some African countries, as well as Japan. His grandchildren were enrolled in the international primary school and thus their parents were also permitted to stay in Penang.

His second son managed the shops in Bukit Mertajam Plaza and KOMTAR. However, the shops were rented from the local landlord. The eldest son managed the shop in Kuala Lumpur, while the third son was working in France after receiving his Masters degree. Tongsan and Shamla had attempted to apply for the Permanent Residents status but they had not obtained the approval. Tongsan felt comfortable with the living style in Malaysia of which there are more opportunities for his family and grandchildren in terms of education and business.

It was a rare encounter which made Tongsan realise his potential in doing business. When he was working in Penang in the 1990s, he often went to a coffee shop on Sunday. It was one of the normal Sundays when he was enjoying a cup of coffee in the shop.

¹⁶² US\$ 1.80 monthly

¹⁶³ Under the second Home Programme, he needed to keep a deposit of RM 150, 000 (€ 35,128) in his personal bank account.

However, he was mistakenly taken as a Malay Muslim by a local Chinese man, who questioned him about his taking liquid during the fasting month. Tongsan defended himself, stating that he came from Myanmar, and they engaged in a conversation and realised that both of them stayed in the same area. Tongsan and the local Chinese man, named Mr. Ching, became friends. At the same time, Tongsan's employment permit expired and thus he went back to Myanmar and worked for four to five months as a building contractor. Tongsan barely survived because construction was not his strength. He communicated with Mr. Ching, who suggested to him during a telephone conversation that he should start a company to trade in products from Myanmar in Penang. Tongsan agreed to the suggestion and he established the first Burmese shop in partnership with Mr. Ching. In accordance with the requirements of the Malaysian government with regard to business partnerships involving foreigners, Mr. Ching brought in his wife, who together with him made up two local partners with 70 percent equity share, while Tongsan, who was a foreigner, owned 30 percent value of the company as one of the three directors. As there were only around 50 to 60 Burmese workers in Penang at that time, Tongsan brought in the Burmese products by air. Nowadays, he estimated that around 80,000 Myanmar workers were working in Penang. He recalled proudly,

I am the first inventor of this type of business, in which I imported the Burmese products to sell to Burmese workers in KOMTAR. At the same time, I initiated the remittance-sending services for the Burmese workers. In other words, I helped them to remit their salary back home. It means that the workers who are interested in sending money home visit my shop. I collect the Malaysian Ringgit from them. Immediately, I make a phone call to instruct my staff in Myanmar to distribute the equivalent amount of money in Burmese currency to the addresses given by the workers. After just five minutes, their family would be able to receive the money after the phone call. Then I use the Ringgit Malaysia currency to buy biscuits, clothes, alcohol and other products to send back to Myanmar for selling. The several shops in Myanmar will use the profit gained from selling the products to sending money to all instructed remittances recipients whenever I make a phone call back to the village. That's how I manage the business, and why I am the first inventor. That time I was the first man. Today, there are many Burmese shops

which are working this way because they are following my idea. However, I have no worries about the business competition. The shop I founded had earned a good reputation and the shop is well known amongst the Burmese workers. Furthermore, my shop offers excellent remit services because the remittances can be received as soon as the phone call is made from my shop. In contrast, some of the shops that provide the same services, they take up at least seven to ten days before the recipients eventually receive the remittances¹⁶⁴. Our service is very good. I have established five companies in different districts in Myanmar to run the business. I have another shop in Bukit Mertajam¹⁶⁵ for the same business. I am retired now and I have handed over the two shops to my son. (07.07.2012, field note entry)

The aforementioned life story demonstrate the manifestation of different ideas between Babu and Tongsan, regarding spirituality and business, respectively. Tongsan, who became a businessman through an opportunistic meeting with a local businessman, opened up the idea of selling Burmese products. In comparison, Babu remained a construction worker and continued to give intangible support to others.

Tongsan was well known amongst the Burmese community. Babu is also known to the majority of the Burmese workers. However, the approach that Tongsan took to help workers was different compared to that adopted by Babu. Tongsan was ageing, yet he had good networks with local bosses. He stated,

[...] because I have been staying here a very long time and I established the first Burmese shop, so the majority of the Burmese workers know me, and the local bosses know me well too. Sometimes some workers come to my shop and ask if I can introduce jobs for them [...] if they have no money or job, I will help a bit [...] sometimes, I recommend jobs to them and sometimes I give them some money or keep some food for them. I am not an agent and therefore I never charge them a

¹⁶⁴ However, Tongsan explained that she understood that the Malaysian authority was against this practice and they named it 'money laundering'. But as long as they were not dealing in drugs, human trafficking, or weapons, the police had never caught them because they understood that they was managing workers' money.

¹⁶⁵ In the mainland of West Malaysia.

single cent. At the same time, the local bosses would also ask me to introduce Burmese workers to them. For instance, one of the Chinese bosses told me they need two or three workers as their local workers had resigned. [...] So I help them to find workers. Sometimes, the Burmese workers come to my shop. So I help them, that's all. I am not an agent. Some more I keep some food for them. I do not accept a single cent. (07.07.2012, field note entry)

The aforementioned narrative shows that there was an established connection between Tongsan and the local bosses, and the help he offered was spontaneous, depending on the availability of vacancy. His everyday activities seemed to be those of a man living an ordinary retired life, travelling and relaxing. In contrast, Babu lived to navigate solutions for his group members, the temple, and the needy, while maintaining his normal roles as a worker, and satisfying his spiritual needs in the receiving society.

7.4 Conclusion

Babu's spiritual approach was centred on his pious attitude, his firm belief in Buddhism which strongly shaped the ways he approached his life; the ways in which he engaged with other people, his skilful negotiation strategies in dealing with the police; he gained trust and respect due to his personal characteristics as a reliable and charismatic leader.

The narratives which were highlighted in the various sections above demonstrate the genuine interest of Babu to extend help, both to the construction projects in temples and to the needy who asked for his aid. His sympathetic feelings towards those others who encountered difficulties; his satisfaction and pride of accomplishing the construction projects for the temples together with his fellow co-nationals; his self-confidence, which lay within him, and his language skills, used to negotiate with the police to release his friends, were all striking aspects of his character. These were the ordinary emotions that kept pace with his everyday activities in the host society. The temple, the place in which he lived, KOMTAR, the work place, and so on, these were the common sites and places where he established his daily routine to make connections with people, to manifest his inspiration and motivation, and to enhance his organising capacity, leadership and supporting role. Nonetheless, he also visited several tourist places occasionally with his

family and followers for fun and relaxing activities. Those places he conversed were nevertheless closely linked to his daily doings, which had a firm foundation in his beliefs. Furthermore, the life-journeys of the other group leaders had also transformed gradually for the better, which show their aspirational capacity in doing ordinary activities for financial and spiritual improvement.

This particular belief in religious teachings makes up a great part of Babu's everyday doings. To some extent, his story displays a different value from that of the business configuration of Suti, who put all her resources into keeping the business alive, and the everyday work-life activities of factory workers, who have more inclination toward recreational and self-realisation-related undertakings. Rather, it was spiritual wisdom that guided and facilitated all of Babu's interactions with other people. Thus, the case study of Babu depicts a unique dimension from which he was able to extend genuine support to the local population without expecting a reward in return. The spiritual approach of Babu shows how his spiritual idea bridged his relationships with both higher- and lower-ranking co-nationals and members of the local population, in which he engaged with the wealthy and offered help to the needy. Furthermore, as Appadurai says, the navigational capacity of actors to aspire facilitates the actors to make changes even under adverse conditions. As for Babu, his navigational capacity, which is in line with his spiritual development, was used to strive to improve the quality of his life and that of others by doing good deeds and living a meaningful life.

8 HOW MIGRANTS ARE DE FACTO INTEGRATED INTO EVERYDAY LIFE

This chapter aims to draw an overall analysis based on the discussion of the empirical chapters 4 to 7. The main findings show that the ‘aspirational practices’ of migrant labourers are a main point in the de facto integration of workers, and enable labour migrants to live, act and behave as if they are no different from the local population of the host society. In using the term *aspiration*, I initially borrow from Appadurai’s concept of the ‘capacity to aspire’, or the navigational capacity of social actors; however, I have used the term ‘aspirational practices’ which refers to the actions of workers who are able to realise their aspiration by putting extra effort, time and energy into the everyday activities which contribute to migrants’ lives being similar in form outside the workplace to the lives of the ordinary locals in the host society. It is not my intention to overgeneralise and suggest that aspirational practices are common to all the migrant labourers, but they are apparent in some workers who really have succeeded in carving out full lives even though they are non-citizens; these workers have managed to counter the discriminative practices in the formal work place with other activities, which allow them to assert themselves in their free time.

The first section discusses the definition of ordinariness in my framework, in comparison to Bayat and Autesserre’s research subject (Section 8.1). I have used the term *discriminative practices* because based on the discussion in workers’ everyday experiences in the formal workplace (Ch 4), outsourcing agencies are embedded in the wider environment in which they dependent on the mandate from the government, whilst there is an interdependent relationship with local manpower recruitment agencies, factory and workers. In relation to the workers, for instance, they follow a working schedule, receive monthly payment slips, transportation and hostel arrangements, and the like. However, there are disciplinary mechanisms imposed by outsourcing agencies, rules – such as that workers’ passports are kept by the employers; workers are on a lower salary scale compared to local workers; they may be sent back to their home countries immediately if they become pregnant; all of these reflect the discriminative practices that

workers are exposed to in the formal workplace (Section 8.2). The specific approach of this study – the examination of both the working and the life dimensions of workers, in the next section – I have labelled ‘aspirational practices’ in view of their everyday activities in asserting themselves outside the workplace, in contrast to their activities in the structured work dimension. Their everyday activities can be detected in four fields which demonstrate their aspiration for living dignified normal lives in Penang. I argue that these aspirational practices have an additional dimension in relation to the four fields that it enables workers to mitigate the effects of some of the exploitative practices in the work, and then it allows them to be ordinary in their perception with feeling being part of the Penang society like the local citizens (Section 8.3). In the end, I conclude that some workers are experiencing and achieving a de facto integration into the host society (Section 8.4).

8.1 Definition of ordinariness in my framework

To briefly recap, the subject of my research is foreign low-skilled factory and construction workers, as well as workers who work in the services sector, and I explore their 24/7 work-life experiences. Autesserre (2014) investigated the practices of actors’ everyday activities in their workplaces and social lives. Similarly to Autesserre’s (2014) research on highly skilled foreign peacekeepers in conflict zones, the low-skilled foreign workers live in a formal and rigidly regulated environment in the host society. For instances, their salaries, health care services, insurance coverage, accommodation and the like are necessarily in accordance with the rules and regulations in that society. However, in comparison with the low-skilled workers in my study, the members of the professional intellectual group in Autesserre’s research, undeniably received better and more secure salary packages, and enjoyed good positions in the host society. The expatriates are also more mobile as they are not subjected to the control of a migration regime, as compared to low-skilled international migrant labourers who are forced to accept the accommodation arrangements and salary packages decided by their employers. Furthermore, despite a full-time work formal schedule in the factory or construction sector, many of them also take on part-time jobs in the informal sector after the working hours of

the primary job. Moreover, some of the former documented workers opted to 'switch' to working in the informal sector because they could receive a relatively higher salary compared to working in the formal sector. The undocumented workers are predominantly working in the informal sector, which is to some extent similar to Bayat's research subject, i.e. in the informal sector. As there are no illegal migrants' settlements in Penang, the undocumented workers normally rent low-cost houses from members of the local population. Nevertheless, the fact that documented migrant workers work in both the formal and informal sectors draws a distinction between Bayat's research subject and my own. Furthermore, in Bayat's studies the subjects are rural migrants; thus, they are entitled to citizenship rights, as compared to migrants who are treated as temporary workers with limited protection in the receiving society. However, some female migrant workers have successfully obtained the status of permanent residents through intermarriage. The foreign labourers in my research who become involved in and move between both formal and informal settings mark the difference of this study from the two empirical studies carried out by Autesserre and Bayat.

I draw on Bayat's conceptualisation of 'everyday', referring to 'activities' (Bayat, 1997, p. 55) or 'ordinary practices of everyday life' (Bayat, 1997, p. 53) that are characterised as 'mundane, ordinary and daily nature'. 'These practices represent natural and logical ways for disenfranchised survive hardships and improve their lives' (Bayat, 1997, p. 55). Instances of 'ordinary daily practices of life' include e.g. 'working, playing sports, jogging, singing, running for public offices' (Bayat, 2010, p. 98). For instance, Bayat sheds light on the everyday encroachment by ordinary disenfranchised who move from rural to urban areas and occupy the informal sector. They reside in unused urban spaces and appropriate the street for all kinds of entrepreneurship. Bayat points out the act of appropriation of free spaces is a daily activity of the disenfranchised. Bayat's study captures the particular view of the subversion of a marginal group who exert their 'capacity to aspire', and they primarily intended to survive (notably, the notion of *survive* ranges from getting enough daily food to improving their lives), but this more basic, individual aim gradually transformed into something of a small revolution.

