

They Win Some, They Lose More: Delegitimising the Triple Win Paradigm of Temporary Migration Labour Schemes in the Australian-Pacific Labour Market Context

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Overview—Temporary migration labour schemes (TMLS) are generally promoted as a ‘triple win’ economic development plan given its strong potential to generate economic prosperity for migrant workers as well as sending and receiving countries. The vast majority of existing literature praises the triple win paradigm mainly for the benefits it generates for migrant workers and sending countries, which are typically developing nations. However, TMLS advocates tend to disregard the implications that inadvertently affect sending countries and migrant workers. Such implications include human rights violations, exploitative employers as well as sociocultural and economic losses. Further, there is a growing body of literature that challenge the triple win paradigm of TMLS, suggesting that it is perhaps over-exaggerated (Wickramasekara, 2011). By drawing on the Australian government-initiated Pacific Australia Labour Mobility scheme, more widely known as the PALM scheme, this paper attempts to delegitimise the triple win

paradigm of TMLS by arguing that while migrant workers and sending countries benefit from TMLS, it irrefutably comes at the expense of their fundamental human rights and sociocultural identity.

Keywords—Temporary Migration, Labour Migration, Triple Win, Pacific Island Labourers, Human Rights, Seasonal Labour

WHAT ARE TEMPORARY MIGRATION LABOUR SCHEMES?

Temporary migration labour schemes (TMLS) are essentially incentivised temporary migration programs that permit migrant workers to legally work abroad in high demand sectors in exchange for remuneration packages, usually with restricted rights and limited social supports. The triple win appeal of TMLS is what sets it apart from other methods of economic growth for sending and receiving countries. As outlined by Rahim et al. (2021), the so-called ‘triple win’ framework of TMLS is generally characterised by three key features:

1. A pool of suitable temporary migrant labourers with varying degrees of skills is offered to fill gaps in labour markets across developed countries
2. Economic growth is stimulated within sending countries
3. An increase in earning potential for temporary migrant workers is established

The triple win paradigm of TMLS is a highly mobilised notion collectively endorsed by multinational governments across Europe, North America, and Australia. In fact, the Australian government have a well-established temporary migration labour partnership with various Pacific Island governments including Vanuatu, Samoa, Fiji, and Tonga. The partnership entails a TMLS known as the Pacific Australia Labour Mobility scheme or the PALM scheme. In essence, the scheme is an incentivised temporary labour migration program designed to attract unskilled, low-skilled, and semi-skilled workers from the Pacific Islands to fill labour gaps in parts of rural and regional Australia (Department of Foreign Affairs and Trade (DFAT), 2022). In exchange for their labour, participants of the scheme are given the opportunity to upskill and earn income to advance their financial goals (DFAT, 2022). Currently, participants can work short-term or long-term contracts and may perform the most common types of work in the horticulture sector such as pruning, planting, picking, and packing of fresh produce (Pacific Australia Labour Mobility (PALM), 2024). The scheme's initiative is underscored by three key objectives, namely, to contribute to the economic development of developing Pacific Island countries; to strengthen Pacific partnerships; and to address the labour market needs across various sectors in Australia including agriculture and tourism (Fair Work Ombudsman (FWO), 2018). Since its inception, multiple reports have emerged

alleging worker mistreatment, wage theft, substandard living arrangements and exploitative working conditions akin to slavery (Biddington, 2020). One report alleges that workers completed a 64-hour work week but received a meagre 100 AUD after deductions were made by their employer with no valid reasoning (Bannister, 2022). Other workers recall being offered hourly pay rates but received piece rates instead; a pay rate based on how many trays of produce they could pick (Bannister, 2022). Evidently, current measures lack effectiveness in terms of protecting temporary migrant workers from exploitative practices. How does one justify the operation of a TMLS if it violates the fundamental human rights of participants?

WHY DID AUSTRALIA TURN TO THE PACIFIC FOR LABOURERS?

