

Domestic Work in Lebanon: What are some of the main factors that contribute to the continued exploitation of women migrant domestic workers in Lebanon?

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Beirut, March 2018

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EXECUTIVE SUMMARY

This paper examines migrant domestic labor in the Middle East, with an emphasis on Lebanon as a case study. Lebanon has caught the spotlight for mistreating women migrant domestic workers in the Middle East, and this research focuses on the different factors that contribute to that mistreatment, concluding that one should see these factors not as isolated but as mutually enforcing. The paper is divided into three parts, each part deals with a specific factor that contributes to the continued exploitation and mistreatment of this group of women. Part I deals with the migration process as a whole, and how this process itself is contributing to their ill-treatment. Part II relates to both the *kafala* system and recruitment agencies in Lebanon, and Part III looks at the relationship between Lebanese employer and domestic worker in the household, and further delves into how these women deal with the day to day demands of living in Lebanon.

Pande (2013) argues that the portrayal of violations of MDW's rights as abuse of one set of women by another set is problematic as it privatizes the problem of workers and delegates it to the household, and in doing so absolves the state of its responsibility. Pande further claims that the focus on abusive employers takes attention away from the root of the problem, which is the sponsorship system, also known as the *kafala* system. Although Pande's argument is convincing and states that the *kafala* system is a crucial factor contributing to the exploitation of these women, there is also more to be said about the relationship between the madam and the maid in Lebanese households. Furthermore, the involvement of the recruitment agencies, both in the sending and the destination countries plays an important role. Studies by the ILO (Khan & Harroff-Tavel, 2011) also emphasize that the *kafala* system is considered exploitive because of the way it ties the status of the worker with that of the employer, a severe problem that can be reformed only through policy measures.

Many authors have compared the process of female migration to that of slavery. For example, Jureidini and Moukarbel (2004) and Bales (2012) argue that the situation of most WMDWs can be described as contract slavery. They explain that although slavery has been abolished, it is not about owning these women in a traditional sense, but rather about controlling them. I examine this point when I discuss the madam and maid relationship.

Other authors such as Moors and De Regt (2008) and Gamburd (2000) describe how gender predominates at various phases of the migration process, beginning with how the workers leave their country of origin to the point where they enter their country of destination. The effects of female migration also seem to be problematic in this regard. In Gamburd's case, she focuses specifically on Sri Lanka as the home country, and on the impact of migration on the families left behind there.

In Lebanon, reliance on women migrant domestic workers (WMDWs) continues to grow in importance. Since Lebanon is a patriarchal country dominated politically and religiously by men, and given its history with the civil war, it is perhaps not surprising that the plight of WMDWs has not been considered as a priority in policy making. The situation has been further aggravated lately by the considerable instability and dysfunction of the Lebanese state. All of these factors mean the neglect of the plight of WMDWs in Lebanon. The general status of women in Lebanon further adds to the complexity of the situation when it comes to examining WMDWs in the country - although this may be true for most countries in the Middle East. As opposed to local Arab women, MDWs who come from Asia and Africa are at more of a disadvantage because Lebanese labor laws do not protect them as the laws cannot be applied to the private household. Consequently, they cannot claim the minimum wage, demand time off, or receive compensation, and are legally barred from joining labor unions (Pande, 2012). As of early 2015, this is being challenged, but is not yet resolved¹.

¹ A union for DWs is still not recognized, but would ensure the right of freedom of association for DWs, which in turn would strengthen the legal protection mechanisms (Human Rights Watch, 2015).

INTRODUCTION

Almost 1 in 4 Lebanese households has a maid
(Jureidini, 2011)

Domestic workers constitute a large segment of today's migrant worker population, and the majority of them are women. Women Migrant Domestic Workers (WMDWs)², as Moors and De Regt point out in their chapter on Migrant Domestic Workers in the Middle East, are an interesting category because of the specifications of their position (2008). They are not only migrants but also employees in the private sphere, which is not recognized as a site of employment in countries like Lebanon.

