1. Introduction to Race, Gender and Contemporary International Labor Migration Regimes

Robyn Magalit Rodriguez

Migrant workers around the world are subject to exploitative labor practices due to their dependence on employment contracts and/or labor conditions that give employers extraordinary bargaining power. It might be assumed that migrant workers with formal employment contracts are better protected than those whose employment relationship is characterized by informality. Migrant workers in employment relationships putatively enjoy basic rights at their worksites due to the fact that the terms of their employment are contractually defined. Moreover, they enjoy legal status in their countries of employment. Yet the researchers and practitioners in this volume illustrate that there are structures and institutions both inside and outside of the employment relationship between migrant workers and employers that tip the relationship in favor of employers’ interests. Indeed, migrant workers in employment relationships may find themselves even more vulnerable than their informally employed, often undocumented counterparts.

We use the term “21st-century coolie” here as a means of bringing to the forefront the deeply unequal structures—rooted in histories of colonialism and racialized logics—that shape and undergird the transnational flows of short-term migrant workers generally between the wealthier countries of the Global North and the countries of the Global South, and the contractual relationships that govern their employment. The term “coolie” harkens back to the labor arrangements of earlier centuries that involved conscripted labor, indentured servitude, and contract labor across national borders (De-Hart, 1989; Jung, 2006; Yun, 2008; Wong, 2015). Often, “coolie” labor was deployed between colonized peripheries, but those flows of labor were generally determined by colonial centers such as Britain, for example British-colonized Indians deployed to work in British colonial outposts in the Caribbean and Africa. Moreover, racialized logics shaped how “coolie” workers were managed (Pillay, 2017). Like those of past centuries, today’s “coolies” are subject to legal constraints inside and outside the employment relationship...
that force them into subjugated positions within the workplace. This anthology uses the term “coolie” as a heuristic device through which to critically examine migrant contractual labor systems in the 21st century. The chapters of this anthology situate contemporary global migration regimes in histories of colonization, uncover their racialized as well as gendered nature, and examine the role of nation-states in perpetuating conditions of extreme exploitation.

International organizations have made strides to ensure that today’s migrant labor systems include provisions that extend migrants’ basic rights in their countries of employment. For instance, the historic New York Declaration for Refugees and Migrants was drafted at the United Nations General Assembly in September 2016. The participating states made several commitments during their deliberations. One major commitment had to do with cooperating to facilitate processes of “regular” migration. The idea here is that when migrants cross borders “regularly” (i.e. legally), they can be better protected. Among the mechanisms for ensuring “regular” migration, as promoted by the New York Declaration, is temporary labor migration programs (TLMPs), programs that have been promoted by other international organizations, including the World Bank and the International Monetary Fund, over the last decade and a half. These programs are said to be a “win-win-win-win”: receiving states and employers get access to cheap workers who will not stay (win-win), sending states get remittances (win), and migrants get jobs, even if they are temporary (win). Indeed, in the United States, although there has been no consensus around comprehensive immigration reform, there has been relative consensus on the government’s existing temporary migration program (i.e. the “H” visa), because ultimately the United States seeks to restrict immigration and permanent residence to only those it deems worthy and “worthiness” is shaped by deeply racialized, classed, and heterosexist logics.

The impetus for this anthology emerges from our observation of the ways race in particular has been strikingly absent from multilateral discussions of globalized flows of migrants—including refugees—as well as in the scholarly literature on international labor migration. For example, a joint initiative by the University of Geneva and the University of California, Davis, in collaboration with the League of European Research Universities (LERU), gathered researchers and advocates in anticipation of the New York Declaration.

for Refugees and Migrants mentioned above as well as to reflect on the Syrian refugee crisis. Participants included scholars of international migration from across the disciplines, along with representatives from the United Nations High Commissioner for Refugees (UNHCR), the International Labour Organization (ILO), the International Organization on Migration (IOM), the Office for the UN High Commissioner for Human Rights (OHCHR), the UN Special Representative of the Secretary-General for International Migration, the International Committee for the Red Cross (ICRC), and the European Union (EU). There were extensive discussions of various sub-categorizations of “migrant”—from “refugees,” “asylum-seekers,” “economic migrants,” “climate refugees,” to “disaster displaced persons”—and the rights differently and unequally attached to each categorization by international organizations and nation-states.