The Australian government have a long-standing piqued interest in neighbouring Pacific countries, to the extent of forging the PALM scheme exclusively with numerous Pacific governments (DFAT, 2022). To contextualise the exclusivity of this scheme, it is worth delving into the historical context of Pacific labour use within Australia; and to understand its relevance to contemporary Australian TMLS.

The earliest records of the use of Pacific labour in Australia date back to the late 1840s, a period during which Australia had faced an economic depression that was exacerbated by the cessation of convict transportation to New South Wales, effectively reducing Australia's labour pool (Munro, 1993). With the abolition of the trans-Atlantic slave trade in Britain at the beginning of the 19th century and a deficit in available labourers in New South Wales, European colonialists sought workers elsewhere to facilitate the development of Australia's

cotton and sugar industries (Flanagan et al., 2003). In the early 1860s, it was widely accepted that whites could not work in the tropical North safely which effectively triggered a scarcity in white labourers (Flanagan et al., 2003). Sourcing white labourers to work on cotton and sugar plantations became expensive; thus, the use of 'coloured' labour in exchange for lower wages was deemed more appropriate (Flanagan et al., 2003). This marked the inception of the Pacific labour trade which became more widely known as the Blackbirding of Pacific Islanders (Higginbotham, 2017).

The practice of blackbirding saw the kidnapping of over 60,000 Pacific Islander men, women, and children between the mid-1800s and the early-1900s (Higginbotham, 2017). It was their physical features that drew appeal; their dark skin and curly hair was attributed to dehumanising views of purported savagery and cannibalism which placed them at the bottom of a theoretical evolutionary scale (Mortensen, 2009). These views were perhaps used to justify the use of Pacific Island labour as opposed to other ethnic groups in neighbouring regions such as Asia.

DELEGITIMISING THE TRIPLE WIN PARADIGM OF TMLS IN THE AUSTRALIAN- PACIFIC LABOUR MARKET CONTEXT

The current discourse surrounding the triple win paradigm of TMLS is one that predominately expounds its beneficial aspects which correlate with a myriad of social and economic improvements for sending and receiving countries. For example, according to Brown and Walker (1995), the benefits of TMLS for sending countries include poverty alleviation through remittances, tourism promotion, skills acquisition, skill transferability

between sending and receiving labour markets, and investments into small local businesses or other assets is achievable. Meanwhile, the benefits of TMLS for receiving countries are primarily economic gains. For instance, they enjoy improved efficiency in the production of goods and services, increase in human development capital, a boost in the working-age population, and greater sustainability of their economic structures (Wickramasekara, 2011). Furthermore, the principle wins for migrant workers are upskilling opportunities, a higher earning potential, and additional earnings through the investment of remittances (Wickramasekara, 2011). Granted, the benefits of TMLS are conducive; however, given a growing body of literature that ostensibly challenge these benefits, it is fair to question the legitimacy of the so-called triple win paradigm; hence, consider the following arguments:

Firstly, TMLS present moral challenges given the violation of certain fundamental human rights (Stilz, 2010). For instance, when workers voluntarily accept work opportunities abroad, they are simultaneously accepting limited access to social supports due to their temporary residency status, which is applied by the receiving country. Stilz (2010) suggests the former and latter go hand in hand because relinquishing an overseas work opportunity yielding a higher earning potential means settling for lower wages to do similar work in the home country. Ruhs (2005) describes this predicament as a trade-off; a trade-off that workers may 'welcome' given that suitable alternatives are limited. From a morality standpoint such arguments are unethical because firstly, it clashes with liberal-democratic ideals that most modern societies strive to uphold and to accept such views is to retract any progress made towards democracy; secondly,

it promotes a group of 'second-class citizens' in which temporary migrant workers are excluded from mainstream society because they are not entitled to the same rights as the citizens of the receiving country; and thirdly, compromising one's rights to earn a living is a human rights violation in itself, but to suggest that workers would welcome such a compromise only fuels an abusive human rights mindset.