Many families need domestic workers so that they can pursue their own employment. Through my research I will analyze a social issue that has always been problematic and to understand why it has been a source of tension.

I will begin by first examining the significance of female migration, as abuses and violence against women can occur at an earlier stage of the migration process, even before arriving in the destination country. I will focus on issues that women face throughout the migration process, such as the different reasons why they choose to migrate, how leaving their home can affect the family they leave behind, and the changing gender roles. The migration process is also important in terms of understanding how gender impacts the lives of these women from the moment they decide to migrate and throughout their journey. I will then discuss the *kafala* system; i.e.: the system of monitoring migrant workers as well as the role of recruitment agencies in the sending countries and the destination countries and explain how it is one of the main contributing factors leading to the abuse and continued exploitation of these women, focusing specifically on why it is such a controversial issue in Lebanon. Finally, I will detail the specific aspects of the relationship between the Lebanese employer and the domestic worker. Generally, these domestic workers are almost always seen as the victims but in reality there are two victims: the madam and the maid. I will also demonstrate how legal and emotional/physiological factors come together, contributing to the continual exploitation of WMDWs since they face legal barriers and social stigma. I conclude that it is in fact the *kafala* system, as well as other issues, which exasperate the already tense emotional situation between the madam and maid.

² I use the abbreviations WDMW, WMW, MDW and DW interchangeable. The words maid, helper, and/or employee are also used.

For this paper, I primarily relied on secondary data, scholarly books and articles, as well as research reports published by international NGOs and Lebanese organizations and institutions, and the Lebanese Ministry of Labour website (which has not been updated since 2012³).

A Brief History of Domestic Service in the Region

The world's highest share of migrant population can be found in the Middle East (Baldwin-Edwards, 2005: 2). Lebanon is host to a large migrant population including refugees, asylum-seekers, as well as both legal and illegal workers. In this section, I provide a brief background on the history of domestic work within the region, with particular reference to Lebanon. Drawing mainly on Jureidini's work, I discuss the civil war and the effects it had on patterns of domestic work within the country. It is worth noting that Lebanon is known to be a migrant-receiving country as well as a migrant-sending country⁴, but in this paper I focus on Lebanon as a destination country.

Jureidini and Moukarbel (2004) believe that Lebanon is an interesting country to study with regards to MDWs, especially since the end of the civil war (1975-1990). Before the civil war, it was common for local Lebanese girls and women to work as maids. Women from other nationalities also worked as maids, including Syrians and Alawites (1920s to 1950s), Palestinians (1950s) -- who often came from the refugee camps within Lebanon -- and Egyptians (1960s) (Jureidini, 2009). It was often considered the norm for a poor Lebanese family to 'give' their daughter to a wealthier family so she could work as a maid in their household, at least until she reached puberty and then married. According to Jureidini (2009: 82), these girls were basically 'adopted' into the family. Being brought up in prestigious families was of great importance to the girl's parents as it often provided her with an informal education and a salary. The young employed maid was sometimes considered an adopted child, and so the employing family often assumed the role of her biological parents (Jureidini & Moukarbel, 2004). She would care and raise the children of the family, even though in some circumstances the young woman would be about the same age as the family's children. It was as though the young maids were their "fictional kin or siblings" (Jureidini, 2009). There were undeniably more similarities between the Lebanese family and the worker than is seen today with women workers coming from abroad.

Due to the political tensions following the civil war, Lebanese households stopped employing local Arab women as maids. It was thought that bringing Arab women into their households after such a period of hostility was an enormous and unnecessary risk (Pande, 2013).

Meanwhile in the Gulf countries, the sudden oil boom led to an increase in the hiring of foreign workers, which was later replicated in Lebanon. According to Jureidini and Moukarbel (2004), the combination of the civil war in Lebanon and the sudden oil boom in the neighboring Gulf

³ This fact further emphasizes that there is no process of monitoring the situation of MDWs in Lebanon.

