

THE CAPABILITY OF CONTEXT: Activism and Resignation among Filipino Domestic Workers in London

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Labour migrants with uncertain permissions to remain in a new country are especially vulnerable to exploitation. Based on interviews with Filipino domestic workers, this paper explores the variation in migrants' reaction to their present circumstance. Their response to injustice or neglect may fall anywhere along a continuum from abject *resignation* to aggressive *activism*. Our discussion concerns the capability of the context in which the migrant's response unfolds. We ask: what *could* happen here? *In this context*, what kind of response makes better sense? But the answer changes according to the migrant's focus. In the narrow context of this place at this time activism may not be feasible and what looks like resignation the only option. But if the context of response is expanded to include remittances which will send children to school or parents to hospital; and to visions of a better future back in the home country, then its capability changes. Resignation in the present maybe a strategy actively directed toward future goals. In this light resignation and activism are not fixed and opposite responses. The individual migrant combines them to match the capability of the context in which she defines herself.

Key words: Domestic Workers, Context, Capability, Activism, Resignation

1. INTRODUCTION

Labour migrants with temporary or uncertain or downright false permissions to remain in a new country are especially vulnerable to exploitation¹. This can be true in any host country and irrespective of migrants' origin. Across the EU there are differences in the form and extent of mistreatment, in the policies set up to prevent it, and in the efficiency – and perhaps the enthusiasm – of governments and local agencies whose job it is to implement the protections prescribed.

¹ Wills, J., J. May, K. Datta, Y. Evans, J. Herbert, and C. McIlwaine (2009), Dench, S., Hurstfield, J., Hills, D., and Akroyd, K. (2006), Waldinger, M. and Lichter, M. J. (2003).

This paper is not about the rules and regulation of temporary migration in the EU. These topics have been explored and documented in EU funded research across five countries.² The perspective here is instead ‘bottom up’: we focus on the variation in migrants’ reaction to their present circumstances. Even within a single ethnic group, response to injustice or neglect may fall anywhere along a continuum from abject resignation to aggressive activism, nor is its position consistent. How are we to explain these variations? In the following discussion we make a start by borrowing elements of a model developed to account for the relative open-closed-ness of localised urban systems.³ Crucial in that analysis is the concept of *Capability*: What is the capability of this system to adapt to recession, in-migration, intervention? What *could* happen here? In this paper we apply the question to contexts of the migrant experience. What are the ‘capabilities’ of this context? *In this context*, what kind of response makes better sense?

2. TERMINOLOGY

Some notes on the essential terms may be helpful – a) on the analytic concepts of *Capability* and *Context*, then b) on the response categories of *Resignation* and *Activism*.

a) It is the matter of response capacity – both of migrants and of their environments – which inspires the emphasis on *Capability* here. Our approach is sympathetic to but distinct from that of Amartya Sen which focuses on the capability of individuals in matters of economy.⁴ Our concern here is to assess the capability of contexts in which those individuals operate. In fact our template for it is not academic at all. The term is used in cautious homage to the famous 18th century gardener Lancelot Brown – known, apparently affectionately, in his time and since, as ‘Capability’ Brown. He was ‘the landscape gardener who saw capabilities for improvement in every garden’.⁵ He had his limitations of course, and criticisms abound, but the struts of his approach make a good enough frame for the present project.

The first strut concerns *capability* itself. His crucial point was that the leading questions about change should be positive. What is the capability of this environment? What is the capacity of this social system, this person, this community to manage in normal circumstances and to adapt when they change?

The second strut is *context*. For Brown and for us, the assessment of capacity depends on context, i.e. on taking the whole garden/social system/circumstance – as it is, could be, will be – into account. Capability is a characteristic of *whole* systems. But the whole context is not a given;⁶ the anthropologist’s job is to define it, fix a boundary round it, so that comparison across cases can be made. Our definitions are always arbitrary in some degree – certainly they are here – but they will be informed by assumptions about

2 For further analysis of temporary migration across Europe, see our comparative study: *Mobile Identities: Migration and Integration in Transnational Communities*, OME/2012/EIFX/CA/CFP/4201. The study examines varying ways in which temporary migration is managed within 5 European countries (Germany, Italy, the Netherlands, Spain, and the UK), and the impact of the current system on migrants and their well-being.