Secondly, there is an assumption that migrant workers fit into this inflexible economic model; that they willingly opt to migrate overseas to increase their wages. The reality is that it requires their frequent absence from their homes leading to disrupted familial constructs, loss of cultural identity, spiritual disconnection, and an overwhelming sense of vulnerability. Indeed, it is optional to participate in TMLS; however, a suitable alternative to increase one's wages is unlikely to materialise from remaining in the home country. With that said, an economic model based on the ebb and flow of remittances does not cement economic growth for sending countries due to volatile factors such as changes in migration policies, economic recessions, climate change and global pandemics (Maclellan & Mares, 2006). In this context, migrant workers and sending countries lose given the negative sociocultural impacts and an indefinite economic advancement.

Thirdly, irrespective of the PALM scheme's well-established benefits, the preference for a specific ethnic minority group to perform low-skilled agricultural work draws a heavy historical connection to blackbirding. Coupled with the violation of certain fundamental human rights, such as Article 23 of the Universal Declaration of Human Rights, which states "the right to equal pay for equal work" (United Nations, 1948), the scheme can be

likened to modern slavery. Moreover, there is a troubling nuance that suggests the Pacific Islands are perceived as a base for human capital to address the economic needs of well-developed countries like Australia. There are a number of factors that could perhaps demystify the logic behind this conception. For example, seeking labourers from neighbouring Pacific countries is ideal purely for its convenience given its proximity to Australia. In another instance, Pacific Islanders are given preferential treatment based on perpetuated stereotypes that depict them as hardworking individuals who adapt easily to arduous working conditions that require few formal qualifications (Nishitani et al., 2023). Such stereotypes are damaging and only exacerbate the mistreatment of Pacific Islander workers.

Lastly, an Australian parliamentary report outlines the fundamentals of the PALM scheme and describes seasonal labour mobility as a triple win "for workers, for Australia as the host country, and for Pacific Island countries" (Love, 2023). It then briefly touches on "concerns and controversies" surrounding the PALM scheme which mostly pertain to worker exploitation, workers absconding and development impacts for Pacific Island communities such as 'brain-drain' (Love, 2023). Indeed, these issues are a cause for concern but when labelled as a mere "controversy" it somewhat rejects the notion that these are in fact the realities and inadvertent consequences of participating in the PALM scheme. For example, the 'brain drain' remains a highly prominent issue for sending countries as skilled labourers are lost to labour markets abroad, effectively sparking a labour market shortage (Reilly, 2011). True, migrant workers are offered work opportunities abroad, which in turn generates more working opportunities in their home countries; however, this only places a heavier burden on

the local ageing population. Further, a labour market shortage in sending countries would effectively hinder their own economic growth, defeating the purpose of TMLS. Similarly, a research paper authored by Curtain et al. (2016) for The World Bank illustrates seasonal labour mobility as a strategy that can “potentially” achieve a triple win for receiving countries, developing Pacific Island nations and migrant workers. In this context, the triple win paradigm is described as a prospective outcome rather than a guaranteed result yielded by labour migration. It nullifies the certainty that a triple win is attainable and hints that its fully fledged potential may be hindered by other factors.

WHERE DO WE GO FROM HERE?

Achieving a triple win for all participants of TMLS is not as clear cut as TMLS advocates suggest. The reality is that it is a multifaceted notion that currently inadequately meets the unique interests of migrant workers and sending countries. For the most part, TMLS are tailored exclusively to align with the interests of the receiving country, indicating a power imbalance (Tham et al., 2016). However, through reformulated policies with a robust rights-based approach at the forefront, TMLS have the potential to operate ethically and feasibly in terms of appropriately managing the adverse effects of international migration, and in turn, will generate a triple win for all participants. Hence, consider the following recommendations:

- Allowing temporary migrant workers socio-political inclusion may strengthen the protections of their rights and provide a platform to voice their lived experiences. According to Kostakopoulou (2009), a class of politically

disempowered individuals is not a characteristic of a genuine democratic society. Denying a group of individuals their fundamental freedoms and rights is to exercise domination over them. As Stilz (2010) argues, domination compromises the self-respect and freedom of workers and erodes the democratic ethos of the receiving country. Individuals who are subject to the authority of a state must be given a platform to equally voice their concerns particularly regarding how the authoritative figure or structure exercises their governance over them (Walzer, 1983).