⁴ During the 1975-1990 civil war, many Lebanese were displaced and/or left the country.

led to an increase in demand for MDWs from abroad, which was gradual at first but increased drastically after hostilities ceased in 1990 (p. 589). Other factors, which played an important role in the replacement of Arab maids with foreign maids was the fact that they were cheaper to employ; and they usually worked longer and harder for lower wages than Lebanese nationals (Jureidini, 2001). Eventually, it became shameful for local Lebanese and Arab women to work as maids (even those who might be classified as poor), as it became associated with the notion that a woman would never find a husband and marry if she were employed as one (Jureidini, 2009). In addition, Arab maids were often thought to make more demands than foreign maids; a detail which was no longer agreeable with many Lebanese employers. Conversely, foreign maids were not always preferred as they were often regarded as being indifferent, especially in terms of their affection.⁵ Either way, a shift took place. Being a domestic worker meant belonging to a low status that carried a certain stigma. Because of this, many poorer families started sending their daughters to factories instead. “The patronage and sense of obligation to long-serving maids more or less disappeared in Lebanon” (Jureidini, 2009: 95).

THE SIGNIFICANCE OF FEMALE MIGRATION

*The experience of female migrants differs from that of men
from the moment they decide to migrate*

(Global Migration Group, 2010, p. 45)

Migration is recognized as beneficial to both sending countries and receiving countries as it can relieve unemployment pressures in the countries of origin and have an impact on the home economies in the remittances that migrant women send back to their countries (Esim & Smith, 2004). This can be an empowering experience for migrant women who find themselves the main breadwinners of their families. Yet at the same time, migration carries risks, especially for women. In this section, I will investigate the migration process as a whole by examining the reasons women decide to migrate, and the impacts this migration process has on the family unit.

Migration has always been considered a ‘male phenomenon’ (Moukarbel, 2009: 12; Caritas, 2008). As the main breadwinners, they were responsible for providing for themselves and their families. Nowadays, this role no longer just applies to men as in both rich and poor countries; fewer families can solely rely on a male breadwinner. Since the 1980s, there has been an increase in the number of women who migrate globally (Caritas, 2008). This is also when the term ‘feminization of migration’ appeared (UNINSTRAW, 2007). However, there is still a disagreement regarding the usage of the phrase itself, as there may not have been an actual increase in the participation or the number of women, but rather the difference may have been

⁵ As Jureidini (2009: 94) notes, Lebanese maids are considered more loyal and sensitive since they share the same Arab heritage as their employer.

in the way women migrated.⁶ Nevertheless, this means that rather than joining their husbands or other male family members abroad, women now migrated to seek jobs of their own, either to provide for themselves or their families. As early as the 1950s, women have been migrating from poorer Arab countries to the wealthier ones. Large numbers of Palestinian, Syrian, and Egyptian teachers were hired, for example, to teach in girls' schools, as teaching was and still is considered one of the most respectable types of employment for women in the Middle East (Moors & De Regt, 2008). For this reason, the migration of women within the Middle East is not a completely new phenomenon.

As mentioned by Ehrenreich and Hochschild (2003), migration of women has assumed a specific pattern, i.e. from the third world to the first. The authors believe that the lifestyles of the first world are only made possible by a global transfer of the services associated with a wife's traditional role (such as childcare and homemaking) from poor countries to rich ones. Since women in the first world started to increasingly take on paid work outside the home, and since the men did not take on any shared responsibilities (Caritas, 2008: 8), the void of care for children and the home was filled by even poorer women from the third world. Women in poor countries, then, have an incentive to migrate and replace first world women in their domestic role. Ehrenreich and Hochschild (2003) see this as a 'care deficit', which has emerged in wealthier countries as more women entered the workforce. "The care deficit in the developed world provides an outlet for the catastrophic failure of development policies worldwide, which results in growing unemployment, reduced social services, and increased poverty" (UNINSTRAW, 2007). These two classes of women (first world and third world) are brought together not as career-oriented women who struggle to achieve common goals, but as mistress and maid, employer and employee (Ehrenreich & Hochschild, 2003: 11).