3 Wallman, S. (2011).

4 See, Sen, A. (1992), (1993), (2002).

5 These quotes come from M. Hadfield (1985). The section entire is taken from Wallman, S. (2011), p. 5.

6 Remember the small girl who said she knew how to spell ‘banana’, but she didn’t know when to stop...

the matter in hand. If an underlying assumption is made explicit it can at least provide a tool to think with; so too our assumptions about contexts of *Resignation* and *Activism*.

b) At one level *resignation* and *activism* have separate geneeses. In the matter of resignation, what looks like giving up may mask a courageous refusal to be identified with or by the present. Some manage true acceptance because the present and its tribulations are justified by expectations of prosperity, security and a proper home in some future time and place. The future, pure and simple, is what this present effort is *for*.⁷ Its humiliations and failures are irrelevant; they are eclipsed by the dazzle of things to come. In this light resignation can look like an actively chosen response.

These are internal and non-visible processes. By contrast activism – certainly the effects of it – can be seen and counted. The aims of activism are political in a general sense – i.e. they are about power relations. They need not be partisan, nor are they always socially motivated: it may be that the activist is seeking power for her own sake, without reference to others' needs. Note that while the outcome of activism can be plain to view, the motives driving it are not self-evident.

Although the two response poles are very different they interrelate to define a single continuum and are options inherent in the broad context of the migrant's life – i.e. elements of its capability. These connections can be inferred from a case study of Filipino domestic workers in London, summarized in the next section. Following that, a final discussion makes explicit the connections among the four key terms and their implications.

3. CASE STUDY: FILIPINO DOMESTIC WORKERS

In the UK each year there are approximately 16,000 domestic workers granted a visa to live and work.⁸ In 2008 there were over 136,000 foreign domestic workers in the country.⁹ Most of these workers are temporary migrants who will eventually return to their home countries.¹⁰ They are predominantly female; typically they come from developing countries such as India, Indonesia and the Philippines. This paper discusses aspects of the Filipino case. The data is based on existing literature and our interviews with 15 Filipino domestic workers and their support workers in London conducted between July 2014 and June 2015. A large part of the fieldwork took place in a local church in central London where domestic workers gather on Sundays. All migrants previously lived and worked abroad before coming to the UK. We have looked at their migration histories, their living and working experiences, and their future plans. For those who had been in the UK for longer than 5 years, we asked how their stay became more long-term.

Domestic workers are in high demand in rich countries where women, who elsewhere take on the housework role, are encouraged to pursue careers outside the home, and where a growing elderly population requires care.¹¹ Despite these realities,

7 Wallman, S. (2015).

8 Salt, J. (2014), Lalani, M. (2011).

9 ILO (2013).

10 Lalani (2011) *ibid*.

11 Cangiano, A. (2014), Anderson, B. (2007).

migrant domestic work is undervalued and largely invisible in society¹² – the more so in UK given changes in immigration and welfare rules. Since 2012 the worker's visa is held by the employer; if she leaves to better her situation she is classified illegal and subject to deportation.

There is currently no efficient system protecting migrant wellbeing. Many cases of exploitation, abuse, human trafficking and fraud happen as a result of the failure to apply regulations which are technically in place. Isolation is also a significant issue. Due to their timetables of work and responsibility for remittances, migrants have little time and money for networking. Many have little or no contact with local UK residents in private life. While unions, local authorities and the voluntary sector work to provide support to migrants in need, there is no provision to safeguard their welfare or to achieve fairer working and living conditions.

In these circumstances, what should we expect the migrant to do? We have identified *resignation* and *activism* as opposite poles of a continuum of response. Resignation is always an option, but what makes activism feasible? Consider the 'capability' of the UK context in this respect. What conditions enhance the possibility of concerted protest? And under which of them does it make more sense to retreat from the reality of the present into a haven of denial or acceptance?

The notes following are based on the fieldwork among Filipino domestic workers and other stakeholders in London. Except where otherwise noted, interviews were carried out in the course of 2015 under the aegis of the Mobile Identities project.¹³

Filipino domestic workers' activism in London.

Filipino migrants are largely transnational; they know other Filipinos both in the UK and internationally. Although their working and living conditions vary, the women recognize that they share global issues of low payment, exploitation and sexual or other physical abuse. Consequently, some among them have set up support groups to provide solidarity and support to otherwise isolated individuals. Their activities take the form of practical help and/or socio-political campaigns:

a) As *practical help* they offer fellow domestic workers guidance and advice on human rights issues. This includes explaining complex immigration rules, clarifying what rights migrants can claim, and providing shelter, often in their own homes, to women who have run away from abusive or unfair employers. Domestic workers may also be recognised and approached by fellow workers in public places and offered help in case of abuse and exploitation. We have said that, since 2012, visas for domestic work are issued to the employer and no longer held by the worker. Thus the status of a woman who has left an employer for any reason is illegal and she loses 'the right to remain'. Shelter, preferably in hiding, becomes essential. These domestic worker activists expand the support network by collaborating with other human rights organisations, and by visiting community centres and churches so as to reach more women in need.

