Struggles on the Borders of Higher Education: The Subjectivation of Indian Students in Australia

By

Brett Neilson[*]

It all began with an incident of racism. At 3am on the morning of 29 April 2008 in the Melbourne suburb of Clifton Hill, 23-year-old Jalvinder Singh was stabbed four times in the chest. The incident occurred in his workplace, a yellow cab he drove to support his studies as an international student in hospitality management at the Carrick Institute of Education, one of the many private colleges for Vocational and Educational Training (VET) established in Australia's cities over the past decade.

This was not the first attack upon an Indian taxi driver in Melbourne. On 8 August 2006, Rajneesh Joga, a student from Hyderabad studying towards a Masters of Accounting course at the Royal Melbourne Institute of Technology, was killed when an assailant tried to hijack his cab by pushing him out of the moving vehicle (Petrie & Holroyd 2006). On that occasion, a protest quickly ensued. Taxi drivers, many of them from India and in particular the state of Punjab, assembled at the corner of Flinders and Swanston Streets, one of the city's busiest intersections. Chanting angrily, they blocked traffic and issued a set of demands to improve their safety and working conditions (Hagan 2006). Somali drivers held solidarity protests at the airport. Eventually these actions were disbanded when the Victorian Government agreed to meet a delegation of the drivers. But over a year later, the government had not yet addressed their demands.

In the wake of Jalvinder Singh's stabbing, the taxi drivers would not be so naïve about the prospects of negotiation with government. Hours after the discovery of Singh's injured body, a crowd of taxi drivers, mostly international students from South Asia, began to gather again at the intersection of Flinders and Swanston. As the morning progressed their numbers swelled to about one thousand. Cabs were positioned to block some of Melbourne's busiest thoroughfares, causing commuter havoc and bringing the city to a standstill. A number of local political actors joined the fray, among them individuals involved in anarchist, socialist and student

[*] Centre for Cultural Research ,University of Western Sydney September 2009

organising. As the media arrived, the drivers upped the ante. They removed their shirts, and began to chant '*Hai hai*'. Refusing the ministrations of police and government, they too issued a set of demands: compensation for the victim, punishment for the criminal, installation of safety screens in all cabs, pre-payment of fares around the clock, protection for drivers and members of the public at key points after hours, police investigation of all complaints made by migrant drivers, and removal of all parking fines issued during the protest.

As the city's traffic ground to a halt and police attended the scene, it became apparent that the protest would not end in the manner of the previous one. The drivers, many of whom had assembled as a result of the circulation of SMS messages, would not move. As they attempted to identify leaders or negotiators, government and police became increasingly frustrated. 'They are not an organised group', declared Public Transport Minister Lynne Kosky, 'which is actually very difficult' (ABC 2008). Presumably this meant that the drivers were not organized like a trade union with a clear line of command and spokespeople. Inspector Steve Beith of the Victoria Police explained: 'There doesn't seem to be any structure or organizers. Every time we try to speak to anybody the shouting and chants start. It's very difficult to hear what they're trying to say. There appears to be different groups with different organizers of those groups. It's very hard to work out who's who' (*Times of India* 2008). After 22 hours, the government conceded to many of the driver's demands. A group of migrant workers, organized along multiple and decentralized lines that were illegible to the state, had, by means of a technically illegal strike, won their way.

The subsequent government backtracking and ramping up of safety inspections in the cab industry is perhaps a predictable coda to this story. While no fines were issued and taxi fares in Melbourne are now prepaid between 10pm and 5am, there were at least a dozen reports of retaliatory sackings of student drivers for their participation in the protest. There is also ongoing tension around the issue of safety screens. Meanwhile, violent attacks against South Asian taxi drivers and international students more generally increased. In May 2009, when a string of attacks were reported widely in the Indian media, the Indian Foreign Minister requested an explanation from Australian officials in Delhi (Wade and Das, 2009). Although the Australian Prime Minister issued an apology, he initially denied the racial motivation of the attacks (Wade and Johnston, 2009). In response, the Federation of Indian Students in Australia organised a small well-ordered protest outside the hospital where an injured student was recovering. At the same time, assorted networks of Indian students and cab drivers began to gather at the site of the April 2008 strike, but the blockade they established was violently disrupted by police just before the morning rush hour. Similar protests unfolded in Sydney, drawing media attention from around the world and raising concerns about the continued viability of Australia's education export industry (Healy, 2009).