Moreover, there was discussion of the ways migrants—regardless of the specific state categorizations to which they may be assigned—suffer from being defined outside of the boundaries of national belonging in the countries where they live and work, which thus delimits the kinds of rights they can enjoy. Xenophobia was an especially pernicious social ill that many agreed was among the root causes of migrants’ and refugees’ consignment to a status of non-belonging. However, as scholars who are especially attentive to questions of racialized difference and racialized exclusions as they pertain to migrant populations in the United States and other similar contexts, we found it disturbing that race was not a central point of discussion. For us, “xenophobia,” while an important concept, is insufficient for understanding the nature of the exclusions (would-be) migrants and refugees, indeed even immigrants, experience. “Xenophobia” as a concept does not necessarily grapple with how deeply structured systems of racial inequality shape the laws governing migration and the kinds of rights migrants do and do not enjoy should they be allowed to cross national borders. We felt that discussions of race were being problematically side-stepped despite the fact they were taking place just a few months before the 2016 U.S. presidential election race between Donald Trump and Hillary Clinton. Trump had declared while on the campaign trail, “I’m putting people on notice that are coming here from Syria as part of this mass migration, that if I win, they’re going back!” He went on to state, “They could be ISIS … This could be one of the great tactical ploys of all time. A 200,000-man army maybe, or if you said 50,000 or 80,000 or 100,000, we got problems and that could be possible. I don’t know that it is, but it could be possible so they’re going back—they’re going back.”

Alongside the rise of Trumpism in the United States was the rise of right-wing white nationalism across Europe—best exemplified perhaps by Brexit—also during that period. If the Syrian refugee crisis was a “crisis,” it was a racialized crisis. As Madeline-Sophie Abbas argues in relation to the U.K. response to the Syrian refugee crisis, there are “limits of hospitality towards the Muslim Other and implications for refugee resettlement from conflicts in Syria and the region in the UK.” Abbas argues “that state policy on refugee resettlement and counter-terrorism within the context of the Syrian war have increasingly become interpenetrated, meaning the ‘Muslim question’ cannot be divorced from security concerns associated with terrorism and national identity.” She goes on to state, “The Syrian refugee ‘crisis’ offers a significant terrain for addressing how ‘race’ is deployed in nation construction to order and exclude populations. The Syrian Muslim represents Europe’s constitutive outside, whose admittance would threaten the fundamental meaning of Europeanness” (Abbas, 2019).

That discussions on global migration taking place in Geneva—a major nexus for a range of international (state and non-state) bodies—and involving many powerful actors who can play a vital role in shaping norms, analyses, and policies on migration globally failed to discuss race is deeply troubling. Government-sponsored TLMPs—the focus of this volume—deserve scrutiny for their role in perpetuating circular migration patterns, producing new forms of illegality, and reproducing exploitative workplaces through systems that are rooted in coloniality and white supremacy. Globalization, the process that many state representatives, advocates, and researchers agree is what drives international migration, we argue, is better understood as global racial capitalism.

In this anthology, we deploy the concept of “coolies” as a provocation; it is a means of drawing upon rich insights from the scholarship on racial capitalism that has been advanced by scholars of Black Studies and other critical race scholars as an analytic lens through which to understand differently international labor regimes today (Robinson, 1983; Leroy and Jenkins, 2021). We share the basic premise of these scholars that there is no capitalism that is not racialized (and gendered). Moreover, we contend that racial capitalism is a global formation, what many have heretofore been referring to as “globalization,” and that the migrant labor systems that global racial capitalism requires cannot be understood outside of longer histories of colonialism. The global inequalities of today are built upon colonial and neocolonial legacies. The international system of nation-states is deeply shaped not only by economic but also by deeply racialized inequalities such that the policies governing border-crossing—like immigration law—are informed by racialized understandings of belonging and non-belonging and thus racialized understandings of who is and is not deserving of rights or of the opportunities to live full,
dignified existences. It is not a coincidence that migrant laborers around the world are often working in countries where they are figured as outsiders, not merely because they are foreigners, but because they are considered racialized outsiders who can never fully qualify as full members of the nation-states in which they work. Their “proper” domain is elsewhere. Hence, when international bodies discuss the regulation of migration, what is at stake is not simply “xenophobia” but race. In the North American (U.S. and Canadian) and European contexts in particular, what is at stake is white supremacy, but even in non-Western contexts there appear to be emergent racial hierarchies that are being consolidated through migration law.