12 For details of living and working conditions of domestic workers in the UK, and related legal and policy issues, see Anderson, B. (2010), Clark, N. and Kumarappan (2011), Leghtas, I. (2014), Mantouvalou, V. (2013).

13 See footnote 2 above.

b) Others among them – sometimes the same people – organize *local and international campaigns* to combat the abuses faced. While the scope of local campaigns is limited to word of mouth communication, transnational campaigns reach wider networks through the internet. These campaigns are largely designed to combine forces with support networks in other countries and to tackle issues in the Philippines' homeland. The goal of these latter campaigns is to create better socio-economic conditions for migrants who wish to return to the Philippines. Facebook is heavily used for this purpose.

4. ELEMENTS OF CONTEXT DIRECTLY AFFECTING THESE AIMS

Capability refers to the options and possibilities characteristic of a given context of environment. Included among them are elements of political culture and popular perception which are discussed in section 6. In this section, we refer to elements of capability which directly facilitate or impede activists' objectives. The following comparison is instructive: despite the fact that many Filipino activists are transnational migrants who have been involved in campaigns in other cities in the world; their activities take different forms in different places.

In Hong Kong for example, domestic workers meet at "Central" park on Sundays.¹⁴ Large numbers of Filipinos gather to campaign for their political rights and to organise help for the needy. And to share food and drink: this occasion is the social highlight of the week. The regularity of and openness of the gatherings assures their visibility and has stabilized their reputation: newcomers soon learn where they can go to make new friends or seek help.¹⁵ The success of the Hong Kong activists is their visibility in public space. This helps newcomers to make contact with established migrants, and the sheer size of the meeting – it regularly fills the whole square – gives a sense of community and empowerment which strengthens activist campaigns.

In London by contrast, despite the fact that Filipino domestic workers gather and share food every Sunday as they do elsewhere, they are relatively invisible.¹⁶ In the Hong Kong context activists can set up a 'visible' Filipino gathering whenever they want; in London they need to organize well in advance: their meeting place must be specifically booked and they must be ready to leave it on time if someone else needs that public space. If instead they meet in someone's private accommodation they can be more spontaneous, but that will be an 'invisible' meeting and confined to the existing network. In both cases it is difficult for an incoming stranger to find the group and join in.

In sum, three aspects of the London setting limit its capability as a context for activist gatherings: a) Weather, b) Regulations and c) Cost. Each contributes to closing migrants' access to public space.

a) **The weather.** Despite the fact that London has many parks and gardens open to the public, cold and/or wet weather prevents people using these spaces for public meetings:

¹⁴ Constable, N. (2007).

¹⁵ Domestic workers in Hong Kong are allowed to continue working as long as they have employment, but they are not allowed to naturalise.

¹⁶ While there are some parts of London where 2nd generation migrant Filipinos concentrate, most Londoners have no idea and little interest in where they live or socialize.

We can go to a park but only when the weather is good. You can't plan ahead. Most of the time it's too cold to stay outside! Even if it's sunny in the morning, it soon starts raining. You can't arrange a meeting to come to a park.

(Sheila – migrant worker)

b) **Regulations regarding the use of public spaces.** In UK in 2014 the *Anti-Social Behaviour, Crime and Policing Act* gives each Local (Government) Authority the power to make orders in respect of public space within their area. Each has the right (and the responsibility) to protect the quality of life of those who live locally. While implementation of the Act depends on each Local Authority's interpretation of its rules, they are unlikely to allow a specific group of individuals to occupy public space at weekends on a regular basis – the more so when that group is visibly foreign!

c) **Cost.** Another major difficulty in the way of finding a gathering space is the relatively high cost of transportation and commercial units. For those who have responsibility for remittances, the opportunity costs of activism are too high. Even taking a bus is a matter of decision: in central London a bus ticket costs a minimum of £1.50, and the average price of a tea or coffee is £2 – £2.50. In these circumstances even “free” space is expensive and the cost of using commercial space for regular meetings will be prohibitive:

I used to support ten children including mine. I sent remittances every week. It was around £1200 every month. Now I send £400 a month to support my nieces and nephews. And sometimes more for emergency. You need to try hard to make this money! I walked everywhere instead of using a bus. Otherwise I couldn't send the money. Your employer provides you food. You send everything else. I have no savings. In my bank account I have £27!!