Miraculously, Jalvinder Singh survived the attack and has made a near to complete recovery. But this paper interests itself in neither the upshot of the event nor the unfortunate individual who lay at its centre. Rather it seeks to understand how migrant workers, such as those involved in this taxi strike, enter and transform the space of the 'political' by negotiating, if not transgressing, the many borders that mark their lives. It investigates how contemporary citizenship becomes a site for the multiplication of subjectivities that disturb distinctions between the student, migrant and worker to spark new political possibilities, and how spaces are opened up for the development of innovative forms of organization. It asks: how do such subjects come to make claims in a context where they are regularly exploited and frequently misrecognized, only to withdraw into a space of quietude and invisibility, where they nonetheless remain threatening since they can be known only in, through and by their unpredictability?

But who are the Melbourne taxi drivers? And what leads them to be removing their clothing and shouting angrily in the middle of an Australian city? The media reporting of the event provides a clue that assists to answer these questions. For in the Australian media, from Newspapers to Television to the Internet, the protesters were consistently described as cab drivers or 'cabbies' as the vernacular would have it. While in the Indian media, which closely followed the event, they were regularly described as students. What is at stake in these different nomenclatures, which are surely both applicable to the strike's participants but worlds apart in their connotations and stakes?

Let me make this claim: an analysis which works either from the national perspective of Australia (in classifying these subjects as cab drivers) or from the national perspective of India (in viewing them as students) will fail to grasp the complexity and force of this political event. This is because it is precisely a transnational event, which unfolds in a context of migrancy and flusters many of the divisions of labour and geography by which such actions are typically understood (or, better, misunderstood) in national or international frames. At stake is a new kind of labour politics whose effectiveness lies in its flight from the paranoid triad of union, state and firm. In a longer piece written with Sandro Mezzadra, I have tried to give a conceptual name to the conditions that facilitate such political action by writing of *the global multiplication of labour* (Mezzadra & Neilson 2008).

The term *multiplication of labour* is meant to register at once the intensification and fragmentation of what classical political economy called the international division of labour. On the one hand, and in a quite obvious sense, it describes the tendency for work to colonize the time of life, the pace and seemingly greater intensity of work in neoliberal contexts where precarity, information technology and transnational connections are fast becoming norms. On the other hand, it seeks to describe a shift in the geopolitical configuration of the world by which international borders are no longer the only or necessarily the most relevant barriers for dividing or restricting the mobility of labour. Far from the early celebrations of

globalization as a move towards a borderless world, we can now recognize that transnational processes have occasioned a proliferation of borders at both the sub- and supra-state scales. This implies at once an *explosion* of traditional nation-state geographies and an *implosion* that forces seemingly discrete territories and actors into unexpected connections that facilitate processes of production and labour exploitation.

Labour process theorists have long argued that the detailed division of labour within industries leads to a proliferation of job titles and opportunities for managerial control (Braverman 1974, Burawoy 1979). Research on the transnational dimensions of the labour process has highlighted how 'global, national and local factors, give birth to new forms of labour regime and workplace relations' (Pun and Smith 2007: 28). Meanwhile, the so-called new international labour studies have focused on the expansion of the social division of labour, examining 'the uneven nature of class stratification, identity formation and labour organisation across a divided and divisive international division of labour' (Taylor 2009: 437). In both contexts there has been growing attention to transborder labour movements and an increased understanding of how gender and race shape the composition of workforces. The concept of the global multiplication of labour goes further to ask how the criss-crossing of labour processes with the social construction, reproduction, utilisation and restructuring of labour forces entail a spatial reorganisation of labour in a multiscalar frame. In this frame international divisions have no fundamental privilege over other geographical, political and social divides. This implies attention to how labour organisation and struggles are linked to political subjectivity.