We are concerned with how an analysis of race, especially racial capitalism, has seemed to escape most investigations on global labor migration in our respective fields: sociology and legal studies. In addition to inviting scholars from sociology and law, we also invited scholars from history, literature, and ethnic studies to engage with the “21st-century coolie” heuristic and offer contributions to this anthology. We hoped that by introducing the “coolies” framework, we could provoke what we believe to be a much-needed engagement with theories of racial capitalism to make sense of global labor regimes in the disciplines that we have engaged. It was, for us and our interlocutors, a challenging, sometimes unsettling, but very generative process to apply the framework to our research. It forced all of us to try to better foreground coloniality and race in our work. The contributors of this book examine how employers rationalize the treatment of foreign workers through processes of dehumanization that depend on logics of white supremacy, anti-blackness, and other forms of racialized difference production. These processes of dehumanization deeply shape migration law as states along with the broader migration industry ultimately define rules regarding which individuals are deserving of entry and settlement and/or employment. Settlement rights (including the possibility of securing formal citizenship) are generally delimited to those deemed culturally or racially fit to assimilate into the nation-state/national polity. Take the history of racialized immigration and citizenship exclusion in the United States and Canada, for instance (Thobani, 2007; Glenn, 2009). These dynamics are also found in various European countries. Even the establishment of Schengen in the EU, which involved a broader expanse of borders, has been shaped by racialized understandings (hence “Fortress Europe”) (Kofman and Sales, 1992). In the newly industrializing countries of Asia, similar dynamics are at play: the possibility for long-term settlement is limited for those on temporary employment visas, and tends to be racialized along a spectrum from professional to low-wage jobs (Lan, 2006; Constable, 2007; Choi and Lyons, 2012). At the unskilled end of the labor market, immigration law limits the time that migrants can stay in the country, if at all, while “professionals” (people with jobs imagined as “Western” and in many ways proximate to
whiteness; indeed, many of these jobs may well be for Western firms and/or employ whites from the West) are often allowed to work for longer periods of time. There is a marked difference between those who can be called “ex-pats” (or expatriates living outside of their country of origin for extended periods) and those labeled “migrants” (Lan, 2011; Groves and O’Connor, 2018).

This volume seeks to uncover the coloniality of contemporary international labor migration regimes within the context of global racial capitalism as well as examine how the social and employment relations in which migrant contract workers are embedded are characterized by varying degrees of “unfreedom.” We contend that immigration law becomes a way in which racialized difference and unfreedom are embedded.

COLONIALITY AND GLOBAL RACIAL CAPITALISM

As Lisa Lowe argues, “The operations that pronounce colonial divisions of humanity—settler seizure and native removal, slavery and dispossession, and racialized expropriations of many kinds—are imbricated processes, not sequential events; they are ongoing and continuous in our contemporary moment, not temporally distinct nor as yet concluded” (Lowe, 2015). The continuity of colonial divisions of humanity, what Anibal Quijano describes as the “coloniality of power,” is evident in contemporary global racial capitalism and the flows of migrant workers that it engenders (Quijano, 2000). Today’s migrants travel along the very same circuits as colonial ones, as labor flows generally from the formerly colonized countries of the Global South (throughout Latin America and Africa, along with many countries of Asia) to the Global North (North America and Europe).

There is also a racialized dynamic to contemporary forms of global labor demand that are reminiscent of forms of racialized labor demand during the colonial period. That migrants work in service jobs, as racialized others in the contexts where they are employed, and perform labor that reproduces relations of servility is noteworthy. We define servility as 1) having or showing an excessive willingness to serve or please others; or 2) having characteristics of slaves or conditions of slavery.

ILO statistics indicate that the “vast majority of migrants are in high income countries.” These include North American countries (i.e. the United States and Canada), which are among the top migrant-receiving countries, as well as different European countries. Arab states, as well, are among the top destinations for migrant contractual workers. While it may be common-sensical that migrants from lower-income countries are migrating to higher-income countries, what the ILO data takes for granted is that it is Northern American and European countries with colonial (including
settler colonial) histories, which established colonial labor systems, that continue to draw migrants from the formerly colonized world.

If international organizations like the ILO fail to adequately address questions of coloniality and racialization in their presentation of migration data, it is also true of some of the social scientific scholarship on international migration. While scholars have been focused on the gendered aspects of contemporary labor migration flows, focusing in particular on global labor flows of care workers, especially migrant domestic workers, they often stop short of fully situating this migration within the context of global racial capitalism. For instance, in delineating the “global care chain,” the set of connections that link domestic workers in the Global South to the Global North, sociologist Arlie Hochschild describes it as follows:

A typical global care chain might work something like this: An older daughter from a poor family in a third world country cares for her siblings (the first link in the chain) while her mother works as a nanny caring for the children of a nanny migrating to a first world country (the second link) who, in turn, cares for the child of a family in a rich country (the final link). Each kind of chain expresses an invisible human ecology of care, one care worker depending on another and so on.6

The broader scholarship on care work is instructive here. Social scientists have examined how different varieties of care workers reproduce social relations of power between migrants (who are foreign others in their countries of destination) and their citizen-employers. The scholarship on domestic workers is especially fruitful as it has tackled how racialized relations of power in particular are reproduced in the domestic worker–employer relation. We would argue that racialized relations that characterize domestic work extend to migrant workers who perform the work of care like nurses or even service workers in overseas countries.

We suggest that it becomes important to interrogate to what extent the sets of social relations that get produced by the care workers for their employers are feelings of dominance rooted in white supremacy. Moreover, we contend that the framing of service labor as reproductive labor in an expansive sense can help us better illuminate the ways coloniality and white supremacy are implicated in migrant worker and employer relations. As Encarnación Gutiérrez-Rodríguez argues, “The relevance of migration in creating different categories of citizens and non-citizens reiterates the colonial logic of dehumanization” (Gutiérrez-Rodríguez, 2014, p. 198).