The Need for Domestic Workers

In many countries around the world, the lack of certain facilities for children (decent day care centers) and the elderly (respectable retirement homes) creates a demand for DWs, as does the declining social benefits and the longevity of the elderly population (Caritas, 2008: 8). These factors contribute to a high demand for MDWs, especially in the Arab world, where the number of migrating women is rapidly increasing. "As rich nations become richer and poor nations become poorer, this one way flow of talent and training", as Hochschild calls it, "continuously widens the gap between the two" (Ehrenreich & Hochschild, 2003: 17). It is an effect of neoliberalism that the rich grow richer and the poor grow poorer.

⁶ It is argued whether during this period there was any real numerical increase in the migration of women or whether the women were previously never really accounted for since they were migrating in order to join their husbands or families abroad (UNINSTRAW, 2007).

Most women who decide to migrate are actually professionals and committed career-oriented women in their home countries. Due to the lack of opportunities in their country of origin, they choose to devalue their qualifications, out of necessity, in order to enter the labour force and migrate. The reality is that by doing so, they often lose the opportunity to improve their own lives, whether it be through further education or career paths; a phenomenon known by many authors as *brain drain* (Caritas, 2008: 9; Ehrenreich & Hochschild, 2003: 17). In addition to this, another phenomenon that occurs is *care drain*; where women who normally care for the young, the old, and the sick in their own poor countries end up moving to care for the young, the old, and the sick in rich countries (Hochschild, 2003: 17). As is the case with brain drain, where skilled migrants become an economic loss for the sending country, care drain describes the situation where the woman being hired as a care worker is a *loss of care* for the children left behind. In that way, a global constellation arises that somehow mirrors the traditional relationship between both sexes (Ehrenreich & Hochschild, 2003): the first world assumes the role of a stereotypically traditional male head of household; one who is pampered, entitled, unable to cook or clean, and therefore must rely on the assistance of others. In turn, the poorer countries take on the traditional role of a woman within a household; one who has typically nurturing attributes such as patience and sympathy. "In the end, both first world and third world women are but small players in a larger economic game whose rules they have not written" (Ehrenreich & Hochschild: 20).

Renegotiating Gender Roles

Migration has also forced both men and women to renegotiate their traditional gender roles. According to Gamburd, "the migration of labour to the Middle East has created many challenges to local gender ideologies" (2000: 22). Upon the migration of a family member, these ideologies and gender roles (which are so deeply ingrained) are also challenged.

While it is obvious that through migration, migrants themselves experience many changes, people often forget that the families left behind also face many struggles. Women of all classes, religions, and marital statuses travel abroad in search for work. According to Caritas, women face more drastic decision-making and financial restrictions than men do (2008: 4). However, the reasons for migration cannot always be simply reduced to helping their families financially. Many women end up migrating in order to pay for their own dowry; for example in Sri Lanka, where women pay for all costs associated with a marriage, including the wedding, the house, and the furniture (Mansour, 2005). Hunger, extreme poverty, impoverishment, as well as high unemployment rates in sending countries also serve as crucial factors in migration (Gamburd 2000; Caritas, 2008). Meanwhile, the high demand for female domestic servants is a colossal pull factor. Beyond these push and pull factors, Gamburd (2000) mentions that women may choose to go abroad to get away from their families, or even to escape bad marriages. In her article 'Not allowed to love', Moukarbel (2009) also refers to this, revealing that the push-pull

model sees migration as a sensible choice but does not account for other social and economic pressures that might affect the reasons why women choose to migrate.

Deeply rooted gender roles remain central to both male and female identities. For example, in the case of Sri Lanka, Gamburd (2000) demonstrates how most married men whose wives go abroad often remain unemployed, relying on the remittances of their wives⁷, while the mother's role as cook, caretaker, is most often given to other women in the family. In this gendered division of labour, childcare and cooking are marked as female roles and as such, most men would feel threatened by carrying out such 'women's work'. The 'mothering' role, as Gamburd puts it, therefore becomes redistributed among multiple people (2000: 193). Furthermore, female migration can symbolize the inability or failure of a man to provide for his family (Gamburd: 194). Men may feel a loss of self-worth once they are no longer perceived as the breadwinner, leading many to resort to alcohol. For the men who do perform what is considered as a 'woman's role', "they both challenge and reaffirm older concepts of gender roles and family responsibilities" (Gamburd, 2000: 187).