It is crucial to note that multiplication does not exclude division. We do not suggest a substitution of concepts. Indeed, multiplication implies division, or, even more strongly, we can say multiplication is a form of division. By speaking of the multiplication of labour we point to the fact that division works in a fundamentally different way than it does in the world as constructed within the frame of the international division of labour. We also want to signal how things have moved beyond what in the late 1970s the German social scientists Froebel et al. (1980) called the 'new international division of labor', which involved the shift of material production from developed to less developed nations with a greater role for multinational corporations and effects of deindustrialization in the North and dependency in the South. The division of labour now tends to operate both beyond and below international borders or stable geopolitical divisions such as the three worlds model or those elaborated around binaries such as centre/periphery or North/South. It functions rather through a continuous multiplication of control devices that correspond to the multiplication of labour regimes and the subjectivities implied by them *within* each single space constructed as separate within models of the international division of labour. Corollary to this is the presence of particular kinds of labour regimes across different global and local spaces. This leads to a situation where the division of labour

must be considered within a multiplicity of overlapping sites that are themselves internally heterogeneous.

While various degrees of informality in working patterns have been always the case in the global economy, the means by which the borders between these multiple and hierarchised statuses are policed have become increasingly fine-tuned and governmentalised. In the case of Australia, there has been an effort to match the statistical survey of labour market categories to migration flow data, which, more comprehensively than most countries, detects information on non-permanent movements and outflows (Hugo 2008). This occurs in the context of a points-based migration system that reacts to the new flexibility and interpenetration of labour markets and economic systems.

Particularly relevant for this paper is how this attempt to correlate labour market dynamics to migration control overlaps higher education reforms that enforce a marketisation of the sector, prompting the aggressive recruitment of international students and an increasing emphasis upon vocational skills training. In this context, there is a multiplication of labour statuses that crosses not only the social topology of citizenship but also the borders that regulate access to higher education and those that establish its internal disciplinary divisions. The increasing complexity of these articulations exposes fault lines that are opened up not only by the inventiveness of migrants, who continuously find tactics to negotiate and move through the multiplicities and hierarchies of the system, but also by a myriad of other actors including labour brokers and higher education recruiters working along the boundaries between legality and illegality. To speak of the multiplication of labour in this context is at once to note the continuities with longstanding systems of migration and labour control and to register the qualitative differences that emerge with the increasing governmentalisation, calibration and correlation of these linked but not fully compatible systems. Moreover, it is important to analyze the way in which the resulting gaps and borders produce political subjects that engage in resistance and are as much hampered by those.

Let me try to give some empirical specificity to this conceptual discussion by returning to the scene of the Melbourne taxi strike. There is certainly a sense in which the participants in this event confront a proliferation of borders. These include not only the international borders they cross to come to Australia but also the urban borders they cross in their routine working lives (to potentially lethal effect) as well as the social borders that divide them from their clients and the owners from whom they lease the cabs. The presence of this ethnicised workforce in the Melbourne cab industry creates novel connections between the Australian state of Victoria and the Indian state of Punjab. But it also produces new kinds of heterogeneity and division within both these sites, not least those entailed by the globalisation of higher education systems that facilitate the mobility of these subjects.

That many of the Indian taxi drivers in Melbourne are also international students who study in the city's universities and vocational colleges is already an important register of the multiplication of labour. This is not only because the business of being a student can itself be considered a form of work, as many exponents of student unionism have argued. There are also many Australian students who juggle full-time study and part-time (or increasingly full-time) work. The financial pressures upon students who accumulate debt for their study (under Australia's HECS scheme in the case of citizens) but who must meanwhile survive in cities with overvalued real estate prices and inflated living costs are high. But in the case of international students they are even higher. This is because the visas under which most of them are admitted to the country (the 572 and 573 visas) require proof of significant financial liquidity at the time of their issuance while also restricting the number of hours their holders can work to 20 per week while studying.

It is worth investigating in some detail the juridical and political arrangements surrounding the presence of international students in Australia as this provides crucial background for understanding the plight of the Melbourne taxi drivers. Let me begin with the mere details of the visa system before delving into the processes by which these students are recruited and the incentives provided to them in the context of strong international competition for higher education export.

It is safe to assume that most of the taxi drivers would hold either 572 (for Vocational Education and Training) or 573 visas (for Higher Education including undergraduate and Masters by course work degrees), although in the case of Indian students these visas hold the same requirements and restrictions as the 574 visa (for higher research degrees). For all of these visas (as for English language study), India is a Level 4 country. Essentially this means that Indian applicants for these visas must show proof of possessing sufficient funds to cover not only their travel and tuition fees but also three years of living expenses in Australia (at AUD 12,000 per year). In the case of Level 3 countries like China, there must be proof of support for two years. For Level 2 countries like Israel or Indonesia, proof must be furnished for only one year. Applicants from Level 1 countries such as the United States or Sweden need not provide evidence of possessing such funds but can simply declare that they are available to them.