Bayat's analytical framework establishes an understanding of the ordinariness and the everyday practices of actors. However, Bayat's study is based on the perspectives of

ordinary people in the context of the informal sector and the work they perform on a daily basis. My study focuses rather on the labour migration regime, with a particular emphasis on the labour migrants' 24/7 work-life experiences, e.g. workers' lives inside and outside factory/ construction sites in Penang. I propose to define the ordinary, ordinariness, and ordinary people in a more inclusive way which corresponds to the empirical realities in my research, as follows:

Foreign workers are exposed to the control of a labour migration regime which determines, for instance, the factory or construction sites where they work, the places in which they stay, and the time schedules for bus collection services to and from the factory, amongst others explicit and implicit rules that workers must follow in order to work in Penang. The migratory journey of workers, from their origin country until they are administered in the local society, is elaborated in Chapter 4. To some extent, factory workers' industrious labour is being exploited due to the discriminatory practices under the management of outsourcing agencies in the host society. However, workers compensate for the disappointment inside the factory by actively involving themselves in various activities outside the workplace. They make autonomous decisions in their social lives, in which they are highly motivated by their aspirations. This additional aspirational dimension enables workers to offset the discriminatory experiences inside the workplace. Workers are a part of the Penang society who spend their free times involving in various activities, such as realising their potential through working in a second job, engaging in relationship, satisfying faith-based spiritual needs, or rewarding themselves. Since these activities are similar to the everyday activities carried out by members of the local population, I argue that workers can neither be seen as merely victims nor solely fighters, but the aspirational practices they relying on shows that they are indeed ordinary people who live normal lives in the host society. These aspirational practices, which manifest through the extra effort, trust, time, and energy that workers invest in their daily performance to engage and relate with the surrounding environment and people, underline their aspiration to outweigh the exploitative practices in the formal workplace.

In sum, the ordinariness of migrant workers is reflected through their experiences outside the factory and construction sites, in which their aspirational practices enable them to compensate for the unfavorable circumstances in the formal sector. From the

perspective of migrants, there is little difference between the daily feelings, sayings and doings of those workers who are under the highly regulated migration regime – i.e. factory workers – and those in the less regulated sector – like the construction workers, undocumented workers, and the local people. As a result, workers who perform those normal activities are experiencing and achieving a de facto integration into the host society.

In line with the aspirational dimension, I briefly recap the concept of ‘capacity to aspire’ as proposed by Appadurai: Appadurai (2013) advocates the importance of this ‘capacity to aspire’ which indicates the navigational capacity of actors, especially among the poor – those who are categorised ‘as refugees, as migrants, as minorities, as slum dwellers, and as subsistence farmers’ (Appadurai, 2013, p. 192) and who live in the cities or countryside, significantly depending on the ‘future-oriented logic of development’ to seek resources to contest in order to change their adverse situation of poverty (Appadurai, 2013, p. 179). In other words, the actors are confronted with forceful external structures that enable or restrict change. Their actions indicate the agency lies within actors who are the ordinary subject in Appadurai’s study (Appadurai, 2013, p. 254). Appadurai contends that the navigational capacity gives rise to the ‘imagining possibilities’ of actors – their ability to gradually draw attention and support from the public to generate collective hope, with reference to the optimistic outlook and future orientation of a good life by the poor through the ‘capacity to aspire’ under everyday encounters of unfavourable circumstances and uncertainties among urban slum dwellers in Mumbai. In addition, the navigational capacity is also reflected in their negotiation power with authority, whether in the form of the state or market forces, to improve their lives and to gaining respect for striving to live dignified lives. Appadurai points to the importance of ‘continuous effort, imagination, deliberation, and persistence’ (Appadurai, 2013, p. 253) which make up the daily lives of ordinary people. As such, this implies there are no effortless activities. Ordinary people plan, organise and carry out different activities that take effort, motivated by their aspiration to change their unfavorable circumstances. The ‘capacity to aspire’ underlies the intrinsic agency of actors.

Thus, the aspirational dimension justifies a critical explanation which enables the migrants to live normal lives like the local people outside the formal workplace in the host society. The citizens on the other hand do not face alike exploitation in the workplace

because they are neither the subjects of migration nor under the control of the labour migration regime. Workers' 'capacity to aspire' mitigates the differences between local people and migrants as ordinary people.

8.2 Discriminatory practices

The labour migration policy in Malaysia and the changes in the labour migration regime over time have strong connections to the agenda of economic growth in the country (see Ch 2.1). The concept of outsourcing agencies was introduced in 2005 by the government as one of the strategies to streamline the management of foreign labourers for employers (see Ch 2.11 and 2.12). Outsourcing agencies play mediating roles between different parties in order to enable and smoothen the migratory processes of foreign workers (see Ch 4). The mutual and multiple interdependent relationships between outsourcing agencies and the wider context illustrate the importance of relations, as follows: First, outsourcing agencies engage in a dependent relationship with the government, in which they receive recognition from the government and the right to manage workers, and they are obliged to follow the regulations set by the government (see Ch 4.2.1). Second, the outsourcing agencies establish an interdependent relationship with the local manpower recruiting agencies and the factory. The partnership with local manpower agencies in workers' original countries is crucial for selecting, supplying and sending qualified workers to Malaysia (see Ch 4.2.2). The interdependency lies in the preferred choices of outsourcing agencies to maintain long-term partnerships with local manpower agencies who supply qualified workers and with negotiable charges; at times, they also blacklist those manpower agencies who send in workers who do not meet their established criteria. The business relationship between outsourcing agencies and factory cuts off the direct relationship between workers and the factory (see Ch 4.2.3). The professional human resources management in handling foreign workers, and the argument of cost-saving for supplying and managing workers, turn out to be persuasive strategies for outsourcing agencies' self-to promote their usefulness in doing business with the factory. Factories are freed of all hassles related to the day-to-day management of workers, by paying an agreed 'lump sum' to the outsourcing services.

Nevertheless, outsourcing agencies are the direct employers of the factory workers, and they also form an interdependent relationship with factory workers. This form of relationship to some extent has been overlooked in the literature, with much of the emphasis being on the victimisation of workers in the factory; but I also argue for the fact that outsourcing agencies rely on the productivity and industrious labour of workers to sustain the profitable outsourcing business. In doing so, outsourcing agencies must make arrangements, for instance, to provide accommodation and transportation services, to immediately administer to and adjust the workers fitting into the new environment (see Ch 4.3). Outsourcing agencies therefore provide 24/7 transportation and hostel team staff, who respond to both emergencies and normal day-to-day matters concerning workers' wellbeing. This kind of arrangement serves as the basic infrastructure for the migrants, who then appropriate the spaces provided for various activities. Workers are not confined only within in the boundaries of hostel room and factory, of course; they engage with the surrounding environment, such as with local residents, community police, guards, outsourcing staff – including the supervisor, interpreter, factory bus drivers, and transportation and hostel team leaders, in their normal lives (see Ch 4.3.1). The hostel, as one of the contexts in which workers are placed, and the factory bus, as well as healthcare services, are deliberately established by the outsourcing agencies to ensure the continuation of workers' productivity inside the factory. Outsourcing agencies relate to the government and factory in different ways, in their long-term partnership with the local manpower agencies, in the efficient coordination within the outsourcing organisation itself with regard to administrative and infrastructural matters, and in the facilitation of workers into the formal workplace.

Apart from the interdependent relationship, factory workers who work in the highly regulated manufacturing sector are subjected to the control of the labour migration regime. The rather discriminatory practices experiencing by foreign workers are elaborated in Chapter 4. Foreign workers are asked to sign two contracts in their origin country prior to their departure (see Ch 4.1.1) and sometimes also when they start the factory work in the host society (see Ch 4.3.2). In both situations, the employment contracts are completely defined by the local manpower recruitment agencies and the outsourcing agencies. For example, the fixing of the salary scale for foreign workers is the result of

business negotiation between the factory representative and the outsourcing agencies (see Ch 4.2.3). Furthermore, unfavorable employment conditions experienced by foreign workers (see Ch 4.3.2) include the differences in monthly salary payment scale between local Malaysian workers and contract workers for the same daily working schedule and overtime payment; contract workers are not entitled to the yearly bonus. Also, outsourcing agencies who act as the employers for the contract workers make a prior deduction, which is not discussed with the factory workers, for the facilities provided to workers, such as transportation, housing, and health care services (see Ch 4.3.1). There is a lack of transparency in relation to this deduction of monthly salary, as workers are unaware of the total charge for transportation and accommodation made available and claimed to be provided for them for free by outsourcing agencies. In addition, contract workers have access to the panel clinics outside the factory, which are assigned by the outsourcing agencies. Foreign workers expressed their dissatisfaction over their ill-treatment by the medical officers in charge of the clinic inside the factory. They say they are not treated equally compared to the local workers. In the case study of Siti, who did not have access to the panel clinic because it was closed for three days during a public holidays, she did not manage to get the full reimbursement for the money she spent visiting another clinic to heal her finger, which became infected after an accident in the factory.

Moreover, there also exist both explicit and implicit disciplinary rules and practices regarding the foreign workers, such as the practice of sending female workers back to their origin country if they are found to be pregnant; the delaying of monthly salary as a ‘punishment’ for absence; the guarantor system if workers decide to visit their origin village before accomplishing the three-year employment contract; the prohibition on workers joining any activities organised by a trade union, and disallowed from establishing relationships and marrying local people; and above all, the fact that workers’ passports are routinely withheld by the employers and the collection of these passports only made possible (unless they pay a fee – see above) when they decide to end the contract (Ch 4.3.3). Chapter Four elaborated on the discriminatory practices connected to the work dimension, in terms of salary, health care services, transportation, and the consequences that workers face if they fail to comply with the rules imposed by the employers. However, though the workers are being rather strictly controlled in some ways

by the formal working place, their responses are neither those of ‘flight’ nor ‘fight’. Workers compensate for their lack of freedom with regard to certain issues of control imposed by the outsourcing agencies and factory in the workplace by appropriating the rest of the day after working hours for their own activities. The next section, on aspirational practices, discusses the everyday doings of workers, whether factory workers, construction workers, or former factory workers, who demonstrate their capacity to make autonomous decisions outside the formal workplace.

8.3 Aspirational practices

In the pursuit of achieving personal goals, actors are driven by normative views and moods, and their intended goals motivate them highly (Everts et al., 2011, p. 238). The ‘capacity to aspire’ enables workers to navigate their everyday activities in order to improve their lives (Appadurai, 2013). However, I call these practices *aspirational* because the examples from the four fields (appropriating and realising their immediate skills with self-discipline in a second and third job; engaging in relationships and providing mutual support; satisfying faith-based spiritual needs; and rewarding themselves) in which they are principally expressed contribute to making migrants ordinary outside the workplace in the host society, and mitigating differences between migrants and hosts.

8.3.1 Appropriating and Realising Their Immediate Skills with Self-discipline for Second/Third job

Foreign factory workers can be found to be actively engaging in second or third jobs (see Ch 5.1). I argue that this is closely related to their aspiration to improve their lives through realising their immediate skills, such as cooking, massaging, cleaning and the like, and generating extra income in their free time. Most importantly, they realise their skills and further strategise to enhance their potential through seeking opportunities outside factory work.

The practice of working in a second job on daily basis exemplified in the case of Ah Dae, who started by picking vegetables for her own consumption, and gradually transformed the activity into a business (see Ch. 5.1). A series of activities, from vegetable collection to repacking and selling on the street to the majority of Vietnamese factory workers, demonstrate the talent, skill, and knowledge which she inherits from her origin society. Being able to utilise their existing skills outside the factory brings a high degree of self-satisfaction and confidence for the workers. At the same time, they also enjoy the subsequent contentment of receiving extra income due to their reliance on their skills and effort. Chapter 5.1 sheds light on workers' feelings of self-worth and pride regarding their capacity to take advantage of their talents and energy in their free time. As Ah Dae vividly stated about her daily business activity,

I am very satisfied that I managed to gain higher income from vegetable selling activities last August compared to the monthly salary in the factory [...] I brought back RM 6,000-RM 7,000 yearly from working at both vegetable selling and factory work.¹⁶⁶ (Between September 2012 and January 2013, field note entry)

One of the other examples was that of Ros, a female Indonesian worker who had good massaging and cooking skills, and often shared her happiness and satisfaction during the field work on the account that the supervisor in the factory liked her cooking and her clients liked her massaging skills. Thus, she accepted the invitation to prepare dishes for some private special events managed by the supervisor in her free time. Also, she responded to calls for massaging appointments when she had time off from factory work. The high level of self-satisfaction about her strength outside the factory helped to sustain and reinforce her self-confidence, enabling her to live independently in the host society.

A plausible assumption can be made that not all workers are interested in the tedious and manual factory work. Since the availability of job opportunities for workers is often highest in the manufacturing sector, they have limited choice but to take up the factory

¹⁶⁶ Ah Dae wanted to remain working in the factory for the fourth year but the supervisor in her department decided not to continue employing her because she does not has the advantage of reading from the computer machine. Further, Ah Dae felt that the supervisor disliked her. However, Ah Dae decided to come back to Penang through other means after returning to Vietnam. She left Penang in the early year of 2012.

jobs in order to be able to work overseas. Building on my argument about the mismatch of personal interest and the available overseas job opportunities, it is the workers' hidden skills such as massaging, cleaning houses, and cooking that affect their well-being in two ways (see Ch 5.1). On the one hand, workers cautiously make extra earnings through the use of their existing skills in order to fulfil part of their obligation to send remittances. On the other hand, workers strive to earn money through the pursuit of activities that make meaningful and important sense to them in the host society.