Reproductive labor as performed by migrants arguably includes not just the maintenance of homes (from cooking to cleaning and caring for children

6 https://prospect.org/features/nanny-chain/.
and the elderly), but also the reproduction of children through procreation by so-called “marriage migrants,” the education of children by migrant teachers in schools, and the care for the physical and mental well-being of patients by migrant nurses in hospitals. The wide range of jobs categorized as “service work,” from waitressing in restaurants to front desk and maintenance work in hotels, can also be considered types of reproductive labor because all these jobs involve the reproduction of humans (i.e. being born, being cared for physically and emotionally, etc.). The connection between reproductive labor and service labor is evidenced in the fact that professionally trained nurses or educators find themselves working as nannies, caregivers, or domestic workers as well as restaurant workers, hotel workers, and hospitality workers. Tending to people in their homes, at sites of leisure, or in institutionalized settings are interconnected and interrelated forms of labor. We suggest this is so because service workers—broadly defined—are necessary not merely for the kinds of reproductive labor they perform (cooking, cleaning, serving, etc.) but also to the reproduction of racialized (as well as gendered) social relations crucial to global capitalism.7

By expanding the frame of reproductive labor we can better identify how migrant workers function within the context of contemporary global racialized capitalism. It is especially in the categories of service labor (broadly defined and inclusive of reproductive labor) that we see tremendous expansion in global labor markets. The ILO notes that the bulk of migrants (71.1 percent) in the world are engaged in services (7.7 percent being in domestic service and 63.4 percent in other services). That most migrants tend to work in white settler colonial and formerly colonial contexts suggests that what is being circulated globally is specifically a form of servile labor who not only are required to perform their jobs but must also display a kind of obsequiousness towards their employers and others they are meant to serve. Beyond simply performing a form of “labor” that is in demand in those contexts, migrants are also performing a form of labor that reproduces social relations of servility, and thus they labor to reproduce racial orders—racial orders deeply structured by white supremacist and anti-black logics—in those countries. Not coincidently, these types of workers also experience tremendously unfree conditions of work.

UNFREEDOM

Another reason why we find the “coolies” heuristic useful for analyzing contemporary labor migration within the context of global racial capitalism is that during their time “coolies” were figured as ambiguously “free” as distinct

7 https://lpeproject.org/authors/robyn-magalit-rodriguez/.
from unfree enslaved labor. Similarly, it can be argued that contemporary migrant workers in employment relationships are ambiguously “free.” Migrant workers in employment relationships today fall along a spectrum of freedom and unfreedom.

Elements of coercion and unfreedom characterize the social and employment relationships in which many migrants, especially undocumented or irregular migrants, are embedded. These aspects of migrant workers’ experiences are missed in some scholarly and many popular accounts of global labor migration. For all the regulations aimed at ensuring migrants are protected—especially through the employment contract—many migrants are subject to conditions of coercion from labor trafficking to debt peonage to the highly restrictive immigration laws that diminish their agency. For example, many migrants are victims of what some migrant activist groups call “contract substitution,” that is, they are recruited to work for specific employers to perform particular sorts of jobs, yet upon arrival they are placed with different employers and forced to work jobs completely different from what is spelled out in their contracts. The fraudulent nature of this recruitment means it is a form of labor trafficking (Rodriguez, 2019).

As in all migration regimes where legal status is contingent on employer sponsorship, scholars find that employers take advantage of migrants’ dependency on them and engage in unscrupulous and often abusive practices. There are cases where they force migrants to work overtime without pay. Migrants are generally compliant and reluctant to leave their employers because they fear being rendered undocumented, and consequently deported. While temporary migrant workers and certainly the undocumented are especially prone to suffering from extreme forms of labor unfreedom, with the overall increase of precarious forms of work, even those who enjoy the long-term security of residency in the United States as “green card holders” or legal permanent residents (LPRs) suffer from wage theft and other forms of labor unfreedom (Polanco, 2019; Verma, 2019).

Indeed, it is important to note how frequently migrant worker activists use the terms “bondage” or “servitude” to characterize their experiences. The report “Home Is Where the Work Is” by the Domestic Workers United, published in 2006, characterizes domestic work in the “global city” of New York—which is done primarily by immigrant women of color—as a “lifetime of bondage.” Similarly, the New Orleans Workers’ Center for Racial Justice along with Jobs With Justice led a campaign to end “indentured servitude.” The frequent use of terms such as bondage and indentured servitude in descriptions of immigrant (and migrant) workplaces indicates both the nature of workplace conditions and the power dynamics that exist in these relationships. Daniel Castellanos, an organizer with the National Guestworkers Alliance, also spoke about the unfreedom of working as a migrant worker in the United States in
our discussions with him. He states, “You know, our employers are horrible … the employers threaten you and say, ‘Do you want to go back?’ or ‘I am going to send you [to] immigration.’ You are basically tied to your employer and not free to leave. You feel like a captive worker.”