Migration has also brought changes in women's roles as mothers. Migrant women can come to mother two sets of children: their biological children from a distance and the children of the household they live and work in. In such a scenario, both sets of mothers, the employer and the employee, tend to rely on what is called *substitute mothering* (Moukarbel, 2009). The woman hires a nanny to take care of her children, and yet the nanny herself, assuming she does have children, is at the same time reliant on her family in her home country to take care of her own children. "Between the employers' family, the migrants' family, and the family who steps in to care for the migrants' household, there is a continual redistribution of jobs, roles, labour, love and money in the reproduction of children, families, and laborers" (Gamburd, 2000: 196).

The Role of the *Kafala* System and Recruitment Agencies in Lebanon
Under the kafala system the migrant worker may be identified as a 'guest worker' but is often treated as a disposable economic commodity at the mercy of her sponsor
 (Migrant Forum in Asia, n.d., p. 4).

In this section, the laws and practices that restrict labor mobility in Lebanon are discussed, further complicating and restricting WMDWs access to any legal status as well as basic social and labour rights.

Lebanon is a country where foreign workers are governed by the *kafala* (sponsorship) system. Therefore, in order for a MDW to enter Lebanon legally, she has to be formally sponsored into

⁷ According to Ehrenreich and Hochschild (2003), the governments of some sending countries actively encourage women to migrate, the reason being that migrant women are more likely than men to send their wages (remittances) back to their families, rather than spending it on themselves (p. 7).

the country by either a Lebanese agency or an employer. Furthermore, as will be shown in subsequent paragraphs, WMWs are excluded from national labor laws and are thus, in legal terms, not considered as being *real* workers. Domestic work is also considered an unregulated sector of the labour market. Therefore, much of this work remains invisible (Esim & Smith, 2004).

The *kafala* system was put in place in order to monitor foreign MDWs during their contract periods. It provides a way for governments to delegate the responsibility of migrants to private citizens or even companies (Motaparthy, 2015). The history of the *kafala* system stems from the Bedouin principle of hospitality, which sets its requirements in the treatment and protection of foreign guests, including domestic workers (Khan & Harroff-Tavel, 2011, p.294). According to Bedouin tradition, if a traveler were found wandering the desert in need of shelter, it became the duty of whoever came across them to feed them, shelter them, and allow them to stay for as long as was needed. Nowadays, being a *kafeel* or a sponsor to a DW is rarely seen in a positive light. Therefore the *kafala* system is often thought of as the sole reason for the abuse of DWs and is in need of either reform or complete removal.

The *kafala* system creates a cycle of dependency in which the worker is completely reliant on his/her employer for shelter, food, etc. For the most part, the worker cannot leave the household without obtaining permission from the employer or work in parallel with other employers unless they have consulted the original employer. Doing either one of those two actions is considered to be illegal. Under this system, the employer plays two roles for the DW: that of employer, and that of *kafeel* or sponsor. Being a *kafeel* means the employer is fully responsible for the domestic worker in the host country, and so “becomes the mediator between the MDW and the state” (Hamill, 2011: 27). However, it is the Ministry of Interior rather than the Ministry of Labour that is responsible for managing the employment of these workers (Khan & Harroff-Tavel, 2011: 297). Because DWs work in the private sphere (homes) rather than in the public sphere (offices/companies/organizations), the national labor law does not apply to them. Much of the exploitation also stems from this fact. The system achieves two goals: (1) it meets the demand for labour; and (2) ensures that these workers remain only as temporary residents in the country (Khan & Harroff-Tavel, 2011), which is another factor contributing to their continual mistreatment.