As such, aspirational practices are observed in workers who can extend their immediate potential when opportunities approach, or strategise in seeking opportunities to realise their existing skills. In most cases, as shown in Chapter 5, factory workers gain self-confidence and pride by capitalising on their existing skills outside the factory in pursuit of their aspirational vision to live a better life by making a good income. Their negotiations to increase the payment initiated and put forward by workers in their second jobs, i.e. doing weeding in an overgrown cemetery, demonstrates workers' high levels of confidence and valuing of their skills, labour and time spent on income-generating activities.

Feeling proud of their products and abilities, such as the capacity to offer a variety of food dishes which are adapted to the tastes of customers and sold at a price affordable for workers, reinforces workers' appreciation for being able to extend their immediate skills (see Ch. 6.3). Suti's Risoles business approach characterises the emancipation journey from employee to an employer (see Ch. 6). For instance, Heti who followed a successful personal business trajectory from a factory worker to becoming a cook in her own food shop demonstrates the growing self-confidence, determination and toughness with which she enhances the immediate potential of her situation step by step, leading towards a full transformation at a later stage. Weng Nai, who was a former employee in the construction sector, evolved to become an employer known for his skills and specialisation in the mosaic business (see Ch. 7.2). Additionally, the workers who are more able or driven to emancipate themselves in their personal journey catch up and learn to speak the local language fluently.

One of the obvious and similar character traits displayed by the majority of the case studies, for instances, Suti, Heti, Babu and Ah Dae, is the high degree of self-discipline evident in the ways in which they structure their daily lives. Ah Dae, who was a factory worker, had to be punctual to pick and sell the vegetables in order to make good business each day. Babu, who worked as an electrician, manage to prepare for his second job in the evening on daily basis. Suti and Heti, who were employers, scheduled their timing properly in their everyday planning in order to sell their products to factory workers on time.

8.3.2 Engaging in Relationship and Providing Mutual Support

The practice of mutual support is one of the essential elements facilitating workers' daily routines in various ways, and especially in times of emergency. One example of this is idea of receiving support through '*kut*', in which factory workers draw on the persons they know to form a group for credit rotating purpose (see Ch. 5.2). The practice allows workers to send back remittances as planned and to keep their savings for personal goals, i.e. weddings (see Ch. 6.4). Chapter 5 also indicates the role played by a female moneylender in solving the money-borrowing issue for factory workers and businesswomen. Burmese workers responded to calls by Babu, who had earned his reputation amongst his fellows, to put their money together to extend support to a co-national worker who was being held in a detention camp (see Ch. 7.2). This monetary support was crucial to free the worker when the negotiation with the police officers was made. Indeed, the construction workers tend to have more bribing experience compared to the highly regulated factory workers. This is even more the case for undocumented construction workers, who are asked to pay a certain amount of money to be released from prison when they are caught by immigration police.

Transportation support is an important means to facilitate the mobility of workers, either for work or related social activities. Babu gave permission to his fellow co-nationals to register the licenses of the vehicles under his name (see Ch. 7.2), whereas Suti resorted to relying on transportation support from Siva for herself and Raila (see Ch. 6.4); both these examples demonstrate that transportation is part of workers' lives. Furthermore,

Babu, who owned a car, at times extended aid to the needy by using it to take them to the clinic or airport (see Ch. 7.2), while Rachel sought help from local colleagues to send factory workers to the clinic (see Ch. 5.2).

The exchange of information also takes place in the social site, such as job information being transferred through the Burmese shop owner, who has a wide social network (see Ch. 7.3), or in the case of Mahmud, who introduced the Nepalese and Bangladeshi workers to job vacancies (see Ch. 6.1). Recommendations for renting rooms were also observed between Heti, Cheya and Suti (see Ch. 6) who benefited from the practice of sharing information.

Joining in with social activities such as weddings, birthday celebration parties, holidays trips (see Ch. 7.2), the Hari Raya Haji festivals, and Christmas celebrations (see Ch. 5.2), shows the willingness of workers to show moral support to each other. For instance, Suti especially made proper traditional food preparations for the visitors during the Haji festival. She maintained her relationship with those people in her immediate surroundings through the making of food that is appreciated by others (see Ch. 6.4).

Migrant workers interact with workers who are both documented and undocumented, and with the local population, as well as workers of different nationalities on a day-to-day basis for a variety of purposes. For instance, workers are found engaging business owners (here not referring to outsourcing agencies), both local and foreign, about the possibility of taking up second jobs (see Ch. 5.1); Suti and Cheya engaged the local landlords to rent their flats while Heti and Bihar engaged the shop owners to rent space to run their food and grocery business (see Ch. 6); workers engaged with residents in the same building in which Suti was well connected to the community police and the local security guard (Ch. 6.4); workers extend business partnerships with either locals or co-nationals (Ch. 5, 6 and 7).

Workers engage in various relationships which across a broad spectrum of timeframes, ranging from spontaneous, to short-term, to long-term, because humans are social creatures who live in relationship, not in isolation. More importantly, the ordinary relationships as demonstrated by workers are categorised as follows: workers may seek daily meal support from partners because of the low salary they receive from the factory

work; they have fun in relationships which are based upon physical attraction; they receive support for the provision of good quality vegetables for extra income-generating activities (Ch. 5.1); they rely on transportation support from their partners, such as exemplified in the personal relationship between Susi and Siva (see Ch. 6.4); they may act from feelings of sympathy regarding the loneliness of an elderly person to the extent that they agree to a one-night stand (see Ch. 5.2); they may engage in relationships which mainly build on the benefits of making the business work, such as exemplified in the stories of all the businesswomen I spoke to (Ch. 6.3); they may demonstrate emotional attachment and longing to love and to be loved (Ch. 5.2); and they may become involved in love relationships that develop over time and thus intermarriage takes place (see Ch. 6.3).

All the previous examples indicate that workers' practices deviate from and are subversive to the rules of the labour migration regime. For instance, workers are not allowed to engage in any intimate relationships with either local or foreign workers, as explicitly stated in the employment contract they sign before starting work in the factory. Furthermore, workers strategise to finance their wives (see Ch. 7.1 on Babu, and Ch. 7.2 on Myint), daughters (see Ch. 6.2 and Ch. 6.3 on Suti, Cheya and Sri) or relatives (see Ch. 6.2 on Cheya's 'brother') to work in Penang.

8.3.3 Satisfying Faith-based Spiritual Needs

This section reveals the importance of spirituality in workers' daily lives. For instance, the Indonesian and Vietnamese female factory workers join in church activities on Sundays (see Ch. 5.3) while the Burmese workers gather every Sunday to contribute their free labour to the local temples (see Ch. 7.2). Workers who are brought up as Buddhists in their origin country are inclined to participate in traditional Buddhist events organised by the local temples in Penang. Babu, a role model among the Burmese workers, demonstrated his faith in the Buddhist beliefs and values in his everyday practices (see Ch. 7). There are also workers who are introduced to and embrace a religion in the host society. Rachel falls into this category (Ch. 5.3). Both Babu and Rachel were capable of mobilising their co-nationals to join in the spiritually-related voluntary activities in their free time.

The spirit of voluntarism regarding free labour and monetary donations to the local Buddhist temples underlies the strong faith of Burmese workers, which they inherit from their origin society. Babu's active engagement with his co-nationals in the local temples is elaborated in Chapter 7, and has led to his gaining a reputation as a charismatic leader. At the same time, Babu was also held in high regard by the local people due to his commitment and capacity to deliver on his promises.

Babu was strongly driven by his faith to make merit and to do good. He also takes leave to join the meditation retreat organised by the temple to continue practicing his Buddhist faith, as he might do if he was living in his home country. On the other hand, Rachel, who was originally an atheist, had become a Christian after working in Penang for five years. Soon after, she felt the benefits of the spiritual teaching, and she had started to encourage other factory workers to join in the church activities and some self-initiated Bible classes.

Spiritual beliefs motivate Babu and Rachel to make social connections between their co-nationals and, to some extent, with the local society. Strong faith in spirituality is a core motivational value which encourages workers to spend their free time participating in related church or temple activities. On some evenings, workers organise meetings for the rehearsal of stage performances, prepare for religious events in temples, or join in Bible or Dhamma study classes. Workers became actively involved in spiritual activities, which demonstrates the continuous effort they make to practice their faith in the host society. Joining in with spiritual activities indicates that workers experience their ordinary lives in their host society through ordinary spiritual activities. They do not focus only on work. The satisfaction they feel due to the fulfilment of their spiritual needs is response to their quest for a meaningful life, as obviously portrayed in Babu's genuine efforts towards making a contribution in the temples.

8.3.4 Rewarding Oneself

On the one hand, workers send back remittances to their home countries on a monthly basis. On the other hand, they invest money in the activities in which they engage in the host society in order to live; the latter aspect however is often not discussed in the literature on labour migrants' living experiences overseas.

Practices of self-rewarding can be observed in the workers' daily doings from two angles to stabilise in particular: first, affording luxury items; and second, enjoying time with others.

Chapter Five (see Ch. 5.2) illustrates that female workers may be generous in spending money on themselves in order to improve their appearance, for instance by changing their hairstyles or hair colour, strengthening their hair, or getting a new professional hairdo in response to a dinner invitation. Also, some of them choose to change to different dressing style from that which they had been used to in their home countries, with fitted and occasionally sleeveless shirts, short skirts, and shoes with high heels, which help some of them feel comfortable and confident about being able to fit into their new environment. Workers spend time in shopping malls for relaxation, but one woman bought a pair of shoes which took half of her monthly salary, which was not an intentional plan. Nevertheless, the purchase of luxury items such as the shoes indicates an act of intentional self-rewarding. The strategy of investing money in buying gold necklaces and bracelets for oneself is valued highly by some of the Indonesian workers.

At times, workers enjoy fast food like KFC when they receive their salaries. For some workers, the price of KFC in Malaysia is cheaper than in their home countries, and thus they are more able to afford it as a special meal once in a month in the host society; the same goes for e.g. having fun on their birthdays by celebrating, or spending relaxation time in karaoke bars, and so on. The list shows that workers are also human beings who want to look and feel good with regard to their appearance, especially when invited to special events. The intrinsic value of rewarding themselves by allocating a portion of their income to buy external materials simply makes them happy about working diligently overseas. In addition to this, I also argue that these self-appreciative efforts and all other three dimensions may help to eventually offset the discriminatory practices they experience in the factory at the personal level. For example, Suti (see Ch. 6) and Heti (see Ch. 6.3) organised family holiday trips occasionally to free themselves from the chaotic daily schedule. Babu (see Ch. 7.2) also took his family on a trip to Langkawi, as well as planning a trip to the zoo for his group members. The time invested in self-rewarding demonstrates that workers treat their holidays similarly to the local population. More

importantly, these self-rewarding efforts can be taken as a conscious decision of workers to stabilise their happiness when working in the host society.

8.4 The De Facto Integration of Foreign Workers as Opposed to the De Jure Integration

Workers' everyday activities are closely related to their efforts to transform their aspirations into practice. The four fields of practices (see above section 8.3.1 to 8.3.4) would simply form part of ordinary life if they were practised by locals. However, the underlying reason for which the practices are important, and the additional meaning that migrants attach to them, is that the aspirational practices outweigh the discriminatory practices they are faced with. The aspirational practices help to make the migrants ordinary, and the aspirational dimension here is related to establishing different and deeper meanings related to these practices for the migrants, in contrast to the locals. In the following paragraphs, I explicate and show some major perceived narratives of foreign workers with regard to their work and social experiences in the host society. The workers' expressions are summarised in the following five fields,¹⁶⁷ which explain the underlying reasons why they submit to the discriminatory experiences, even though they could have opted to stop working in Penang, to run away, or to find jobs in other countries.

Among others, these personal aspirations include purchasing land or to pursuing the goal of opening a business in their origin countries; the lack of job opportunities in the local labour market requires workers to take up jobs as foreign labourers, so they go abroad and become migrants.

8.4.1 The first field: Personal aspiration

¹⁶⁷ I looked at the responses of documented and undocumented workers regarding their decision to stay on or to bear with the discriminations in the host society. I summarise the responses of workers in these five fields because it gives me a sense of certainty with regard to the justifications of workers bearing with the exploitation on the one hand, and the choices they have on the other.

Ah Thong, a Vietnamese female factory worker, elaborated on the different salary scales between the Nepalese male workers and Vietnamese female factory workers in her factory:

The basic monthly salary for Nepalese male workers is RM 480 for the first year, and it will be increased to RM 520 in the third year, while Vietnamese workers receive RM 520 basic monthly salary for all three years. Of course the Nepalese colleagues were angry when they got to know the differentiation regarding basic monthly salary. However, I argued with them that the exchange rate for their country is higher compared to the exchange rate of Ringgit Malaysia and my country [Vietnam]. Furthermore, the Nepalese men often purchase a lot of stuff when they return to their country, and they even manage to buy land and houses. (19.12.2012, field note entry)

As stated, the chance to purchase property in the homeland justifies the discriminatory practices workers experience in the formal workplace.