Another form of unfreedom that migrants experience is “debt bondage.” Many migrants rely on multiple sets of private agents to help facilitate migration to the United States, including private recruitment agencies, lenders, and others. The services of each of these agents come with a cost (never mind the costs of both sending and receiving government services, which these agents pass on to migrants). These expenses are withheld from migrants’ wages on a regular basis. Migrants are forced to overstay their visas because their short-term employment income does not sufficiently cover their migration-related expenses. There are cases where migrants are saddled by debts that run as high as the tens of thousands of U.S. dollars. Some migrants share stories about the harassment and intimidation of their relatives in the homeland by migration industry agents’ representatives. Debt bondage is also a form of labor trafficking (Rodriguez and Francisco-Menchavez, 2014).

As feminist scholar Genevieve LeBaron argues: “unfreedom in labour processes and markets needs to be more systematically evaluated and understood, particularly in relation to structural hierarchies such as race, gender and citizenship” (LeBaron, 2015, p. 3). Similarly, Kendra Strauss and Siobhán McGrath make the argument that unfreedom needs to be understood as a labor relation that is a continuum of exploitation. They also argue that the binarization of “free” labor and “unfree” labor as corresponding to First World versus Third World or wage versus nonwage labor is problematic. Looking at migrants’ experiences, though many secure employment contracts, a great degree of unfreedom characterizes their experiences. They might lack mobility in the employment relation as their legal status is tied to the employer; they

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8 We are familiar with the critiques of anti-trafficking discourses such as those advanced by feminist scholar Nandita Sharma (see Sharma, 2003). Sharma’s argument is that some anti-trafficking campaigns call for policy prescriptions that ultimately criminalize migrants and lead to the heightened policing of borders. We share Sharma’s critique of such campaigns. We use the term “labor trafficking” to describe the circumstances of the migrants in our study purposively. As a chapter for an anthology framed as an examination of 1965 Immigration Act in the United States—a law often lauded for its elimination of racialized exclusions and signaling a new kind of openness in the United States’ immigration regime—we felt it necessary to shed light on those aspects of U.S. immigration policy that get little attention in the scholarship, including the plight of migrant workers employed in dangerous industries like off-shore drilling. Moreover, since both of us approach migration transnationally, we use the term “labor trafficking” as a means of also drawing attention to and critiquing the “labor brokerage” strategies of labor-sending countries like the Philippines.
might operate informally in a system that formally requires employment authorization; or they might otherwise work in systems of citizenship and exclusion in countries of destination that produce a great degree of precarity (Strauss and McGrath, 2017).

According to Leticia Saucedo, there are five factors that contribute to the vulnerability of immigrant workers in the United States: 1) the effects of laws (particularly immigration law) external to employment law; 2) immigrant workers’ responses to their vulnerable statuses; 3) employers’ preferences for vulnerable workers (epitomized by immigrant workers); 4) the use of independent contracts, which institutionalizes immigrant workers’ vulnerability; and 5) the fact that employment law only covers those who are deemed “employees” (Saucedo, 2017). These factors taken together help us to better elucidate where migrants in different national contexts may fall in the continuum of “free” and “unfree” labor. What is often true is that migrant workers tend towards the “unfree” pole of the spectrum, and that racialized dynamics undergird the factors that contribute to immigrant workers’ vulnerability.

To add to Saucedo’s framework, one must consider the increasing roles of labor intermediaries in facilitating the migration process and the debts that migrants accumulate as a consequence. While debts related to the migration process are outside the worker–employer relation, it is important to recognize the degree of unfreedom migrants experience in relation to large recruitment debts, which amounts to a form of debt bondage within the employment relationship. The intermediaries function through ethnic/national networks and thereby create complex social relations and not merely economic debt between migrants and intermediaries. As an activist with the International Migrants Alliance describes it, “in many cases, they [labor recruiters] are the ones who are controlling the workers” (Siddiqi, 2018).

Also important is the history of national debt (due to structural adjustment programs) that impels labor migration from developing countries in the first place. Though not often discussed in the development scholarship as racialized, global inequalities between the Global North and the Global South are arguably organized around logics of racial difference and value. It is for the payment of national debt that developing states actively export migrant workers and remittances are mobilized. Migrant workers’ earnings are thus not solely enjoyed by their immediate beneficiaries (i.e. family members and relatives), but by home states desperate to bolster their foreign exchange reserves (see for example Chakravartty and Da Silva, 2012; Winant, 2004).