In effect, applicants from the poorest countries must show proof of greater wealth than those from richer nations if they wish to study in Australia. These funds can be furnished through loans or the liquidation of non-cash assets from an acceptable source. In practice most Indian students require about AUD 50,000 to successfully apply for study in Australia and they obtain these funds through loans. Dutch anthropologist Michiel Baas, who conducted fieldwork with Indian students in Melbourne in 2005, reports that many of these loans are obtained by means of multiple mortgages on family-homes in India. In some cases documents are falsified

to overvalue these properties, since their real value would be insufficient to repay the loans in the case of default. This puts pressure on students as they know they have burdened their families with a loan it will be difficult to repay in India. Also the interest due on these loans impacts immediately on family finances. Most students try to begin repayments as soon as possible by working while they are studying in Australia (Baas 2007).

This is where the 20-hour per week during semester work restriction on international students becomes relevant. Most students come to Australia with the expectation they will need to find part-time work and many hope to find employment in their chosen field. But this almost always proves impossible due to lack of experience and the need to begin working straight away. Most end up accepting low-paying jobs, including taxi driving but also night-time positions in gas stations, convenience stores, restaurants and the security industry. Many female students enter the informal domestic and care work markets. The cash-in-hand nature of most of these positions allows students to work over 20 hours per week but also means they are frequently paid below the minimum wage, often, as Baas (2007) has shown, by older migrants who are members of established communities of the same ethnicity as the students themselves. In any case, it is evident that a vast many international students work over 20 hours a week, placing them in breach of Australia's immigration laws and effectively making them illegal workers (Nyland et al. 2008). A submission to an Australian Senate inquiry of 2005 details raids by the then Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) on student workplaces and homes as well as numerous episodes of detention and deportation (Rost 2005).

The question arises as to why international students would choose to accept such a path rather than say staying in India, a country that experienced a massive economic boom throughout the present decade, continues to fare well in the global economic crisis and is currently attracting many return migrants. The answer to this question is relatively simple: permanent residency. Since 2001, international students in Australia have had a path to obtaining permanent residency – a desirable status for Indian citizens seeking to establish themselves in global labour markets. A successful PR application requires a score of 120 points in an assessment exercise that hinges mainly on the skill level of the applicant's occupation, his/her age, work experience and English language proficiency.

Such a score is extremely difficult to achieve unless the applicant has two years of higher education in a field listed on the MODL (Migration Occupations in Demand List), a condition that earns an extra 15 points in the assessment exercise or an extra 20 points in the case of a firm employment offer. The MODL is a register maintained by the Australian Government to fit to the profile of skilled migrants to statistically constructed shortages in the national labour market. The list is regularly adjusted as part of Australia's 'points-based' (or just-in-time) migration

system (for a wider discussion of this migration regime see Spruce & Vanni 2005).

It seems clear that for many Indian students in Australia the obtainment of PR is (or has become) a key purpose of their presence in the country (Baas 2006). Websites of educational consultants in India announce the possibility of obtaining PR as a selling point for Australia's export education services and although Australian higher education recruitment delegations in India are not allowed to give migration advice they frequently report that interested applicants already have this information. In short the path to PR (or the issuance of 880, 881 or 882 visas for onshore skilled overseas students) has shored up Australia's higher education export against the fierce competition from more prestigious university destinations such as the United States and United Kingdom, although Canada has recently adopted similar measures to facilitate its competition with Australia (see Citizenship and Immigration Canada 2008).

According to a Reserve Bank of Australia report published in June 2008, education exports are now the country's top service exports and third only to coal and iron ore in the list of the country's top earning exports (Hall & Hooper 2008). There are thousands of jobs and vast amounts of money at stake. Not least the university sector displays a structural dependence on the revenue raised from this export activity, which came to partly substitute the percentage fall in government funding from the mid-1990s under conservative government rule.