(Bing – domestic worker)

5. ALTERNATIVE SOLUTIONS.

Migrants, it is widely acknowledged, are among the most resilient of any population.¹⁷
¹⁸ Given restriction of access to public and commercial places in which to gather in London, enterprising individuals have found alternative and more ‘capable’ means of activist communication. Notable in our study are a) the Internet and b) the Church.

a) **Internet.** Mobile phones and the internet are the most accessible and most popular communication devices for migrants wanting to stay in touch with family members back home, and with fellow migrants within and outside the UK. While few of them have a computer, most own a tablet or large screen mobile phone. Fortunately, internet and mobile phone bills are relatively cheap in the UK; they offer a lifeline in circumstances where a domestic worker has limited access to facilities outside their employer's place.

The Internet is particularly useful for international campaigns. Migrant workers

¹⁷ Wills, J., J. May, K. Datta, Y. Evans, J. Herbert, and C. McIlwaine (2009).

¹⁸ Hence the very real concerns about brain drain from developing countries.

regularly update their individual and group Facebook pages to spread the word about international and Philippines-based issues. Even though some of these support groups have an official website, Facebook and other personal and more informal means are widely used. The migrants take pictures of themselves standing with banners every time they meet, up-loading them on-line. The groups getting together maybe small in actual numbers, but no matter: in this way the Internet publicises activist campaigns and maintains solidarity among people who cannot meet physically. It also allows them to advertise their presence to Filipinos who are looking for a support group – especially those who have just arrived, have no contact with fellow countrymen in the UK, and are isolated by lack of time and money for social connection.

b) **Churches.** The great majority of Filipino migrants profess the Catholic faith¹⁹ and, given time off on Sundays, domestic workers make every effort to attend Mass. Church-going of course fulfils social as well as spiritual needs. However, churches are not as accessible for other-than-ritual use as once they were. Many churches now have quite limited ‘open’ periods and the number of bodies wanting a meeting place has increased. Migrant groups compete with others to use church facilities, often on a formal rota. Filipino domestic workers may try to secure a Sunday slot in a particular church.

Thus churches have become the preferred meeting point for activist groups in London. They find new members at a church. After the service the women eat together, sharing familiar foods they have prepared in their separate lodgings. This activity may enfold undocumented migrant workers who are nervous about opening up to others. Support group members understand this reality and use the informality of the occasion to talk about their rights in the UK. In this way the timid and needy are informed and, it is hoped, released from unreasonable fear.

6. ELEMENTS OF POPULAR PERCEPTION AND POLITICAL CULTURE

a) The perception of ‘fair’ society:

The perception of one context relative to others affects the way people act or do not act within it. Despite the cases of abuse and exploitation they campaign against in the UK, Filipinos often talk about the UK as being a ‘fair’ society. Being ‘fair’ also implies that their situations are somehow ‘better’ than those of others in other countries. Fairness is a relative value. And Filipinos who are transnational migrants, assess the fairness of this society in comparison with that of other destination countries such as Hong Kong, Taiwan, Saudi Arabia and Kuwait.

Filipino activists say that this perception may discourage many abuse victims from reporting their cases.

Some people think that they should not complain because they are ‘better off’ than others (Filipinos in other countries). We know so much about abuse in the Middle East. Everyone knows about it. So if you’re in the UK, you have better living and

¹⁹ For the role of churches in migrant Filipino communities, see McKay, D. (2010).

working conditions, and most probably (you are) better paid. So why should you complain? Anyway, most domestic workers would put up with anything as long as they're paid. If you complain, you may end up losing everything altogether.

(Daisy – a domestic worker).

The assumption of fairness is also reflected in the fact that the Philippines Embassy does not provide a shelter for those who run away from their employers.

People (at the embassy) think that there is no need for a shelter in the UK. We are fewer in numbers and there are probably fewer cases of abuse and exploitation. But people still need a shelter. In fact, they contact us when somebody is in need of a shelter. It's a bit of a vicious cycle. If there is no shelter, people have to take care of themselves among themselves. We need to acknowledge that we do need a shelter in order to help people.

(Patricia – a support worker volunteer)

b) Wider political context, immigration rules and migrants' pursuit of permanent residency:

In spite of their belief in the fairness of British society, Filipinos are also well aware of anti-immigration sentiment and political rhetoric influencing immigration rules in recent years. The latest change in immigration rules for domestic workers happened in 2012. This change was introduced in a political context where the government saw an increasing pressure to reduce the number of in-migrants and to respond to concerns over the potential cost of their use of public services such as National Health, social housing, and schools. As a consequence, low-skilled workers' programmes were mostly abolished by December 2013.