- Reframing terminology and language used to form the principles of temporary migration labour policies may facilitate a shift toward ‘political correctness’. For example, terms like ‘low-skilled’ or ‘unskilled’ implies an ignorant assumption that depicts seasonal labourers as poorly educated or lacking sound professional experience (Castles, 2006). Circling back to the PALM scheme, Dun et al. (2018) asserts that most workers hold relevant or prior horticultural experience given their farming backgrounds in their home countries. However, as low-skilled workers, their prior experience is not recognised by the Australian horticultural sector. Some workers are willing to introduce ‘traditional’ farming practices to Australian farming but refrain due to a modernist knowledge hierarchy in which western farming knowledge is prioritised over traditional systems (Dun et al., 2018). Thus, Dun et al. (2018) propose reframing ‘low-skilled’ worker as ‘knowledge holder’ and further emphasise that if relevant or prior

experience is recognised under the PALM scheme, a potential wage increase should also be considered.

- Representation in spaces that amplify the interests of Pacific Island labourers is imperative. For example, workplace union representatives have the ability to actively mobilise the concerns of seasonal workers who are socially and politically excluded given their temporary residency status. Similar to the ‘Indigenous Voice to Parliament’ initiative, an initiative aimed at advancing the rights of Australia’s First Nations people as part of the 2023 referendum, adopting an approach that integrates the use of highly influential Pacific Islanders, such as church pastors and community leaders, to represent the interests of Pacific Island labourers in sociopolitical spaces would enhance the advocacy of their rights further (Australian Human Rights Commission, n.d); hence, they are implored to serve as catalysts for change for the betterment of the Pacific Islander seasonal worker experience within Australia.

CONCLUSION

TMLS are largely praised for its triple win paradigm. That is, receiving countries are afforded a pool of suitable migrant workers to fill labour gaps in high demand sectors, sending countries welcome improved economic prospects via remittances, while migrant workers enjoy better work opportunities that generate an increased earning potential. As discussed, the associated wins produced through TMLS are conducive to all participants, but more so for receiving countries, as demonstrated by the PALM scheme. Although migrant workers and

sending countries share a portion of these wins, they inevitably experience loss through sociocultural identity, restriction of certain fundamental human rights and an indefinite advancement to their economic structures. While it may seem like a minor ‘trade off’, there must still be a moral obligation, as humans, to ensure the oppressed and marginalised are not driven further into these positions. Modern day TMLS are structurally influenced by past TMLS policies that were deeply rooted in white supremacy, racism, exploitation, and human rights abuses. Through reformulated international migration policies with a rights-based approach at the forefront, TMLS have the potential to operate feasibly and ethically whilst achieving a triple win for all participants. Advocating for policy reform and compliance is central to stimulating meaningful change; however, a lack of support from political leaders and policy makers will more than likely suppress any progress. Hence, the triple win paradigm of TMLS is invalid unless temporary labour migration policies are reformulated to actively promote and advance the unique interests of migrant workers and sending countries.

KEY TAKEAWAYS

- TMLS generate favourable outcomes for all participants while simultaneously placing temporary migrant workers in positions of profound disadvantage, increasing their risk of experiencing workplace exploitation and human rights abuses, as demonstrated by the PALM scheme. Given these shortcomings, it is difficult to justify the triple win paradigm as a positive feature of TMLS.
- Reformulated labour migration policies, particularly those that pertain to the framework of TMLS, require a robust rights-based approach to

not only ensure the rights of vulnerable workers are protected and advanced, but to also inhibit the repetition of past oppressive temporary migration labour policies.

- Change requires collective action beginning from grassroots level with the involvement of key stakeholders. A one-size-fits-all approach will simply not suffice. It requires a seismic shift regarding attitudes and views relative to protecting the rights of temporary migrant workers.

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