In addition to the *kafala* system, recruitment agencies in Lebanon also play a large part in the treatment of DWs⁸. In Lebanon, many agencies allow the sponsor/employer to choose a worker based on nothing more than a photograph and a brief description, such as age, marital status, and nationality; and is hired not just for her physical labour but also for her emotional labour

⁸ Although a code of conduct was launched in 2013 providing guidance to recruiting agencies, it is not enough by itself. The code of conduct does not replace the importance of having strong legislation in Lebanon (OHCHR, 2013).

and personality traits (Moukarbel, 2009). Lebanese women differ in their preferences when choosing an appropriate housemaid. For example, many madams want young women since this will mean that she has no or minimum prior experience in housework, and is thus 'new' and 'fresh' and can be taught from scratch. Other madams prefer the maid to be old and unattractive, hence able to control her sexual desires. Others still have a preference for women who already have children of their own since that means they will be tender with their children as well, as the president of SORAL (El-Bourji) further confirmed in a personal interview (13/7/2016). Nevertheless, he believes that it is equally the responsibility of the agent to make sure that a suitable DW is chosen for a household's specific needs. Otherwise, things can easily go wrong. If, for example, the employer has young children, the agent should advise them to choose a DW who enjoys taking care of children, and most probably has children of her own back in her home country. This way, it prevents future unwanted problems. His office even offers the DW a questionnaire asking her if she is willing or unwilling to do certain tasks. Unfortunately, this method of advising the madam and asking the DW her preferences rarely occurs in Lebanon.

The process of randomly "selecting and being selected" (Abdulrahim, 2010: 14) is quite common in Lebanon and is the first step where both the employer and the DW are deceived. For the most part, the DW is vulnerable to the vicissitudes of the employer. Additionally, the fact that the employer may wish to return the worker back to the agency if she or he dislikes her or is not satisfied by her performance, further emphasizes the fact that she can be treated like an object. Once in Lebanon, many of these women end up waiting in rooms in the airport until their employers are able to pick them up. Moreover, their passports are very often taken away from them⁹, and are given to the sponsors once they arrive. Despite this being illegal, it creates "a cycle of dependency", as Pande (2013: 426) explains, between the employer and the domestic worker. By making the worker dependent on the employer, not only does it create a basis upon which violations can occur, but it also allows such violations to continue unrecorded and unpunished (Pande, 2013).

Hamill (2011) and Jureidini and Moukarbel (2004) point out that WMDWs are generally deceived about their conditions of employment, and thus, can be placed in the category of *trafficking*, more specifically contract *slavery*. They are misled into believing that they are entering into a legitimate contractual relationship with obligations and responsibilities backed by legal authorities (Jureidini & Moukarbel, 2004). For one, they may sign one contract in their country of origin, and then another contract upon their arrival in the destination country, a clear example of deception. Moreover, the language of these contracts might not even be one

⁹ Passport withholding is against the law and yet many madams still do this because most recruitment agencies often tell them to do so claiming that it is within their *right* to do so.

that they are familiar with (for example, signing a contract in Arabic when they don't know the language). Furthermore, many women struggle while borrowing money to pay the agency fees in their home country, and as a result end up in debt even before they arrive at their destination. Usually, they return this money from their first few months of salary. All these reasons essentially put the worker in a highly vulnerable position upon arrival in Lebanon. On the other hand, the Lebanese employer also pays fees to their respective agency in Lebanon for the worker: her work permits, airfare, residency permit, health insurance etc., thus most employers believe it is within their rights as employers and as *kafeels* of these women to place restrictions on them. One form of restriction, particularly so early on, is called the *mandated salary reduction* (Jureidini & Moukarbel, 2004). This is where her first three months payment is withdrawn to be given to the recruitment agency; they could also play a part in this, as they may ask the employer/*kafeel* to do so even though at times, the employer would be genuinely in the dark about what is really going on, given that it is illegal to reduce a helper's salary. Hence, the employer is often unaware that she or he is truly committing a felony. According to Pande (2013), there is a perception that the employer/sponsor has bought the MDW, and therefore owns her, and it seems the agencies often act in the interest of the employers and not the workers (KAFA, 2012: 22). An incident in October of 2014, however, has challenged this. The Labour minister ordered the closure of two DW recruitment agencies in southern Lebanon, for breaking regulation as well as violating human rights (Al-Akhbar, 2014). This was a good example of competent Lebanese governmental oversight, and thus presents hope for both DWs and Lebanese family's wishing to hire them.