The visa for domestic workers in private households is only valid for a maximum of 6 months and is not extendable. It has an age restriction: an applicant should be between 18 – 65 years old, and it restricts family reunification: an applicant is not allowed to bring family members. The visa also requires a worker to have an established relationship with the employer for at least a year prior to entry clearance. With this, migrants have lost the right to change employer and to extend their stay, and no domestic worker who has come under this programme can settle permanently. In the matter of legal protection,²⁰ domestic workers are not fully covered by labour laws. Moreover, the UK does not recognise the ILO convention²¹ that protects domestic workers' basic rights. This further limits the level of support available to them.

There is, amongst migrants, a growing fear of being questioned on the street by the police, reported or prosecuted and deported regardless of their immigration status. Such fear can be used by abusive employers as a way of controlling migrant workers. The psychological impacts of the uncertainty of the future and fear of prosecution are complex.

The ultimate goal of many migrants has been getting a permanent residency. Once you have a residency, you have choice (of staying or leaving the country). You can

²⁰ See Mantouvalou, V. (2013).

²¹ The convention helps to protect domestic workers' basic rights. By recognising domestic work as work, it can be subjected to various work related regulations such as health and safety regulation, working-time regulations and the minimum wage.

decide when you leave. You can also choose your employer. With the current visa, you can't do that. If you arrived before the change in 2012, you still have a chance for settlement but now there is a new restriction of the high income threshold (an individual must have a secured annual income of £35,000). No domestic worker earns that much. So, everyone has to go. It used to be that domestic workers didn't want to report cases of abuse and exploitation because they wanted to stay quiet at least until they settled. Now they're either too scared of immediate deportation or just giving up. Because if you're here for only 6 months, there is very little you can do.

(Cassy – a support worker)

In Hong Kong, you cannot get citizenship but you can work as long as you have a job. You have to learn about your rights and you can find a way. You don't have to be in an abusive situation. Here (in the UK), there is nothing for domestic workers. Most of the people who arrived after 2012 came from the Middle East with their employer. Even if they're abused, they don't think there is anything they can do. But if you fight for yourself, there is a way. It's a matter of finding hope.

(Holly – a domestic worker)

Migrants' action/inaction is determined through a process of finding a right balance between seeking a solution to an immediate danger, abuse or exploitation, and a responsibility for remittances and their longer term plan.

7. CONCLUSIONS?

Whether directed towards grand political change or focused only on supporting a single vulnerable individual, the decision to act, or to act in a certain way, is not itself decisive: activism is not always an option. The context of opportunity is crucial. Thus London-based Filipinos cannot organize regular large-scale gatherings of the Hong Kong sort because they do not have access to the necessary public space. However they can and do gather in small numbers after Church on Sundays and, potentially, they have access to a global network via the internet. Each of these contexts allows some sort of activism but they are different. A public park, a church hall, the internet – each provokes a different answer to the capability question: “What *could* happen here?” Successful activists have a capacity to adapt to the answer.

But capability is also affected by the scope of the question. How far does context extend? ^{22, 23} The question is vital because the meaning and impact of ethnographic observation changes as the boundaries of context are stretched: go wider and more makes sense; go too wide and so much is included that the context model loses its value. The theory of context defines it as a whole system whose parts react on each other in systematic ways. Because a context system, like every other, is in process, the interrelationships within it are not fixed. This allows that a single group or individual may ‘sensibly’, at any single time, hold beliefs which contradict each other. And significantly, these inconsistencies are essential to the capability of the context in view.

²² See footnote 4 above.

²³ The issues raised here are set out and clarified in Ernest Gellner (1962), “Concepts and Society”. Reprinted in Gellner (1975).

This insight expands our understanding of what looks like resignation among non-activist domestic workers. If the scope of our lens is limited to the narrow context of their London lives – focused only on their current jobs and the disappointments and humiliations experienced in this place at the present time – then we will see only passive resignation. But if the context is expanded to take in remittances which send children to school or parents to hospital, to acknowledge thoughts of the future back in the home country or of opportunity in the next place in the transnational chain, then its capability changes. We see that resignation in the present has a purpose; now it is instrumental to the achievement of future goals. The passive becomes active. Resignation and activism are no longer fixed and opposite poles of a continuum of response. Rather they are alternatives for getting by as a migrant domestic worker in UK – and doubtless elsewhere. The individual migrant combines resignation and activism to match the capability of the context in which she defines herself. We must not impose fixed assumptions on the choices she makes.

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