CHAPTER OVERVIEWS

The scholars we consulted in putting this anthology together formed an eclectic and perhaps even unexpected grouping of people. Many initially found
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our framing of “coolie” to be troubling because of disciplinary divides. Some were reluctant to use the term “coolies” to describe contemporary phenomena because they are well-rehearsed in debates related to the history of coolie labor vis-à-vis the unfree labor of enslaved Africans. Others were unfamiliar with the work on racial capitalism and had difficulty centering race in their analyses. We welcomed the discomfort and found it to be generative.

As a testament to the utility of the “coolie” heuristic, we were able to sustain our colleagues’ engagement with the project to produce this anthology. The chapters assembled here, in the main, examine both immigrant (legal permanent residents and long-established undocumented immigrants) and migrant (temporary workers brought on contract) workers. They examine both Latinx workers (including those from the Caribbean) and Asian workers from a range of countries of origin; they also examine im/migrant workers across a range of job types, with a focus on those in low-wage and low-status jobs such as agricultural workers, meat and poultry processing workers, garment workers, restaurant workers, and domestic workers, but with some attention, too, on professional workers in tech.

It is important for us to note that we consulted with representatives from migrant advocacy groups during the process of editing this anthology. We share the perspective that Robyn Magalit Rodriguez has articulated elsewhere about the importance of migrant activists’ narratives as “forms of knowledge production that deserve circulation and reflection” (Rodriguez, 2019, p. xiii). Rodriguez’s understanding of what can constitute “legitimate” forms of knowledge is informed by her situatedness in the field of Asian American Studies, which emerged out of activist struggles in the San Francisco, California region of the United States. The field of Ethnic Studies—of which Asian American Studies is a part—takes activist forms of knowledge seriously. Among the organizations represented by the migrant advocates we consulted were the Garment Workers Center, the National Guestworkers Alliance, the Centro de los Derechos del Migrante, and the International Migrants Alliance (IMA). As Sadeqa Siddiqi, an organizer with the IMA forcefully stated, “When you talk about us, don’t talk about us without us and include us in the process of the decisions that you are making.” The IMA is an alliance of grassroots migrant-led organizations that convened specifically to counter the Global Forum on Migration and Development (GFMD), a gathering of states invested in the expansion of TLMPs. Notably, as critical as it was of the states involved in the GFMD process, the IMA was equally critical of the nongovernmental organizations (NGOs) leading a parallel GFMD civil society process (Rodriguez, 2010b). We were intentional in consulting with those who could provide us with critical, grassroots perspectives like that exemplified by Siddiqi, given our observations and experiences at the multilateral discussions that prompted us to work on this project to begin with. Included in this anthology are contri-
butions from legal practitioners, namely Rachel Micah-Jones with the Centro de los Derechos del Migrante and Ken Wang, who worked for many years as a community organizer with the Chinese Progressive Association based in San Francisco, California before going on to pursue his law degree. We also feature a narrative from organizers with the Garment Workers Center based in Los Angeles, California.

This anthology is divided into five parts. Part I, “Migrant workers, global racial capitalism and unfreedom,” comprises this introduction as well as Leticia Saucedo’s chapter “The narrative of ethno-racial labor competition and employee choice.” Our chapters together sketch out as well as provide an application of the “coolies” framework as we understand it as editors of this anthology. Saucedo’s chapter, which examines media representations of migrant workers in the United States at the height of the pandemic, examines the ways employers’ discriminatory practices ultimately drive the racialized dynamics of the meat packing industry, often in response to worker militancy. Jobs in the industry had once been coveted jobs only enjoyed by whites, but in response to demands by Black workers, these jobs changed. As Blacks took on these formerly “white” jobs, employers systematically degraded them over time to the point that they have come to be synonymous with non-whites and immigrants; that is, they have become jobs “no (white) Americans will work” by design. It is both in the process by which employers have restructured employment conditions and through which job experiences in this industry are represented in popular culture that racial capitalism’s logics become more apparent.

In Part II, “The return of the Bracero Program? H-visa holders in the United States,” our contributors collectively examine the “H” visa program in the United States. After 9/11 (2001), the United States’ immigration bureaucracy was radically transformed. The federal government’s immigration enforcement apparatuses were bolstered with the dissolution of the Immigration and Naturalization Service (INS) and the creation of the Department of Homeland Security and, within it, Immigration and Customs Enforcement (ICE). Moreover, opportunities for long-term immigration and settlement were constricted in favor of short-term migrant workers. The “H” visa program emblemsizes this dynamic. It is the “H” visa program that governs the United States’ “guest worker” program. Rubén Hernández-León and colleagues, in their chapter “Bringing back the Bracero Program: the migration industry in the recruitment of H-2 visa workers,” examine how the H-2 visa workers, specifically H-2 agricultural workers, are sourced from Mexico to work in the United States as well as the role of migration industry actors in the process. They contend that there are elements of the H-2 program that reprise the Bracero Program and find that these actors play a vital role not only in the sourcing of labor but also in the disciplining of these workers. In other words,
the structures that give rise to the “unfree” aspects of the H-2 workers’ experiences come into view.