According to Jureidini (2011), the existence of contracts does not guarantee rights, even when the contract specifies that abusive behavior is unacceptable. While considered mandatory by both the Lebanese government and some of the sending countries, contracts are often ignored because there are no official sanctions available for breaking them under Lebanese law – at least on the part of the employer. The DW would not know how to challenge the law in any case. Likewise, there are no mechanisms in place to protect the workers. Such poor structural conditions can be made worse through personal abuse in the household, most of which will be discussed in the following section.

The Madam and Maid Relationship

Many Lebanese employers have inaccurate and incorrect information about the contract and regulations, and this influences their behavior with the DW

(Get your facts straight, n.d¹⁰)

¹⁰ A pamphlet containing data and statistics taken from a national study by AUB, in collaboration with KAFA, Anti-Slavery International, and ILO in Beirut, Lebanon (2015).

According to Moukarbel (2009), employers exercise an extreme form of power that is unlike any other employee/employer relationship. Abdulrahim (2010) explains that policies and inadequate regulations are responsible for determining the living conditions of DWs in Lebanon, and among the main circumstances affecting them are the attitudes and practices of employers.

In Lebanon, the pre-arranged relationship between the DW and the employer is a very multifaceted one. As mentioned, not only is she or he the employer, but *kafeel* as well. Therefore, employers are given the full responsibility of looking after the domestic worker. This creates a very unique but complex relationship between both parties. As such, one must recognize that DWs are not the only victims in this situation; Lebanese employers can be victims too¹¹. In many cases, they are both victims of a greater injustice. The madam¹² may also become, at one point or another, trapped in the vicious cycle of nurturing yet abusing the maid.

Control

One well-known method of controlling MDWs (although not all madams do this) is restricting their movement. "It is a form of imprisonment that has become part of the normative expectations of the employment relationship" (Jureidini, 2001: 10). Most DWs must either seek permission, or go out accompanied. Lebanese employers often view and/or justify such practices by considering them as necessary means needed for protecting themselves and their DWs. They claim that Lebanese society is dangerous and DWs are "naive children who could easily fall prey to delinquent men" (Abdulrahim, 2010: 17). Moukarbel (2009) labelled this act as an indirect type of power known as *materialism*, where maids are often viewed as helpless children in need of direction. Some Lebanese employers feel that in order to protect themselves they must deny the workers some of their rights. Because the worker is the madam's full responsibility, anything that happens to her can reflect negatively on the employer.

Furthermore, since madam and maid are both women in the private household, this adds further stress to an already tense situation. The position of authority is traditionally considered a masculine role but since madams assume this role, it becomes more of a nurturing role instead (Moukarbel, 2009). Trying to "embellish the exploitation by giving it a familial context" (Moukarbel, 2009), in other words treating the DW like she is a part of the family is common. A 2010 study by KAFA delineates on this issue: though it is common for Lebanese madams to consider their maid as a family member, she still "remains the vulnerable party in the

¹¹ For example, in late 2015, according to The Daily Star, members of the Association to Protect Family Privacy and the Worker held a news conference arguing that Lebanese housewives have become victims themselves, as the entire image of Lebanese families and housewives is being tainted (Obeid, 2015).

¹² In Lebanon, the madam of the household is normally the one who takes the responsibility of training and looking after the maid.

employer-employee relationship” (Abdulrahim, 2010: 20). “The dichotomy between rights and responsibility” (Abdulrahim, 2010: 17) seems to be the underlying problem in such cases.