But such export has also changed the higher education sector, particularly in the Vocational and Educational Training market. There has been a rapid multiplication of private vocational colleges, marketing degrees to international students in fields listed on the MODL (such as hairdressing and cooking). There has even arisen a secondary market catering to students who wish to change their degree if they have been studying in a field, which has been dropped from the MODL. In effect, these colleges act as default migration agencies (or PR factories as some of the international students call them), recruiting students through their own agents (rather than through IDP – International Development Program, the main international student recruitment agency for Australia which is owned by a holding company of 38 universities plus http://www.seek.com the country's largest internet jobs site) (Baas 2007).

Accounts of these vocational colleges point to a variety of practices and standards. Among the more scandalous allegations are failing students to increase revenue intake, awarding certificates to students who did not attend classes (at extra cost), using restaurant and hotel kitchens as classrooms instead of investing in expensive equipment (in effect forcing students into unpaid labour), advertising work experience placements and then expecting students to find this work themselves, and falsifying documents to testify that students have worked for 900 hours in their chosen occupations to satisfy PR requirements. Questions also arise around

the English language instruction that occurs in some of these colleges. As of May 2009, the Australian Government has launched an investigation into these practices in what appears to be a combination of border policing, moral panic about educational standards and an attempt to shore up market reputation in face of international reports about the violent attacks against Indian students (Das, 2009).

In any case, it should be clear that international students do not choose to undertake training in areas such as hairdressing or commercial cookery in order to return to countries like India to work in these professions (where they are low status and poorly paid jobs). Nor is it likely that many of these students move on to work in these areas in Australia. Most students who enter these vocational colleges are in Australia to work and migrate. The situation is slightly different for students enrolled in Australian universities, who may undertake courses in areas such as business, accounting or information technology. These students may hope to eventually gain work in these areas but while they are students they are obliged to work part time due to the financial pressures they have placed upon their families. Whether or not they have decided to study in Australia because of the possibility to obtain PR, many international students acquire the desire to do so.

Let me return to the theoretical concerns of the paper by noting that this case study demonstrates the blurring of many of the categories typically used to establish the division of labour. First among these is that of skilled versus unskilled. The possibility of obtaining PR though higher education exists due to the construction of a skills shortage in the Australian labour market. Paradoxically, it facilitates the entry of migrants who work in unskilled jobs such as taxi driving. The situation is one in which education becomes the pretence for migration. There is a blurring of the categories of student and migrant. But the categories of student and worker also blur (in a sense other than the one in which studying can be identified as work).

It is important in considering the media coverage of the Melbourne taxi strike that the Indian newspapers tended to describe the participants as students while the Australian press repeatedly referred to them as cabbies. That these identifications emerged from different national perspectives suggests that the complexity that invests the figure of the student-migrant-worker cannot be grasped within the analytical frame provided by the concept of the international division of labour. The merging of these categories implies transnational movement and connections – thus there is the need for a new concept to effectively analyse the taxi strike: the global multiplication of labour. This points to a continuous multiplication of control devices that correspond to the multiplication of labour regimes and the subjectivities implied by them *within* each single space constructed as separate within models of the international division of labour. In the case of the subjectivities I have been analysing these control devices include visa regulations, IELTS, student loans, university and vocational college policies,

taxi industry protocols, detention centres, policing methods, the MODL, and so on.

As crucial as these control devices may be, it would be a mistake to conclude that the subjectivity of the group in question is merely an effect of institutional regulation. Political subjectivity cannot be reduced to a configuration of citizenship, and precisely for this reason, citizenship has become a site of conflict and struggle. This is particularly clear in the case of international students, whose migration decisions may involve instrumental decisions about the obtainment of PR and/or desires regarding global labour market trajectories. It is in the complex articulation of these control devices that the production of multiple and shifting borders occurs. There is a need to recognize that, as Étienne Balibar puts it, borders no longer exist only '*at the edge of the territory*, marking the point where it ends' but 'have been transported *into the middle of political space*' (2004, 109). Corollary to this is the realization that an analysis, which constructs the Indian student-migrant-worker as an excluded other of Australian society, will only go so far to explain the nature and the political potency of the taxi strike. The mere fact of the taxi strike shows that the proliferation of borders, in this instance, produces subjects in the dual sense of the two original Latin meanings of *sub-iectum* (that which is subjected, passive; that which is the subject, active; in French: *assujetti* and *sujet*); both subjection and subjectivation.