Yati ended a three-year employment contract and returned to Medan, Indonesia in February 2013. When asked about her plans in the origin country, she stated her original personal goal to do business before working abroad, and she was going to make the dream come true after three years of working experience in Penang. She stated,

I came to work as a factory worker because I want to earn and save money to open a food shop in my village. Now, with the savings I have made over the past years, I can open the shop when I return to Medan. (12.01.2013, field note entry)

The second field: Lack of job in origin country

Ah Hwa, who was fully aware of and dissatisfied with the discriminative practices of the outsourcing agency, expressed her concerns about not being able to return to the same factory to work again if she decided to end the employment contract with the agency:

[...] I am recruited under the outsourcing agency, and the salary is low [...] however, I am not planning to leave Penang because the vacancy for working in the factory changes from time to time [...] at times, the factory may stop employing factory workers if they have recruited enough. Therefore, I cannot take

the risk of stopping working in this factory. I am afraid I may not be employed by the factory again. (19.12.2012, field note entry)

The response as indicated above shows that even though Ah Hwa was aware of the unfair practices in the factory, she was still willing to bear with the work because of the fluidity of the labour market with regard to job opportunities. The message is similarly reflected in the following statement of a male factory worker and undocumented construction worker who expressed the key concern that there are no jobs available in his origin country. Yong Aung, who feels very disappointed with the low monthly salary, decided to put up with his present circumstances for the following reason:

I discussed with my mother on the phone; she asked me not to run away from the factory because she was afraid of my safety. I came to work in Penang when I was 16 years old; a few years later, I went back for a year, and I could not find a job. Then I returned to Penang as a factory worker. (23.12.2012, interview)

The lack of job market in their home countries forces workers to stay on or return to the same employment regardless of their legal status, as shown in the following scenario.

The third field: The strategy of bribing

Peruain, aged 35, a construction worker who had worked as an undocumented worker for ten years, had just registered as a UNHCR refugee in April 2012. He stayed together with ten other undocumented construction workers near the construction site. They would collect RM 2-3 from each person and hand the total sum to the police on a monthly basis. Doing this was a way to bribe a contact there who would inform them if there was going to be any police operation at the construction site. Presently, Peruain earned RM 70 daily, and he sent RM 1,500 monthly to two of his sisters in Myanmar. Though the police had caught him and put him in jail for six months, and he then left to Thailand for three months, later he came back to Penang via an underground agent. He works under the same employer, who welcomed his return. Learning from the restriction of movement he had faced over the past few years, he was sensitive to the places he visited. I asked why he remained in Penang, and he responded:

The daily payment for a construction worker in Thailand is lower than the payment in Malaysia; we receive only RM 25 daily, and the earning in Malaysia is higher.

Furthermore, there are no jobs available in Mon state. (06.12.2012, field note entry)

As for how people like him, without legal status, manage to stay on in Penang, the practice of bribing is not an unusual thing, as he stated:

From my previous experience, I was caught by the police three to four times in a year, and I used to bribe them an amount ranging from RM 20 to RM 300. I hate the police the most because they threaten to catch and send us back if we do not give them money. We, the Burmese workers, are similar to the “fishes in the ocean”, and the police are like the fishermen, who catch the fishes by using their nets.

The fourth field: Supporting children’s study fees

In the same vein, Babu, who is known as a reliable leader, responded that the job opportunities in the host society were relatively easy to find, even for the undocumented workers. Furthermore, the local employers pay the daily salary rate according to their skills. Babu responded to the questions about the risks that undocumented Burmese workers faced in living and working in Penang, saying:

It is all depends on luck; the most frightening risk is to be put in prison, as foreign workers are not allowed to stay longer than ten years in Malaysia. However, the majority of my friends who are undocumented workers, they can speak the local language, and they can find job easily. In most cases, the local employers are willing to recruit them and the salary payment on a daily basis will be paid accordingly because they do not suppress the rate. The undocumented workers are not worry about being jobless but they are afraid of police operations. (02.09.2012 fieldwork entry)

Moreover, Babu’s aspirational goal to support the study fees of his children pushed him to remain in the host society as an undocumented worker after he had reached the 10th year in Malaysia, in February 2013. He decided to take the risk, as he said,

I am willing to take the risk because this is the only way forward. I still need to support the study fees of my daughter and son. I haven't seen them for the past five years, and my wife has not seen them for the past three years. However, I am a bit lucky because I have a driving license which indicates the date until 2014. In most cases, the police will look at my driving license, and thus I am a bit safe because the police will not look for other documents, i.e. work permit, if I showed them the driving license. (02.09.2012, fieldwork entry)

Babu's aforementioned statement shows that he plans for pragmatic ways to remain working in the host society and he is willing to take the risk. The motivational goal to continue supporting the children's welfare in the home country, and his confidence and self-satisfaction on his experiences of living and working in Penang, contribute to his decision for bearing the risk for being undocumented.

The fifth field: Frustration over ill-treatment in the factory

The outsourcing companies have appointed a panel clinic, which is a private clinic located outside the factory to provide medical services for factory workers. Regarding common illnesses such as fever, stomach pain, and flu, the foreign workers have access to a factory clinic. The interviewees often commented that they disliked how the medical officers on duty treated them. For instance, a factory worker remarked that they would only receive Panadol whenever they visited the clinic. They voiced their dissatisfaction when they compared their perceived ill-treatment with the local Malaysian factory workers, which was much better regarding both the politeness of the clinic officers and medication prescribed.

For instance, Irlah commented that she has to fight hard just to get Panadol; as she stated,

The nurses (a Malaysian Chinese and a Malay) asked many questions, like my operator number, when, and how. And I got impatient and told them loudly, "I feel

so frustrated that you ask me so many questions! Take the money and I'll buy it from you!"¹⁶⁸ (01.12.2012 Field note entry)

She further talked about her frustration in our conversation:

They [nurses] all think that we [foreign workers] are sponsored to travel here to work in this factory? Actually, we paid RM 2,400 to work in Penang. We paid for everything, the water and electricity bills, the hostel, and so on and so forth. The agent dares not reveal how much they charge for everything, and we also have no idea how much they charge us. All the agents are rich men; they have two cars; this is our money, you know, they become rich because of our productive work. We do not receive the bonuses which are supposed to be given to us. When we argue with the supervisors, they refer us to the outsourcing agents. I am very frustrated! (01.12.2012, field note entry)

Nevertheless, workers submit to these negative experiences, including as frustration, discriminatory practices, and risks, as expressed and in the five scenarios above. The situation in their home countries pushes them to escape and find employment abroad, and they develop an attitude to make the best out of the choices they have, which they translate their motivation into actions in four aspirational fields for living dignified normal life in Penang. These narratives, which reflect the realities of workers' circumstances in both their origin and host countries, establish the basis for the argumentation about why these ostensibly 'normal' practices (section 8.3.1 to 8.3.4) are not merely 'normal' in the sense in which members of the host society practice them. By this I mean that whereas a typical member of the host society might engage in similar practices without attaching great importance to them, a migrant worker's engagement in these practices has a much greater value attached, because by performing these 'normal' practices, the worker becomes de facto integrated into the host society. Workers' practices are closely linked to the aspiration to live a good life or just a dignified life with no different with local citizens in Penang. Apparently, being migrants in a foreign land, they need to invest extra effort to

¹⁶⁸ She took out RM 5 and passed it to the nurses.

outweigh somehow all these discriminatory practices. Stated simply, their de facto integration is due to the aspirational dimension of these practices.

The de facto integration of workers into the host society takes place in spite of the various ‘othering’ and ‘moralising’ perceptions of migrant workers. For instance, the survey (Tunon & Baruah, 2012) conducted by the International Labor Office¹⁶⁹ in 2011, which interviewed 1,000 Malaysians about locals’ attitudes towards and knowledge about migrant workers, found that the majority of Malaysians believed that foreign workers were a drain on the economy, that they contributed to the crime rate, and that different entitlements in relation to the salaries and working conditions for the same type of job performed by locals versus foreign workers were acceptable; and also revealed that the locals were not aware of foreign workers’ experiences of exploitation in the formal workplace. The survey showed that migrant workers are treated as the ‘other group’, which is strongly driven by their status as migrant workers. However, the positive findings from the survey toward foreign workers reveals that some locals – e.g. the employers, friends or colleagues who had interactions with foreign labourers – seemed to be more sympathetic and offer supportive information to them.

Other research revealed that the female contract workers’ dress, behaviour, and lifestyle was judged negatively by residents who lived in the same residential area in Penang state (Sirat & Ghazali, 2011, pp. 187–192). Aini, who I met during my fieldwork, demonstrated that her perception of and attitude towards female workers was completely in accord with this ‘moralising’ perception of foreign workers. Aini had formerly worked at the higher management level in a warehouse. She had joined her husband, Ahmad, in managing the bus transportation for factory workers a few years before we met. At the present time, she was managing the transportation for factory workers from two outsourcing agencies. To Aini, the factory workers’ social lives were full of freedom because they were no longer controlled by their parents. Their style of dress, hairstyle (including coloured hair) and social lives were very different compared to their lifestyles

¹⁶⁹ The research was conducted in 2011, and included Thailand, Singapore and Korea. I limit the discussion to the findings on Malaysia, which corresponds to the section of local perception towards migrants in the host society.

in their village. Furthermore, in her opinion, the female factory workers could easily establish a relationship with male workers from Bangladesh or Nepal because they worked in the same factory. Aini and Ahmad felt that the workers were financially restricted in the first six months of their first year of employment, but that they then gained financial freedom after they had cleared their loan repayments. Therefore, they spend money on their dressing, makeup, and shopping. She further commented that those migrants rarely had proper hygiene practices because they did not get to use proper toilets and basins in their home villages. For instance, she said, they threw rubbish out directly from their flat, which gave her an impression that the workers were most likely from villages. She took the initiative to give them proper training especially when they had just arrived. On one occasion, she asked me to follow her to get on to the bus when she was going to give her briefing to the newly arrived workers from Myanmar. She was judgmental regarding female workers' style of dress. She said that those female workers who knew her dared not pass by in front of her if they were wearing sexy clothes (referring to short pants and 'exposing' shirts). She told them to wear 'proper' clothing so as not to expose any part of their bodies. To Aini, the 'proper' clothing is meant well for female workers, so they will not be seen as attractive in the eyes of the opposite sex. Aini commented that from the viewpoint of Indonesian workers, Malaysia is a 'gold mine' because workers earn money from everything they collect, such as plastic bottles.

Aini's somehow judgemental perceptions towards foreign workers to some extent reflect and represent the normative views of the majority local citizens on labourer migrants. This study shows analytically and convincingly that migrant workers perceive and feel themselves as everybody else in Penang, however, Aini's statements prove that local Penang citizens distinguish between them and foreign workers, of which workers would only temporary workers who work for sending remittances, and they would never be living similarly as local people. In other words, the perspective of local citizens is different with labour migrants. For instances, Aini said that before June 2012, there were many Indonesian hawker stalls which sold various Indonesian cakes and food on the street. The street trader business went from 5.30 am until 8.30 am, and in that brief three-hour period, the traders could earn as much as RM 300 (€ 70). This extra income could be sent back to their home countries as remittances. Nevertheless, in Aini's opinion, the street

traders sold all kinds of Indonesian food, and the local people would never buy Indonesian food. Repeatedly, Aini's perception of foreign workers reflected an attitude which seems to draw a clear distinction between local and migrant workers. The migrants are expected to adopt the new hygiene standards 'or else', and the female workers are reminded to behave appropriately in the absence of parental control. Aini held a certain prejudice against the social lifestyles of migrant workers, who she perceived as living the life of loose women because they were beyond parental control in the host society.

However, there is also a different kind of perspective, as offered by a local employer who had recruited a Nepalese male worker to assist him on his hawker stall. This perspective views foreign workers as some extraordinary beings in the host society, who can improve their skills:

Being a migrant is difficult, it is the same everywhere. They will and can only take up the jobs in which the local people are not interested. With the help of a migrant worker, I do not need to work too hard, I can relax a bit. I consider it worth to taking on a migrant worker, after a thorough calculation, because he can work extremely hard and productively. He has been working for me since I worked in the canteen. In the beginning, he did not know how to cook. He caught up with the cooking skills when he started to work in the canteen. Now, I can leave him to manage many things. I do not need to pay particular attention to him. (21.07.2012, field note entry)

Nevertheless, there is also another research finding which shows that the coexistence and integration of foreign workers with local communities in Penang is argued to be dynamic and beneficial due to the interaction between them (Ghazali, Sirat, Ho, Khalid, & Mapjabil, 2013).

9 CONCLUSION: HOW MIGRANTS RELATE

This study set out to explore the everyday work and life dimensions of labourer migrants in Penang. I used the concept of practices as my main guiding framework (Ch 3.4), in which practices are operationalised as the ‘sayings, doings and thinking’¹⁷⁰ of migrants in Penang. Furthermore, I do not narrow down the idea of ‘practices’ to only include practices of e.g. shopping, entertainment, cooking and the like, but also to encompass all kinds of activities, such as recreation, spiritual, and second/third job income generating activities as presented in the empirical chapters (Ch. 4- 7) and I distinguish between the discriminative and inspirational practices as discussed in the analytical chapter (Ch. 8). The research is based upon the migrants’ perspectives on their everyday practices in Penang. The findings demonstrate both the living experiences, strategies and activities that migrants are exposed to both inside and outside the workplace in their host society.