Jennifer Lee and Rachel Micah-Jones’s chapter, “Delegating discrimination in the temporary worker visa programs,” nicely complements that of Hernández-León and colleagues by examining how U.S. employers deploy discriminatory strategies in targeting Mexican H-2 visa migrants for recruitment. Though gender and age discrimination in employer practices is a violation of civil rights law, the U.S. government turns a blind eye and thus is complicit in these discriminatory practices. Moreover, by privatizing the process by which H-2 workers are accessed by employers, the government gives the employers free rein to deploy racialized logics in their hiring practices.

Roli Varma also looks at H-visa holders, but in her chapter, “Tech coolies: Indian scientists and engineers entering the United States on H-1B visas,” examines migrant workers who work in professional capacities (i.e. H-1B workers). Specifically, she looks at migrant professional workers in the tech industry, what she calls “tech coolies.” Similar to other H-visa holders, “tech coolies” are subject to great degrees of unfreedom, including conditions of indenture. Notably, though it is not the central hypothesis of her chapter, Varma also illustrates the ways colonialism and white supremacy have shaped the desire to migrate among prospective “tech coolies.” She argues:

Indians seem to have internalized that Western values are superior to their own. For instance, a white complexion is desired and brown skin is not considered beautiful. Similarly, for the purposes of education, the English medium is considered better than the Indian one. Working in the United States is automatically considered superior to working in India. Indians, therefore, come to the United States for work with high hopes of social prestige.

It might be argued that this desire for whiteness also becomes a means of further disciplining “tech coolies,” as the prospects of a proximity to whiteness and the “American Dream” are potentially lost when H-1B workers do not comply with the demands of their employers.

Part III, “Legal and organizing strategies for U.S. immigrant and migrant workers,” examines possibilities for resistance for immigrant and migrant workers. Shannon Gleeson and Kati L. Griffith, in their chapter “Workers with temporary protected status: the value and limits of delinking immigration and employment status,” look at the regulations surrounding “Temporary Protected Status” or TPS, a short-term visa that allows people (usually those fleeing natural disasters) to stay in the United States temporarily. Those with TPS, unlike H-visa holders, are able to seek employment with whoever they choose. The purpose of their chapter is to “consider the benefits of disentangling immigrant legal status from the contractual relationship with employers.” Though they recognize that migrants experience unfreedom in
so many different ways, there are potentially legislative remedies that can help ameliorate their employment conditions. At the same time, they find that anti-blackness ultimately mitigates the relief that TPS may offer. Even if TPS migrants exercise more autonomy over their employment conditions since their legal status is not tied to being employed with a specific employer, they may still experience unfreedom because they are Black. According to Gleeson and Griffith, “The same system of racial capitalism that has shaped a racialized immigration policy in the United States has foreclosed options for a pathway to citizenship prospects for many non-white immigrants like TPS holders. This same system also shapes these TPS holders’ experiences at work.”

The next chapter, “Garment worker organizing in Los Angeles” by Mar Martinez and Mercedes Cortez with the Garment Worker Center, is actually a transcript of a presentation at a meeting we organized as part of our process of engaging scholars and practitioners to think through the “cooler” analytic which anchors this book. In this chapter, Cortez shares her experiences as an undocumented garment worker while Martinez speaks to the ways the Garment Worker Center tries to ensure that garment workers’ employment rights are enforced. Similar to the findings in Ken Wang’s chapter (which follows this one), Martinez suggests that workers’ collaboration with allied labor commissioners (or other enforcement agencies) can go a long way in ensuring that what (few) rights migrants are entitled to are guaranteed.

Ken Wang’s chapter, “Emerging forms of organization for precarious migrant workers,” demonstrates the painstaking step-by-step process of organizing workers, but also the need for coordination between lawyers, community-based organizers/workers centers, and even labor standards enforcement agencies in improving precarious workers’ employment conditions. The campaign he focuses on is a case study for how “the individual rights granted by employment law [can be transformed into] collective rights to be enjoyed by every worker.”

Part IV is entitled “Domestic workers and the politics of representation.” In her chapter, “Domestic workers and storytelling advocacy: competing visions of migrant worker organizing,” Sujatha Fernandes examines the competing narratives (or “storytelling”) of domestic worker activists versus domestic worker advocates. She argues that domestic worker advocates—those who are not domestic workers themselves but who work in non-profits that serve domestic workers—framed domestic workers’ struggles in ways that “drew on long-standing cultural tropes of bad masters, individual victims, and the home as a site of care that have longer genealogies in slavery.” The more radical narratives put forth by domestic workers themselves tended to question and challenge the uneven and unequal relations between the Global North and the Global South that produced the conditions for their migration even as they advocated for rights while working as domestic workers in the United States.
Fernandes’s argument bolsters our intervention in this book to provide equal space to those who come from the “rank and file” of migrant workers.