It is strange and revealing that the migration of international students to Australia is described within Australian government literature as higher education export. At some basic level, the phrase seems to confuse the acts of coming and going. But the expression also registers one of the factors that have given Indian students in Australia significant political clout despite their vulnerable labour market positions – the substantial contribution they make to the national economy. An analysis that constructs the Indian student-migrant-worker as an excluded other of Australian society cannot fully explain the nature and the political potency of the 2008 taxi strike. These subjects, many of whom are on the path to permanent residency, exist neither inside nor outside the construct of the national labour market and its attendant juridical schemes. Their working lives are carried out in a zone where internality and externality mix and borders proliferate within the space of the nation-state once imagined as unitary and homogeneous.

Contrary to Ernesto Laclau (2005), who argues that it is only through exclusion that a society can construct itself as a totality, it is necessary to point to mechanisms of differential inclusion that filter and stratify subjects in motion. Laclau argues that for an excluded element to become a politically effective movement it must undergo a 'partial surrender' of the particularities that compose it, 'stressing what all particularities have, equivalentially, in common' (78). But, in the context I have been discussing, effective political is not about the operation of difference within a chain of equivalence that weakens differential claims to the point that they function

as empty signifiers. What is important about the organisational and political form that emerged in and through the 2008 taxi strike was its internal heterogeneity and multiplicity. To recall the words of the Victorian police officer quoted earlier, there appeared 'to be different groups with different organizers of those groups' (*Times of India*, 2008). The protest was only so ungovernable and illegible to the state because this proliferation of differences eluded the logic of representation and equivalence. A corollary to this is the production of a new political subject – the student-migrant-worker – whose distinguishing mark lies in its crossing of the borders and legal statuses established by the global multiplication of labour.

Let me be clear. The fact that the subjectivity in motion at the 2008 taxi-strike is that of the student-migrant-worker does not mean that we can imagine some easy alliance of solidarity between students, migrants and workers. These subjects, when constituted separately, do not necessarily share social views, political outlooks or labour market experiences. But this does not mean that we must flatten the differences between them to compose an empty populism. The mode of interconnection between such subjects is not an articulation that collapses all differences into equivalences but rather a process of *translation* that, as Naoki Sakai (1997) writes, cannot be conceived as a 'form of communication between fully formed, different but *comparable*, communities' (15). Translation in this sense is a principle of political organisation. The political creativity of the subjects involved in the strike mobilises such a process of translation, giving rise to patterns of multiplication and proliferation that may be fleeting and conflictual but do not result in a politically dehabilitating dispersion of forces and alliances. This protest, apart from winning claims, generated new compositions of political relations – between taxi drivers and student groups, between South Asian and Somalian drivers, and even by one account, between some factions of taxi drivers and the established trade union movement (Thompson, 2009). While these are also inherently unstable relations, they are among the more important outcomes of the protest, since they provide contingent but potentially effective platforms for further political struggle.

The practice and experience of struggle is commensurable with such a practice of translation which does not seek to level all languages onto an even field. Such translation, however, does lead us to ask how a 'win or lose' politics of struggle can be thought across a politics of translation in which one usually gains and loses something simultaneously. What is required is a reorientation of the political that allows for both of these moments and their different possible rhythms, timings and temporalities. At stake is neither a politics of the event, which foregrounds the moment of uprising and disruption, nor a politics of articulation, which foregrounds how contingent social arrangements can provide possibilities for strategic and limited contestations. By highlighting at once the struggles and the necessary work of translation at play in the 2008 Melbourne taxi strike, it becomes possible to suggest that both the multiplication of labor and the proliferation of

borders must be taken into account in any attempt to elaborate a new concept of the political.

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Biographical Note

Brett Neilson is Director of the Centre for Cultural Research at the University of Western Sydney. He is author of *Free Trade in the Bermuda Triangle … and Other Tales of Counterglobalization* (Minnesota 2004) and has published in venues such as *Variant*, *Mute*, *Posse*, *DeriveApprodi*, *Vacarme*, *Subtropen*, *Conflitti globali*, *Il Manifesto, Carta*, *Open*, *transversal* and *Framework*.