The literature review on the labour migration regime and the labour migrants in Malaysia/Asia identifies two strands of literature: on the one hand, the macro-studies of the situation as viewed from ‘above’ reveal the exploitative practices of the migration regime and its overall economic rationale for labourers in view of the prosperous growth in the receiving countries. On the other hand, studies focus on labour migrants’ agency, the situation as viewed from ‘below’, to show how people organise themselves in order to reduce their losses, disappointments, constraints, and exploitations. The structure-focused literature on migrant labourers tends to portray migrants as victims or objects of the labour migration regime, while actor-focused strands of research might for example look at the gendered networking among migrants to explore their agency connected to network-building, resistance and survival strategies. Fundamentally, the different approaches as

¹⁷⁰ I am not digging into the possible contradictions between their sayings and doings, or between what they claim to do and what they actually do in the end, because this is not my interest. In my research, their sayings only refer to the things that they claim to do; they sayings are more at the level of discourse regarding how they justify and legitimate the things they do, such as the idea that they work hard in Penang.

discussed above reflect a divided perception and reception of migration phenomena among social scientists. Migration scholars tend to look only one way – either they focus more on structural issues constraining migrants (perspective from ‘above’) or the agency of the migrants themselves (from ‘below’). This is based on an old schism in social science theory – the structure-agency debate. This thesis departs from the diagnosis that how migration is studied in Asia and for Malaysia, follows the old scientific divide. In consequence, the thesis aims to reconcile the strengths of both scientific camps by taking their respective perspectives on life realities of labour migrants as point of departure for an empirically based synthesis.

In order to capture all the dimensions of workers’ lives in the receiving society, for instances, taking into account that labour migrants might be working for eight hours daily, or 12 hours if they also work overtime in the factory and on construction sites, including, occasionally, on Sundays and holidays. Apart from working full time in their formal workplaces, workers still have spare time across the week. This time, that is how and for what, and with which motives it has been used, has been largely neglected in previous studies. My approach to a reconciliation of ‘from-above’ and ‘from-below’ approaches allows me to make sense of how migrants negotiate both aspects of their lives – the exploitative practices in the workplace, and the social activities they pursue in their free time after work. To attempt a synthesis by looking at migrants’ activities is the overarching point of this study. It should not only enable new empirical insights about how labour migration as a process is being experienced from the perspective of the migrants themselves, but also contribute to develop more appropriate analytical tools on a theoretical-scientific level to understand labour migration in its different dimensions and its ramifications better.

To capture the experiences and activities of labour migrants in and outside their workplace as detailed as possible, the conceptual framework takes everyday practices as guiding lens. ‘Everyday’ in this thesis is employed to capture the perceived ordinariness of people’s lives – the ‘normal’ –; it comprises everyday activities, i.e. their sayings, doings, and thoughts or reflections about the mundane challenges. The latter can be described as mental/ cognitive contextualisation of the migrants’ positionality. The operationalisation of ‘practices’ serves to capture the lifeworlds – occupation and leisure

time – of labour migrants in the host society. Labour migrants are often seen by the government and employers in the receiving country as merely economic workers who supply industrious labour. This perspective, which considers foreign labourers to live solely to work, confines its view of workers' lives to the formal sector, which in fact only accounts for about 50-60 percent of workers' daily lives. The other 40-50 percent of their time is therefore often overlooked. Indeed, the social lives of workers concerning the activities they do should not be ignored because they reflect the full picture of workers' ordinary days in Penang.

Having summarised and contextualised the discussion of migrant labourers and the labour migration regime as described above, the central research question to this thesis investigate is:

How do labour migrants in Penang experience everyday work, as subjected to the labour migration regime, and life outside the formal workplace? How does this empirical analysis complement existing academic insights on everyday work and life of labour migrants and reconcile the binary focus on either victimisation or resistance of migrant labourers? What is the added value of such insights for migration studies and practice theory?

Main research findings

The principal argument deriving from the findings is that, despite the exploitative labour regime, migrant workers seek to translate their aspirations to 'live a normal life' and integrate in the receiving society through relational practices that connect them to people, places and certain ideas. This enables labour migrants to find broad-based inclusion in Penang, even beyond the factories and construction sites, i.e. their formally assigned work places. Aspirations and practices of self-realisation through making use of own talents and personal skills that have no role in the formal workplace, is highly important in this regard. Success and reward are thus mainly achieved in second and/ or third jobs outside or through participation in voluntary activities where the capacities of the labour migrants provide the glue and trigger achievement and the realization of ideas that lead to self-satisfaction and perceived improvement of their situation abroad. This in

turn, does not only increase their self-esteem and qualifies the objectification they are subjected to as migrant shift workers, but provides also opportunities in material and social terms to integrate in Penang to the extent that their everyday life does experience is de facto similar to that of the local majority society (inhabitants of Penang, Malaysian citizens). Fun, consumption and socializing in the spare time, relationships, spiritual needs, mutual help and support are among the everyday activities that are held in common and shared between labour migrants and locals. This insight is innovative – even if not surprising maybe – because previous research on labour migrants tended to focus either on exploitation the migrants are exposed to or their mobilization efforts and resistance. In this reading, labour migrants are portrayed in a binary between two polar positions – passive victims of the existing labour migration regime or active resistance fighters who undermine assumed exploitation via subversive activities.

The strength and surplus of this thesis is its emphasis on the migrants' everyday life as consisting of both working and spare time. The concept of relational practices which the thesis employs as analytical lens allows to focus on mundane aspects of the migrants' life-worlds and to portray them as ordinary denizens with multiple aspirations concerning their life in Penang (and not 'back home'), plus efforts for self-realisation and achieving satisfaction in everyday life. As a result, the migrant labourers appear neither one-dimensionally to be victims of an exploitative regime, nor permanent activists who seek close network ties with members of their own communal (ethnic) background in order to cope abroad. Moreover, the empirical insights the thesis derived at, allow portraying labour migrants as ordinary inhabitants of Penang, whose everyday life does not substantially differ from that of citizens.

In this sense, the thesis also contributes to draw a more realistic picture of the everyday life experiences of migrant workers than scholars have done so far. The empirical case studies demonstrate the emic perceptions of realities and constraints migrant labourers in Penang are confronted with. Surprisingly, however, the migrants do not perceive of themselves as outsiders who mainly seek to earn their monthly salary for remitting money to their home country. Instead, it was revealed how they are de facto integrated in local society and self-determined members of urban mainstream society of Penang – sharing similar ambitions and concerns in everyday life. Further, the empirical

findings have proven that sending remittances constitutes a comparatively minor part of their everyday activities. Workers use their monthly salaries and the extra money they generate from other jobs to live relatively normal lives in the host society. Despite drawing on their immediate skills in their second and sometimes even third jobs outside the factories, they also borrow money from moneylenders in times of emergency, and they may spontaneously establish rotating credit groups with their colleagues or housemates for remittances purposes.

By borrowing from Appadurai, I employ the term *aspirations* to refer to what I call aspirational practices. These comprise such activities, ideas and speech acts (sayings) that potentially qualify and counterbalance the discriminatory practices experienced at the workplace. Such everyday practices related to aspirations and their realisation demand additional energy, time and resources to be afforded. However, the aspirational practices also enable migrants to define their aims and realise the same in accordance with their skills and talents. Agency is the key concept in this regard, because potentials for self-realisation determine and guide social actions and subsequent practices (sayings, doings, and thinkings). If compared, for example, with the situation of migrants subject to European refugee regimes, the labour migrants' agency allows for a dignified life because self-realisation is not sanctioned; aspirations are being realised.

On a more abstract analytical level, the conduct and behaviour of migrant labourers demonstrates how aspirations and the ability to relate to a) people of diverse backgrounds, status and position, b) in certain locations (hostel, factory, construction site, temple, restaurant, leisure venue) grants a certain kind of openness and potential for social integration – itself an idea that labour migrants pro-actively relate to. The scientific contribution of this thesis is articulated in the concept of relational practices. It is suggested to incorporate 'practices of relating' into the body of practices-theory and to test its validity further.

Aspirational workers *relate*, and this is how they achieve *de facto* integration. The literature review of practice has shown that 'practice' has thus far not been discussed in terms of the relational quality of the practices. Broadly, the 'practice' authors can be divided into two camps; those who discuss practices from a theoretical-philosophical point

of view, and those who investigate practices empirically to answer different research questions. This empirical investigation points to additional dimension that neither the highly theoretical conceptualisation of practices, nor a certain narrowness in the works which focus on particular types of practices in everyday life. The ‘empiricists’ do not clearly define their usage of *practices* or position their practice terminology in the overall literature on practices. As such, highlighting the importance of relational practices, or practices of relating, constitutes my contribution to the practice theories.

Practices not only refers to everyday practices, but also to relational aspect of the practice of everyday doings, sayings, and thinking. These are the practices that connect people to other people, places, and ideas, which I refer to as practices of relating, which have not been emphasised in the practice literature. Practices of relating showed to be crucial to workers’ extent of ‘integration’ or inclusion in the host society. Workers are *de facto* integrated successfully through engaging with other people, places, and ideas. The relational quality of practices is described in the empirical chapters, where it is shown that many practices help people to find their place in a foreign land, in this case Malaysia. They adapt and manage the new environment through actively relating (in mind, everyday doings and sayings).

The practices of relating to place, people, and ideas, are aspects of the agency of ordinariness. Each dimension of relating subsumes a diversity of practices, based on the following considerations: ‘Place’ is important because actors’ activities are unavoidably interlinked with the specific places where they work, stay or live their temporary lives abroad; furthermore, ‘ideas’ is a profound category in view of people’s actions being represented or determined by individual aspirational ideas; ‘people’ is certain because persons interact with other people, and hence live social lives. I agree with the conception of a practice put forward by Everts et al. (2011, p. 327) – that a practice is ‘... neither fully intentional nor fully routinized but it consists of both elements to varying degrees’ – and contest that practices unavoidably constitute regular doings and sayings, and also include improvisation or on-the-spot action and reaction.

Thus, I will consider the practices of relating to place, people, and ideas separately in the following sections.

Relating to Place

In this thesis I have been considering Penang, which is a highly urbanised city, as the place within which foreign workers' activities are embedded. The workers' practices can be considered in terms of the spatial practice introduced by Certeau (1984), who discusses the ordinary walkers in the New York City. I have pointed out the *de facto* integration of workers outside the factory in Section 8.4, as their aspirational practices may outweigh the discriminatory practices they experience in the factory. Workers are brought to a place where they settle down to stay, rest, work, and join in with social activities. The place provides an important daily linkage with regard to the workers' living experiences in the host society. Workers' practices of appropriation of the urban place for ordinary activities are evidence of this, as explained and demonstrated in the empirical chapters. Casey (1996, p. 22) pointed out the close relationship between body and place; as he stated, 'the lived body integrates itself with its immediate environment; this is to say, its concrete place'. He further establishes the linkage of place and body by introducing the importance of bodily emplacement: 'At the very least, we can agree that the living-moving body is essential to the process of emplacement: lived bodies belong to places help to constitute them. [...] By the same token, however, places belong to lived bodies and depend on them' (Casey, 1996, p. 24). Casey's discussion of bodily motion with its essential linkages to place is taken up to underline the importance of people relating to places, as demonstrated by workers.

In short, Casey (1996) distinguishes three kinds of bodily motion pertinent to place, which shed light on the significant interaction between body, place and motion. I follow up on the first two categories because they correspond to the evidence discussed in the empirical chapters. They are: first, staying in place, which means that 'the body remains in place, in one single place', thus, the body itself effectively occupies – indeed, constitutes – a limited, but movable space. Second, moving within a place, meaning that 'bodies are moving in set ways within entire prescribed places' (Casey, 1996, p. 23), for instance, in the context of ceremonial events, bodies' movements are specifically constrained within the boundaries of e.g. longhouses or temples. In the context of this thesis, arrangements are made by outsourcing agencies for factory workers to stay in the hostel in Relau. Hence, Relau constitutes the immediate surroundings, the place within

which the workers move within certain limits, and a space that both enables and constrains them. The immediate surroundings within which workers are living are also significant because the place allows people to engage with and relate to one another. The empirical analysis has shown that workers engage with the place. To draw an example, the Vietnamese female factory workers engage in the vegetable selling business on the sidewalk in the hostel area. Ah Dae, who makes her regular daily visit to the farmland in the peripheral area to pick vegetables, has established one kind of relationship with the place by crossing distances from factory to farm, and with different jobs. Furthermore, she has observed and found out about the development encroachment on the farmland, which is soon to be taken over by the construction building project. Other examples include the Burmese workers who demonstrate a strong connection with the local temples by offering their free labour during their days off; and the Indonesian workers who enjoy the fast food in the city, and celebrate their birthdays in karaoke bars. These ordinary practices shed light on workers' appropriation of various spaces in the city; they move within the place for different activities, jobs, and purposes. Their status as migrant workers does not confine their flexibility and mobility to an excessive degree; instead they take advantage of the space to realise their individual goals. Thus, the concept of emplacement offers an explanation of the spatial practices of workers who live in Penang city.