Maria Eugenia López-García’s chapter, “Aesthetics of precarity: racial performativity in the archive of migrant domestic work,” like that of Fernandes, is interested in identifying moments of resistance to dominant representations of migrant women of color working as domestic workers. She looks at the visual and performance art of Filipina and Latina artists to offer an “aesthetics of abjection as a political strategy of identitarian refusal and as a claim of personhood.”

Though all our contributors speak to the global processes that shape contemporary labor migration regimes, most of our chapters have focused specifically on the U.S. “guest worker” program (the H visa) or on organizing efforts targeting government policies in the United States as they impact im/migrant workers. Part V, “The complexities of global processes for workers,” shifts our analysis to labor-sending states, as well as to efforts by migrant workers to organize on a more international scale. Suzy Lee’s chapter, “Sustaining inequality: the incorporation of migrant remittances in the Philippine political economy,” is a case study of the ways the Philippine state has attempted to direct the remittance earnings of Filipino migrants. Her case study of the Philippines is important, especially since the country is held up by international organizations like the World Bank and the International Monetary Fund as a “model of migration management” and relatedly as a “model” for propagating “migration as development” (Rodriguez, 2010a).

What Lee finds is that due to failures at being able to direct remittances from overseas migrants into economic development, the Philippines has instead adopted a remittance-consumption model that is particularly fueling the real estate sector. What is striking here is that whether remittances are used for debt servicing by the Philippine government (which they are) or whether migrants use their remittances to purchase real estate, both strategies perpetuate (neo) colonial relations. Debt servicing as a priority is one that the Philippine government has instituted in line with the “Washington Consensus” (Rodriguez, 2010a). At the same time, the real estate sector in the Philippines is still dominated by landed elites from the Spanish colonial era.

DIRECTIONS FOR FUTURE RESEARCH

We believe that the contributions assembled in this anthology demonstrate the analytic purchase in deploying a “coolie” framework for understanding today’s global racialized labor system, which mobilizes Third World workers globally on short-term contracts for employers as servile, racialized, gendered,
and sexualized labor in the Global North and wealthier economies. Using a “coolie” framework may allow us to discern that racializing processes are relevant not only in Western states (i.e. the “First World” or the Global North) but also in non-Western states. These latter countries are increasingly importing foreign migrants, who are often defined as racialized others. This is true, for example, in Taiwan, South Korea, and Singapore, all countries that depend on migrant workers from poorer developing countries to perform socially denigrated forms of labor including domestic work or construction. Significantly, all these countries have been heavily impacted by Western imperialism. Moreover, so-called newly industrialized countries (NICs), like Taiwan, South Korea, and Singapore, are often held up as “models” of globalization over and against, for instance, the failed states of Africa—this might be thought of as a form of “model minority” imperialism. The deployment of the notion of the “model minority” took place in the United States during the height of the Black Power movement. As the Black struggle grew and became more militant, the “model minority” myth was crafted as a way of marshaling one denigrated group—Asian Americans—to the project of anti-blackness, as a means of delegitimizing Black claims for redress and justice. If Asians in America could be held up as exemplars of what is possible in the meritocratic “nation of immigrants” then demands for racial equity become superfluous. Meanwhile, in the arena of international relations, in the context of the Cold War, Asian countries’ rapid economic development, bolstered by the West, was also held up as a “model” meant to delegitimize communism.

Among the questions we believe future scholarship might explore are, to what extent are white supremacist logics undergirding the capitalist developmentalism of the various nation-states outside of the West that import migrants? What are the emergent racial formations of these states, as well as the states with which the United States shares close ties, like countries beyond Asia including Saudi Arabia or the United Arab Emirates? These states, not coincidentally perhaps, draw significantly from foreign sources for low-wage, low-status work. How do specific kinds of servility enable particular enactments of racialized, gendered, and sexualized global and national belonging for states and citizens in those places? How can labor law and laws governing international labor relations evolve to counteract these developments?

We suggest that understanding migrants’ work experiences around the world tells us something about the permeability, mutability, and durability of

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9 Our use of the term “Third World” here is in part a nod to work advanced by legal scholars Tendayi Achiume and Devon Carbado (2020) as well as to our commitment to rooting our work in critical ethnic studies frameworks, or what Okihiro describes as “Third Worldism” (Okihiro, 2016).
racial capitalism and that an interdisciplinary, practice-oriented lens can reveal its dynamics.

REFERENCES