The appropriation of place by workers is in contrast with Bayat's notion of the *disfranchised*, who portray forms of passive resistance. By a similar token, the ordinary walkers appropriate the city through tactical means, as elaborated by Certeau, thereby effectively subverting strategic control by the city's administration apparatuses. In contrast, the labour migrants in my study carry out a more pragmatic subversion, as they neither intend to start a revolution, nor consciously subvert the labour migration regime or rules to challenge or change them. The empirical analysis has shown that the labour migrants just want to continue living quiet and ordinary lives, and to make use of the remaining time after work for other social activities.

There is a further distinction between workers' aspirational practices outside the formal workplace and their relatively automatised daily routines in relation to work. For example, the outsourcing agencies make transportation arrangements for workers to and from the factory. Workers follow the regular working schedule for between eight and

twelve hours per day, which is determined by the factory or the employers. Regarding this, there is no need to make extra effort to plan or organise either the event or the transportation. In contrast, there is a conscious, deliberate daily routine as reflected in the case studies of Suti and Babu: Suti schedules her regular cake delivery slots, and the schedule is adjusted according to her self-assessment with regard to her capacity to produce a total number of cakes for each slot. This shows her ordinary discipline and commitment to the cake business. Likewise, Babu, who splits his daily routine between two jobs in different places, has consciously allocated time and energy during his time off to extend help to others. In general, the factory workers initiate and actively participate in social activities in line with their preferences. There is a certain routine that organises some of their time, but outside this they are free to move in the city, beyond the place constraints of the factory. They are free to decide on different types of activities in which to take part on any given occasion, in stark contrast to the factory work, during which they are merely receiving and obeying instructions. To draw a line between the practices of workers inside and outside the workplace, it is helpful to revisit Appadurai's point on the importance of 'continuous effort, imagination, deliberation, and persistence' (Appadurai, 2013, p. 253) that make up the daily life of ordinary people. Apart from the practices of relating to place, the second category which demonstrates the strong capacity that lies within workers is the practice of relating to people.

Relating to People

Relational practices are those social practices that are reflected in different types of relationship through which migrants engage with others, and with various motivations. People do not live in isolation, and their interaction with one another is a necessity. The analysis has shown that the dimension of mutual support is important for workers as they benefit from mutual reciprocal relationships from time to time. For instance, the practice of '*kut*' demonstrates that workers relate to others who are reliable and trustworthy in order to form rotating credit circles. Thus, factory workers are most likely to join '*kut*' groups with their colleagues or hostel mates, whereas Suti teams up with a network of business partnerships. Also, Suti, Cheya, and factory workers in general can resolve their

money issues by approaching the Indonesian money lender in times of emergency. Other mutually beneficial practices, in the form of exchanging information for job recommendations and room renting, are demonstrated by Bihar, Mahmud, Cheya, Heti, Suti, and Babu who are seen as resourceful persons for others because they have worked and lived for a long time in Penang. Some workers who are held in high regard by their co-nationals, such as Babu and Rachel, are more capable of providing and facilitating solutions for others. For instance, they respond with emergency support to send workers to the clinic or airport, or negotiate with the police and outsourcing agencies. Female factory workers have different relationships with local or non-local partners; these relationships fulfil their needs either to send remittances or to experience a normal life in the host society. For example, Anh, the Vietnamese female factory worker, is in a love relationship with her non-local partner, who continually supports her vegetable-selling business to generate a second income. Nevertheless, Suti is the best example of somebody who uses or meaningfully engages with other people, in order to further her personal agenda, such as in keeping the Risoles business running. To recap, Suti invites the factory workers, business partners, two local partners in her personal relationships, the local community police, the security guard, and her daughter's colleagues to join her in the Raya festival with a good meal that she made a lot of efforts to prepare. Suti can understand and take advantage of their help for the Risoles business. For instance, she runs a good business because the factory workers appreciate her Risoles. Her local partners supported her financially in the initial stages to help start the business and also provided transportation for purchasing raw materials to make Risoles. The members of the community police asked for her to cook meals at midnight because she works at night, and in turn, she called them for help when she needed it. Suti's everyday activities underline the relational practices to people, to enhance ones' capacity to give and receive help, for which workers share their lives together with others in the host society. The essence of mutual understanding among workers is depicted through their linking up with others who can satisfy their needs and provide support. At the same time, they also act as the ones who provide information and meet other people's needs. Therefore, workers' *de facto* integration takes place in the host society is related to their capacity to relate to others to receive and offer support both in normal circumstances and in emergencies. Practices

of relating to others also shed light on the importance of mutual support among workers to achieve their aspirational aim to live dignified lives. In addition to their practices of relating to people, workers also actively relate to ideas, which also facilitate their *de facto* integration into the local society.

Relating to Ideas

Certainly, workers' activities are informed by various ideas that underlie them. Conceptually, 'ideas' refers to a dimension that shows their ability to make sense of their everyday activities by relating to it. For instance, the underlying idea of becoming involved in second and third job (i.e. cooking, massaging, and selling vegetables) points to the importance of realising their immediate potential or talents. This self-realisation is meaningful because in the process of achieving on their own initiative, they become more self-confident; as well as sending remittances, they also come to realise and enhance their immediate skills. The increase of self-confidence corresponds to a feeling of self-satisfaction, which compensates the negative feelings they may have regarding the exploitative practices they are exposed to in the factory. The empirical data show that entrepreneurship is a stepping-stone for workers who have successfully transformed their lives for the better. Heti, Mariah, and Bihar, who were formerly factory workers, made the deliberate and courageous decision to start a food business on their own. Heti, for example, started as a street trader of homemade food and gradually emerged as a successful food shop owner in the hostel area. The narrative of becoming successful by opening a food business is an idealistic imaginary among factory workers. Heti is seen as a successful role model by other workers, who share the aspiration to live a dignified life, and she gains respect from others.

Workers' ordinary self-rewarding dimension as represented by activities such as buying a gold bracelet, celebrating birthdays in karaoke bars, visiting KFC, going on holiday trips, and the like, showcases the pleasure that workers take in being independent. Independence indicates freedom – they are free from societal and parental control in their origin countries. They make decisions to participate in various kinds of activities in their leisure time, and they spend their monthly salaries according to their personal choice of

dressing, expensive shoes, fast food, or gold bracelets. The feeling of pride in their ability to make independent decisions lies in the joy of personal freedom. To some extent, the activities they engage in for self-reward also underlie the idea of getting relaxation for mind and body after work, which is a common attempt by humankind to sustain their work-life balance in the long run.

The idea of ‘piety’ explains the active involvement of the Burmese workers in contributing their free labour to the local Buddhist temples. Piety is an idea of devotion and dedication to the religious teaching; they are encouraged by the Buddhist monks to continue doing good deeds, for the sake of accumulating good deeds in this life. Moreover, the Burmese workers believe in doing good even though they are thereby exposed to certain risks and uncertainties in Penang. The ‘doing good’ approach reflects a kind of attitude towards life – they are motivated to compromise with exploitative experiences and retain a positive attitude under any circumstances. Nonetheless, the Burmese workers’ present livelihood promises the vision of a worthwhile future where they can build a good life when they return to their home countries, using the remittances and savings they earn over time. Therefore, it is important for them to live a meaningful life in the sense of being satisfied and happy in the host society. The belief is related to achieving peace of mind, and the means by which this is effected is by constantly listening to, *and putting into practice*, the religious teachings that advocate doing good in society. To a certain degree, peace of mind lies within the thoughts of individual workers, and is meaningful as a way for them to mitigate the negative effects of exploitative practices in the formal workplace.

This striving for peace in mind really applies to all workers in general, because individual workers have their own particular ways of keeping themselves calm in the face of hardships. Some workers gain satisfaction by meeting their own needs, achieving their goals, rewarding themselves, helping others, improving themselves, or investing time in love relationships. Some workers are encouraged by visualising a secure future when they return to their origin villages with experiences and money they have gained. The dynamic of having peace of mind prolongs and sustains the life/work experiences of workers in the host society.

To summarise, one of the main contributions of my PhD research is the the novelty of the concept of relational practices as discussed above, which I have deduced from my empirical work. Through actively relating, people achieve self-satisfaction and a dignified life, as they are counterbalancing the discriminatory practices they are exposed to with their own aspirational practices. These relational practices can be seen as an inherent capacity within all ordinary people, which exactly conform to my broad understanding of practices, in the sense that the relational practices are a type of practice that reflect the lived experiences, strategies and activities of workers who live in Penang. More importantly, the practices of relating are especially relevant when looking at migration studies, particularly in local integration studies and conflict resolution.

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APPENDICES

A. Documentary evidence

Appendix 1: Example of Employment Contract between Outsourcing Company and Contract Workers



EMPLOYMENT CONTRACT

This Employment Contract is made and entered into on _____ by and between _____ hereinafter called the EMPLOYER) represented by the contract by _____ which shall be joint and severally responsible for compliance herewith Employee _____ of Passport No. _____ whom to be working at electronic factory namely _____ BHD at the address of Kawasan Perindustrian Bebas (FIZ) Fasa 3, 11900 Penang (hereinafter called the FACTORY). Both of whom bind themselves to the following terms and conditions:-

Hợp đồng lao động này được thực hiện và có hiệu lực từ _____ giữa công ty _____ (gọi là chủ sử dụng lao động) và Người Lao Động _____, với số hộ chiếu là _____, sẽ làm việc ở nhà máy điện tử _____ tại địa chỉ Kawasan Perindustrian Bebas (FIZ) Fasa 3, 11900 Penang (gọi là nhà máy). Hợp đồng này có những điều khoản và quy định sau:

Basic terms of contract:-
Những quy định cơ bản:

- EMPLOYEE'S JOB TITLE: General Worker (Manufacturing Sector)**
VỊ TRÍ: công nhân
- MONTHLY SALARY**
Luong cơ bản hằng tháng : RM 520.00
ESTIMATED OVERTIME (Làm thêm ước chừng)
(RM 20.00/8 x 1.5 x 4 hours x 26 day) : RM 390.00
ESTIMATED MONTHLY SALARY
(Luong hằng tháng ước chừng) RM 910.00
ESTIMATED ANNUAL INCOME : RM10,920.00
(Thu nhập hằng năm ước chừng)
RM 910.00 x 12 months

Note: If the employee's working performance is good and show that they are willing to learn, their salary will be reviewed. This all based on their supervisor's recommendation and company's decision.
Ghi chú: Nếu công nhân tích cực học hỏi và làm việc tốt, lương có thể được thay đổi. Điều này phụ thuộc vào sự đề cử của người giám sát và sự quyết định của công ty

NIGHT ALLOWANCE : RM 4.00
(Trợ cấp ca đêm)

3. **DURATION OF THE CONTRACT**

The duration of contract shall be three (3) years..
Thời hạn của hợp đồng là 3 năm.

4. **TRAVELING EXPENSES (Chi phí đi lại)**

The traveling expenses from Employee's origin Country to Kuala Lumpur International Airport shall be borne by the Employee and the traveling expenses from Kuala Lumpur International Airport to Employee's origin Country shall be borne by the Employer upon completion of working contract (three years).

Người lao động trả chi phí đi lại từ đất nước của mình đến sân bay quốc tế Kuala Lumpur. Chủ sử dụng lao động sẽ trả chi phí bay về nước cho người lao động từ Sân Bay Quốc Tế Kuala Lumpur khi hoàn thành hợp đồng lao động (3 năm).

5. **ACCOMMODATION WITH WATER AND ELECTRICAL SUPPLY**

Provided free by the Employer.

Chủ sử dụng lao động cung cấp nhà ở cùng với điện nước.

6. **WORKING DAYS AND SHIFT PATTERN**

Working days shall be *six days per week*. *One* rest day shall be given in a week. The shift pattern shall be determined and followed the factory calendars.

Mỗi tuần làm việc sáu ngày, được nghỉ một ngày trong tuần. Ca làm việc theo lịch làm việc của nhà máy.

7. **WORKING HOURS**

The maximum working hours shall be twelve hours (12) per day. The normal working hours shall be eight (8) hours per day and working beyond 8 hours will be computed as overtimes.

Thời gian làm việc nhiều nhất là mười hai (12) giờ trong một ngày. Giờ làm việc bình thường là tám (8) giờ trong một ngày và nếu làm hơn 8 giờ sẽ được tính là làm thêm giờ.

8. **OVERTIME (Làm thêm)**

Working exceed normal working hours on normal days, employee is entitled for 1.5 rate and working on rest days and Public Holiday, employee is entitled for 2.0 rate.

Làm vượt giờ bình thường, làm vào ngày nghỉ người lao động sẽ được nhân thêm với hệ số 1.5 và 2.0 cho ngày nghỉ và lễ.

9. ANNUAL AND MEDICAL LEAVE

The Employee is entitle for the followings leave

Annual Leave : 8 days (in accordance to Malaysia Employment Act 1955)

Medical Leave : 12 days (accept with the medical certificate)

Công nhân có chế độ nghỉ hằng năm:

Nghỉ chế độ: 8 ngày (theo quy định của luật lao động Malaysia năm 1955)

Nghỉ ốm: 12 ngày (chấp nhận khi có giấy chứng nhận của bác sĩ)

10. PUBLIC HOLIDAY

The total number of Public Holidays granted are according to the calendar declared by the factory.

Tổng số ngày nghỉ lễ sẽ tương ứng với ngày nghỉ lễ của nhà máy.

11. MEDICAL TREATMENT

The Employee is to obtain medical treatment at the Employer panel doctor and cost incurred will be borne by the Employer.

Người lao động sẽ được chăm sóc y tế bởi một bác sĩ đã được chủ lao động đăng kí trước và chi phí sẽ được chi trả bởi chủ sử dụng lao động.

12. YEARLY MEDICAL

Yearly medical examination will be arranged as required by the Immigration Department of Malaysia and cost incurred will be borne by the Employer.

Luật di trú Malaysia yêu cầu người lao động kiểm tra sức khỏe định kì một năm một lần và chi phí do chủ sử dụng lao động chi trả.

13. DECEASED

In the event of any employee dies in the clause of his employment the employer shall be responsible to arrange for the body of deceased to the repatriated to his next kin in their origin country and necessary repatriated expenses shall be borne by the employer.

Trong trường hợp người lao động chết, người chủ sử dụng lao động có trách nhiệm tổ chức chuyển thi hài của người lao động về nước của họ và mọi chi phí phát sinh cho việc vận chuyển người chủ lao động sẽ chịu.

14. GOVERNMENT LEVY AND IMMIGRATION

The Employer shall borne levy payment.

Chủ lao động sẽ nộp tiền thuế cho người lao động

15. **AGE (tuổi)**
From 21 to 35 years and physically and mentally healthy.
Có sức khỏe về tinh thần và thể chất từ 21 đến 35 tuổi.
16. **FWCS (FOREIGN WORKERS COMPENSATION SCHEME)**
The Employer is responsible to provide for the workers without costs.
Chủ sử dụng lao động cung cấp mọi thứ trừ chi tiêu cá nhân.
17. **MEDICAL TRUST FUND (MTFS)**
A fee of RM10.00 per month from each employee is to be contributed into Medical Trust Fund Scheme (MTFS). This is to cover the cost of sickness who admits into the hospital for treatment (either Government or Private).
Người lao động đóng RM10.00 mỗi tháng cho quỹ bảo trợ sức khỏe. Quỹ này dùng chi trả cho những ai phải chữa trị trong bệnh viện (tư nhân hoặc của nhà nước)
18. **UNIFORM AND SHOE**
The Employee is to ensure to put on shoes during working in the factory.
Người lao động phải mang giày trong suốt buổi làm việc trong nhà máy.
19. **RESTRICTION (Những điều ngăn cấm)**
- a) That the Employee shall not marry with any Malaysian and shall not participate in any political activities and activities of those connected with Trade Union in Malaysia.
Người lao động không được kết hôn với người Malaysia và không được tham gia vào các hoạt động chính trị hoặc hoạt động liên quan đến công đoàn tại Malaysia.
- b) That the Employee shall not change his employment during the contract period and shall not carry or do business without the written permission from the Employer.
Người lao động không được thay đổi việc trong suốt hợp đồng và không được làm kinh doanh gì khác khi không có sự cho phép bằng văn bản của chủ sử lao động.
- c) That if the Employee is found creating social problems and or engaged in any illegal subversive or criminal activities, and then he will be dismissed with immediate effect and will be repatriated to origin country on his own expenses.
Trong trường hợp người lao động bị phát hiện liên quan đến tệ nạn xã hội hoặc hoạt động phạm pháp sẽ bị sa thải và phải tự chịu chi phí trở về nước

20. TERMINATION OF SERVICE (Cho thôi việc)

The Employer reserves the right to terminate this agreement by serving one day's notice to the Employee on the occurrence of any of following events:

Chủ lao động có quyền chấm dứt hợp đồng nếu người lao động vi phạm những điều sau đây:

If the Employee breaches any of the restriction in clause 19 above or is convicted of any offence under any Law of Malaysia.

Người lao động vi phạm điều 19 ở trên hoặc vi phạm luật pháp Malaysia

a) If the Employee's Employment pass is withdrawn by the Malaysian authorities for any reason whatsoever.
Giấy thông hành của người lao động bị tịch thu bởi nhà chức trách Malaysia vì lí do nào đó.

b) If the Employee is absent from work for more than two (2) consecutive working days without a reasonable excuse. The Factory will issue two (2) warning letters to the employee and the Employer will provide a counseling session to the employee. After the 3rd warning letter issued, the Factory has the right to terminate the employee's service.

Nếu người lao động vắng mặt tại nơi làm việc quá hai (2) ngày liên tiếp không có lí do chính đáng và sau 3 lần được cảnh báo sẽ bị đuổi việc.

c) If the Employee is discovered to be under 21 years of age.
Nếu người lao động bị phát hiện dưới 21 tuổi

d) If a doctor certifies the Employee medically unfit for employment.
Nếu bác sĩ xác nhận người lao động không đủ sức khỏe để làm việc.

e) If the Employee is found to be pregnant (applicable to female employees only).
Nếu người lao động bị phát hiện có mang thai (chỉ áp dụng đối với lao động nữ).

21. OTHER TERMS AND CONDITIONS (Những qui định khác)

a) Other terms and conditions will be stated on the company's rules.
Những điều khác sẽ đưa ra theo nội qui của công ty.

b) Other terms and conditions favorable to the Employer and Employee not covered herein and which are provided by the laws of the country of employment shall apply and shall be the part of the contract.
Người lao động phá vỡ hợp đồng thì lao động phải chịu mọi chi phí và bồi thường cho chủ lao động những khoản tiền mà chủ đã chi trả.

22. CERTIFICATION

The Employer and the Employee shall read and fully understand this agreement and certify that the terms and conditions together with the application constitute their entire agreement or understand that aside from this contract shall be considered null and void.

Hai bên hiểu rõ những điều khoản trên, nếu một trong hai vi phạm những điều khoản trên sẽ đưa ra luật pháp nước sở tại và được áp dụng như những điều đã ghi trong bản hợp đồng này.

IN WITNESS where of the parties here unto voluntarily signed their respective names below on this date of _____ 2011 at _____.

Bản hợp đồng này có hiệu lực kể từ ngày

[Redacted]



Signature of Employer (Chủ)

Signature of Employee (L.động)

Admin Manager / [Redacted]

Name :

Passport No:

Witness By : [Redacted]

WitnessBy:

Name [Redacted]

Name :

Designation [Redacted]

Designation:

Date : 26/1/11

Date :

Appendix 2: Salary Slip

WAGES		Days/ Hrs	RM	DEDUCTIONS		Days/ Hrs	RM	Total	RM
Basic Salary			520.00	Advance Salary (1)			100.00	Gross Salary	1,188.97
Overtime :				Advance Salary (2)			0.00	(-) Deduction	110.00
1.5 times	RM 3.7500 / hour	92.00	345.00	Advance Salary (3)			0.00		
2.0 times	RM 5.0000 / hour	48.00	240.00	Overpaid			0.00		
3.0 times	RM 7.5000 / hour	0.00	0.00	FWHIPS			10.00		
Allowance :				Others / Misc Charges			0.00		
Meal Allowance			0.00	Medical Claim			0.00		
Other Allowance			0.00	Holiday			0.00		
PH / Leave :				Unpaid Leave		0.00	0.00		
Annual / Medical / Hospitalization		1.00	0.00	Absent / Short Hours		0.00	0.00		
Public Holiday		3.00	0.00						
Short Pay			0.00						
Reimbursement			83.97						
GROSS SALARY			1,188.97	TOTAL DEDUCTION			110.00	NET SALARY	1,078.97
Wages Period			: 24/10/2012 - 23/11/2012			Top Up Advance			0.00
Total Working Days			: 27 days			PAYMENT : BANK IN			
Total Working Hours			: 184.00			Received By : _____			
NOTE : This is a computer generated payslip. No signature is required. Wages are credited to respective bank account. Please notify the office should there is any discrepancy of the above payment.									

Appendix 3: Safekeeping Passport

Date:

Ngày:

Attn: [REDACTED]

Đến: Ban quản trị công ty [REDACTED]

Dear Sir/Mdm

Ông/ Bà kính mến

SUBJECT: SAFEKEEPING PASSPORT

VỀ VIỆC: GIỮ HỘ CHIẾU AN TOÀN

I,.....(passport no.:.....) is the employee of [REDACTED] Sdn. Bhd. and hereby agree the company to keep my passport for safekeeping purpose.

Tôi.....(số hộ chiếu:.....) là công nhân của công ty [REDACTED] và đồng ý công ty giữ hộ chiếu của tôi nhằm mục đích giữ an toàn.

I will be allowed to collect back my passport as and when deemed necessary.

Tôi có thể lấy lại hộ chiếu của mình khi cần thiết.

Thank you

Yours faithfully,

[REDACTED]

Employee's name

Tên công nhân

Appendix 4: Contract Provided by Local Manpower Agency in the Origin Country

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự do - Hạnh phúc
-----***-----

[REDACTED]

ĐƯA LAO ĐỘNG ĐI LÀM VIỆC CÓ THỜI HẠN TẠI MALAYSIA
Số:...../VTGHN – HD -ML

Căn Cứ: [REDACTED] **Explanation on the Vietnamese laws**

1. Luật Xuất khẩu Lao Động có hiệu lực từ ngày 01/01/2007 quy định về người lao động Việt Nam đi làm việc có thời hạn tại nước ngoài
2. Giấy phép hoạt động Xuất khẩu lao động số:173/LĐT BXH- GP do Bộ Lao Động Thương Binh và Xã Hội cấp ngày 04/12/2008.
3. Chức năng, nhiệm vụ của Công ty Cổ Phần Vạn Xuân(Vivaxan).
4. Nguyên vọng và sự tự nguyện của Người lao động sau khi đã được nghe phổ biến đầy đủ, chi tiết về các nghĩa vụ, trách nhiệm và quyền lợi của người lao động đi làm việc tại Malaysia.

Hôm nay, ngày 26... tháng..11.... năm 2010., chúng tôi gồm:

BÊN A : [REDACTED] **A represents the local manpower agency**

- Đại diện : [REDACTED]
- Chức vụ : [REDACTED]
- Địa chỉ giao dịch : [REDACTED]
- Điện thoại : [REDACTED]

BÊN B : (Họ tên người lao động) [REDACTED] **B represents the worker**

- Ngày tháng năm sinh :.....
- Hộ chiếu số : [REDACTED]
- Hộ khẩu thường trú: [REDACTED]
-
- Khi cần báo tin cho [REDACTED]
-

Hai bên thoả thuận và cam kết thực hiện các điều khoản sau:

ĐIỀU 1 : ĐIỀU KHOẢN CHUNG

- Đây là hợp đồng dịch vụ đưa người lao động Việt Nam đi làm việc có thời hạn ở Malaysia. Các giấy tờ khác do người lao động ký trước khi xuất cảnh là một bộ phận cấu thành của hợp đồng này.
- Bên A có trách nhiệm làm toàn bộ các thủ tục xuất cảnh cho Bên B (Người lao động) đi làm việc tại Malaysia theo hợp đồng cung ứng lao động đã ký với đối tác Malaysia.
- Thời hạn của hợp đồng là 03 năm, kể từ ngày Bên B (Người lao động) nhập cảnh và nhận việc tại Malaysia.
- Loại hình công việc : Nhà máy
- Địa chỉ theo như hợp đồng ngoại.
- Nơi làm việc của Bên B (Người lao động) : theo như hợp đồng ngoại.

ĐIỀU 2: QUYỀN LỢI VÀ NGHĨA VỤ CỦA BÊN B (NGƯỜI LAO ĐỘNG):

A/ Trước khi đi làm việc ở nước ngoài:

1. Trực tiếp đến đăng ký (không qua trung gian môi giới) để tham gia khoá đào tạo Ngoại ngữ và Giáo dục định hướng trước khi đi làm việc ở nước ngoài do Công ty tổ chức.
2. Bên B (Người lao động) phải có nghiệp vụ chuyên môn, phải qua kiểm tra sức khoẻ và làm hồ sơ đi làm việc ở nước ngoài theo quy định của Bên A và theo quy định của Luật Xuất Khẩu Lao Động.

1

3. Bên B (Người lao động) phải tự chi trả và nộp cho bên A các khoản trước khi xuất cảnh như sau:
- * Các khoản Bên B nộp cho Bên A:
 - Phí dịch vụ thu trước 03 năm theo quy định Thông tư số 16/2007 - TTLT - BL ĐTBXH - BTC ngày 04/09/2007 của Bộ Lao động - Thương Binh và Xã Hội - Bộ tài chính là:.....USD
(Bằng chữ:.....)
 - * Các khoản bên B tự chi trả hoặc yêu cầu bên A thu hộ, chi hộ:
 - Phí môi giới nước ngoài theo Quyết định số: 61/2008 QĐ -LĐTBXH ngày 12/8/2008 của Bộ Lao động – Thương binh và Xã Hội là:.....
(Bằng chữ:.....)
 - Vé máy bay lượt đi.
 - Các chi phí làm thủ tục xuất cảnh tại Việt Nam và nhập cảnh tại Malaysia.
 - Phí khám sức khỏe (Bệnh viện thu).
 - Phí làm hộ chiếu (cơ quan XNC thu).
 - Phí làm tư pháp.
 - Phí học ngoại ngữ và GD ĐH (TT đào tạo thu).
 - Chi phí hoàn thiện hồ sơ.
 - Đồng phục (mũ , áo, valy, thẻ tên).
 - Chi phí ăn, ở trong thời gian giáo dục định hướng.
 - Chi phí ăn, ở đi lại thi tuyển và làm mọi thủ tục...
 - * Tiền đóng bảo hiểm xã hội: Không (người lao động tự nguyện)
- Các khoản bên B (Người lao động) nộp cho Bên A hoặc nhờ bên A thu và chi hộ, nếu nộp bằng hình thức chuyển khoản phải nộp vào tài khoản của Công ty hoặc bằng tiền mặt phải trực tiếp nộp tại Phòng kế toán – Tài chính của Công ty Cổ Phần Vạn Xuân(Vivaxan) (Không qua trung gian,môi giới hoặc một đơn vị nào khác).
4. Sau khi đã hiểu rõ quyền, nghĩa vụ và các khoản chi phí cần thiết, không còn thắc mắc, cam kết thực hiện. Tôi đã tự nguyện chấp hành và ký vào hợp đồng này để thực hiện.

B/Trong thời gian làm việc tại nước ngoài:

1. Trực tiếp ký và thực hiện hợp đồng lao động này và phù hợp với luật pháp nước sở tại. 8 hours per day, 6 day per week cơ sở nội dung hợp đồng
2. Thời gian thử việc : 03 tháng
3. Thời gian làm việc: 8...giờ/ngày, 6. ngày/tuần.
4. Tiền lương và các khoản thu nhập khác:
 - Lương cơ bản:8.76.....RM / tháng. Tổng thu nhập hàng tháng khoảng: 6.000.000/ tháng.
 - Làm thêm giờ: Theo luật lao động Malay
 - Thu nhập làm thêm (Phụ thuộc vào Chủ sử dụng)
 - Phụ cấp khác (Phụ thuộc vào Chủ sử dụng)RM 876 monthly (equivalent to 6000,000 thang)
5. Nếu trong thời gian thử việc mà Bên B (Người lao động) không đảm nhận được công việc theo hợp đồng giữa chủ thuê lao động và người lao động thì Bên B (Người lao động) sẽ bị trả về Việt Nam. Mọi chi phí bồi thường và các chi phí vé máy bay đi, về do Bên B (Người lao động) chịu.
6. Được chủ sử dụng lao động trả tiền Bảo hiểm, Phúc lợi y tế theo luật Malaysia.
7. Trong trường hợp chủ sử dụng lao động phá sản hay vì nhưng nguyên nhân bất khả kháng khác dẫn đến chấm dứt hợp đồng trước thời hạn, chủ sử dụng sẽ tìm kiếm công việc mới thay thế cho đến khi hết hạn hợp đồng. Nếu không tìm được công việc mới thì Bên B (Người lao động) về nước. Probation for three months. sẽ phải trả tiền
8. Điều kiện ăn ở: Bên B (Người lao động) được ở miễn phí chỗ ở trong suốt thời gian làm việc tại Malaysia. If fail, workers will be sent back to Vietnam and they have to return the loan and
9. Hỗ trợ tiền ăn:.....K.hôm g.

10. Được hưởng bảo hiểm tai nạn, mất tích, chết, phúc lợi y tế theo luật Malaysia.
11. Trong thời gian làm việc tại Malaysia, nếu Bên B (Người lao động) do nhân tố cá nhân mà phát bệnh bẩm sinh khi Bên B (Người lao động) máy bay do
12. Thực hiện nghiên cứu Công ty môi giới trong Bản cam kết trong Bản cam kết agency will take responsibility of workers' employment opportunity. There is possibility that workers will be o Bên A và nhuận đã ghi
13. Bên B (Người lao động) đưa về Việt Nam, Bên B (Người lao động) phải tự chịu trách nhiệm về những nhân viên do mình gây ra như: động và bị

Within the 3-year duration, the Malaysian outsourcing agency will take responsibility of workers' employment opportunity. There is possibility that workers will be transferred to work in different factories.

- * Do nhân tố cá nhân như sức khỏe, ngoại ngữ, nghiệp vụ chuyên môn...vv. mà không đảm nhận được công việc hoặc tự ý về Việt Nam trước thời hạn của hợp đồng lao động.
 - * Tự ý kết hôn với người Malaysia, tự ý làm kinh doanh mà không được sự đồng ý bằng văn bản của chủ sử dụng lao động.
 - * Vi phạm pháp luật của nước sở tại cũng như phong tục tập quán của người dân bản địa. Tham gia các hoạt động chính trị, đi lễ nhà thờ, hội họp bất hợp pháp, Sử dụng và buôn bán các chất ma túy, uống rượu, đánh nhau, lãn công, đình công, tự ý khiêu khích tới Đại Sứ Quán Việt Nam tại Malaysia hoặc vận động, đe dọa, lôi kéo người khác tham gia vào các hoạt động trái pháp luật nước sở tại hoặc có thai đối với nữ.
 - * Không phục tùng sự sắp đặt công việc của chủ sử dụng lao động. Cố ý cầm đi và đánh mất hay làm hư hỏng các đồ vật của chủ sử dụng lao động (Bên B phải có trách nhiệm bồi thường).
 - * Tự ý rời khỏi nơi làm việc khi chưa có sự đồng ý của chủ sử dụng lao động hoặc khi xin phép ra ngoài mà không quay về nơi làm việc đúng giờ quy định.
 - * Chạy trốn hoặc có ý định chạy trốn để làm việc cho chủ khác, sẽ căn cứ vào các bản cam kết trước khi xuất cảnh và pháp luật nước sở tại để xử phạt.
 - * Không tuân thủ với nội dung hợp đồng dịch vụ đã ký với Bên A và các điều khoản thỏa thuận về mức lương, hình thức khấu trừ và trả lương.
14. Thực hiện đúng thời gian, nơi làm việc đã ghi trong hợp đồng cho đến khi hết hạn hợp đồng. Khi kết thúc hợp đồng nếu muốn gia hạn phải được sự đồng ý của Công ty Cổ Phần Vạn Xuân tại Hà Nội và chủ sử dụng lao động. Nếu không được gia hạn thì phải về nước, không được ở lại cư trú bất hợp pháp. Nếu Bên B (Người lao động) đơn phương chấm dứt hợp đồng trước thời hạn hoặc vi phạm hợp đồng sẽ phải bồi thường thiệt hại cho Bên A, mức bồi thường theo quy định hiện hành của pháp luật Việt Nam và pháp luật nước sở tại.

C/ Sau khi về nước.

- * Trong trường hợp Bên B (Người lao động)
- Do lỗi của bên chủ lao động mua vé máy bay cho
 - Do lỗi của Bên B (Người lao động) về nước và chịu trách nhiệm bồi thường thiệt hại cho bên bị hại.
 - Trong trường hợp Bên B (Người lao động) về Việt Nam sau khi đã kết thúc hợp đồng hoặc về Việt Nam trước thời hạn vì bất cứ lý do gì, Bên B (Người lao động) phải có mặt tại Văn phòng Chi Nhánh Công ty Cổ Phần Vạn Xuân tại Hà Nội để hoàn thành các thủ tục **Thanh Lý Hợp Đồng**.
- Nếu sau 03 tháng kể từ ngày về Việt Nam hoặc sau khi Bên A đã gửi thông báo triệu tập tới lần thứ 3 mà Bên B (Người lao động) không đến trình diện thì Chi Nhánh Công ty Cổ Phần Vạn Xuân tại Hà Nội sẽ

Worker are obliged to follow rules such as they are not allowed to get married in Malaysia; prohibited to bring pork meat to factory; should not join Churches activities; forbidden to use drug and so on and so forth.

không chịu trách nhiệm về bất cứ khiếu kiện gì của Bên B (*Người lao động*) và đồng thời đơn phương thanh lý hợp đồng theo quy định của pháp luật.

ĐIỀU 3: TRÁCH NHIỆM VÀ QUYỀN HẠN CỦA BÊN A:

A/ Quyền hạn:

1. Được thu phí dịch vụ XKLD và thu các khoản tiền khác theo thỏa thuận tại điều 2 của hợp đồng này.
2. Trong trường hợp Bên B (*Người lao động*) vi phạm hợp đồng, tùy theo mức độ nặng nhẹ Bên A có quyền khởi kiện tại Tòa án nhân dân hoặc chấm dứt hợp đồng trước thời hạn và yêu cầu Bên B (*Người lao động*) phải chịu mọi chi phí và bồi thường thiệt hại cho Bên A và các bên liên quan khác.
3. Bên B (*Người lao động*) bị mất tích, bị chết thì theo thông lệ Bên A cùng với các bên nước ngoài có liên quan sẽ tiến hành hoả thiêu thi thể của Bên B (*Người lao động*) tại nước sở tại và trong thời gian tối đa 06 tháng đưa các di vật, tro hài cốt về Việt Nam, hoàn thành các thủ tục bồi thường (nếu có) cho gia đình Bên B (*Người lao động*) theo luật định.
4. Đơn phương thanh lý hợp đồng đã ký với Bên B (*Người lao động*) theo quy định.

B. Nghĩa vụ:

1. Hỗ trợ và tư vấn giúp Bên B (*Người lao động*) làm thủ tục xuất nhập cảnh hợp pháp, xin cấp hộ chiếu visa, mua vé máy bay, tổ chức đưa đi và thực hiện chương trình tập huấn, đào tạo ngoại ngữ, giáo dục định hướng bắt buộc cho người lao động trước khi đi làm việc ở Malaysia.
2. Phổ biến công khai mọi quyền lợi, điều kiện làm việc, thời gian làm việc, thời hạn hợp đồng, các phong tục tập quán của Malaysia, các nghĩa vụ trách nhiệm của Bên B (*Người lao động*) trước khi ký vào hợp đồng dịch vụ này.
3. Giám sát các điều khoản của hợp đồng lao động mà Bên B (*Người lao động*) đã ký với chủ sử dụng lao động để bảo đảm quyền lợi cho Bên B (*Người lao động*).
4. Quản lý Bên B (*Người lao động*) trong thời gian làm việc ở Malaysia, trực tiếp giải quyết và xử lý các vấn đề phát sinh trong thời gian hiệu lực của hợp đồng, làm các thủ tục hành chính, chuyển trả Bên B (*Người lao động*) về địa phương khi hợp đồng hết hạn.

ĐIỀU 4: GIA HẠN HỢP ĐỒNG

Trong trường hợp hợp đồng giữa Bên B (*Người lao động*) và người sử dụng lao động Malaysia được gia hạn thì bản hợp đồng này cũng có giá trị hiệu lực trong thời gian gia hạn đó.

ĐIỀU 5. CÁC KHOẢN PHÍ KHÔNG THUỘC DOANH THU CỦA BÊN A.

Nếu bên B yêu cầu bên A thu hộ và chi hộ đối với các khoản phí không thuộc doanh thu của bên A như: vé máy bay, lệ phí visa, thuế sân bay... và được bên A chấp thuận thì trong trường hợp này bên B cam kết mọi sự khiếu nại của bên B đối với bên A đều vô hiệu.

ĐIỀU 6: GIẢI QUYẾT TRANH CHẤP

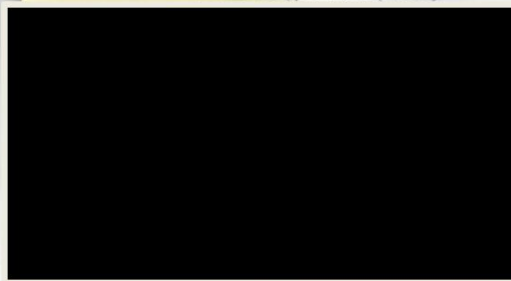
- Hai bên cam kết thực hiện đầy đủ các điều khoản đã ký kết trong hợp đồng dịch vụ này, trường hợp một trong hai bên vi phạm sẽ bị xử phạt theo pháp luật hiện hành, quy trách nhiệm bồi thường vật chất theo mức độ thiệt hại do lỗi của mỗi bên gây ra.
- Mọi tranh chấp phát sinh trên cơ sở hợp đồng này được giải quyết trước hết bằng thương lượng, hoà giải giữa hai bên, trường hợp không thể thương lượng hoà giải được thì giải quyết theo quyết định của toà án, hai bên thống nhất mọi tranh chấp sẽ được phân xử tại TAND Thành Phố Hà Nội.
- Mọi sự thay đổi hoặc điều chỉnh hợp đồng này chỉ có giá trị hiệu lực khi được thực hiện bằng văn bản và có sự đồng ý của cả hai bên. Hợp đồng này được làm thành 02 bản chính có giá trị như nhau, Bên A giữ 01 bản. Bên B (*Người lao động*) giữ 01 bản để thực hiện và có hiệu lực kể từ ngày ký.

BÊN A
CÔNG TY CỔ PHẦN VẠN XUÂN (VIVAXAN)
ĐƠN VỊ ĐƯỢC ỦY QUYỀN



Tôi đã đọc và hiểu rõ nội dung của hợp đồng này, đã được nghe phổ biến những nội dung cơ bản của các hợp đồng có liên quan, những chính sách, quy định của Nhà nước dành cho lao động đi làm việc có thời hạn ở nước ngoài. Tôi đồng ý và tự nguyện chấp nhận mọi điều khoản của hợp đồng dịch vụ trên đây.

BÊN B NGƯỜI LAO ĐỘNG
(Ký và ghi rõ họ tên)



Lấn tay ngón trỏ phải.