Some Lebanese families do not know what to expect in terms of rights and responsibilities in regards to the madam-maid relationship. And the maid herself has often no idea what her own rights and responsibilities are to begin with. Granting the DW a day off from work, for example, was viewed to be a question of employer preference rather than a right to free movement (Abdulrahim, 2010). This view that DWs are only in Lebanon to work was common among the people Kafa interviewed, and it has become the norm that “the denial of basic rights can become so engrained within the social structural fabric and becomes unseen or unnoticed by the majority” (Abdulrahim, 2010: 13).

Forming Communities

The inability to communicate with the outside world can also be seen as a hindrance in the daily lives of MDWs. However, MDWs in Lebanon have found a way to overcome this problem in certain situations. This is where public and private spaces come into play. According to Pande (2012), there is limited private home space available for a live-in housemaid. Her bedroom, if available, is one. The kitchen and the balcony are also deemed appropriate spaces, as they are spaces where she works (cooking and cleaning in the kitchen and hanging laundry on the balcony). Since the employer’s home space is restricted, the DW must search elsewhere, in more public spaces, for any privacy. Even then, many housemaids may face restrictions preventing them from interacting and socializing in these public spaces.

Pande (2012) mentions three activities during which WMDWs can form networks with one another and build community ties. The first activity is what she calls ‘balcony talk’. This activity is for the most restricted of live-in DWs who are not allowed to leave the house of their employer. According to Pande (2012), this is step one in forming a community and also in finding larger support structures; which is extremely important given that these women are in a new country, dealing with a new culture, and struggling while learning a new language. As such, it is crucial for them to form such communities. Across balconies, women consult and advise one another on all kinds of issues, including whether they were given access to their own passport, how the payment method works, and in what manner they should negotiate properly with the madam etc. “The balcony transforms from a space assigned to restricted live-ins to an avenue for forging strategic dyads with workers in the neighboring balconies” (Pande, 2012).

A further avenue in forming broader communities among Christian MDWs is through churches. For those housemaids who have a little more freedom (but are still considered live-ins), they may be allowed to go to church on a specific day. In her fieldwork, Pande (2012) discovered that many services are not limited to religious prayers and worship, but also what she calls ‘practical prayers’. Practical prayers teach these women how to avoid certain situations, and

encourage them to respect their madams. “These women have no prior ties with each other, and are often not from the same city or even country, but what binds them together is their work status and experience as MDW’s” (Pande, 2012: 395). Practical prayers help the women understand their right to work in an environment free from abuse. Pastors also support these women and teach them how to overcome difficult situations including verbal or even physical abuse from their employers.

A further space where women come together is through rented apartments or illegal collectives. Similar to church spaces, “rented apartments become spaces where WMDWs are counselled on practical ways to resolve employer/worker conflicts” (Pande, 2012). Unlike the above two spaces, these spaces are for maids who have become illegal by running away and/or becoming freelancers. Such spaces become areas where these women can seek help and advice from each other, much like the other two spaces mentioned above. Although it may seem a positive thing, the fact that these women have to find public spaces for themselves may lead to issues with stereotyping and racism.

Racism, Stereotypes, and Legal Status

MDWs in Lebanon can be classified into one of three types: live-ins, runaways, and freelancers. Normally, women entering the country via recruitment agencies work as live-ins. In other words, they work on a legal contract, and live in the employer’s household, therefore rely on the employer for their needs. On the other hand, there are freelancers. For the most part, being a freelancer arises out of necessity.¹³ As opposed to live-ins, freelancers work without a contract and so can change employers as frequently as they want or need. In countries like Lebanon where the *kafala* system is enforced, the freelancing lifestyle becomes a possible alternative option for them. Although by making a DW illegal as soon as she leaves the house of her original sponsor, the system itself creates a new population of easily exploitable workers (Pande, 2013: 431).

Freelancers normally work on an hourly basis for one or more employers. This way, many claim there is more freedom of movement. Salaries are often higher, as maids would be paid per hour instead of per day or month. Despite these positive aspects, it may be more challenging for the maid to earn a living for herself, in other words, less stability. For example, she may have to work for multiple employers in the course of one day, which can be extremely exhausting. In addition, living conditions also present a challenge, since the helper would no longer be living in her original employer’s house. As such, the maids need to pay for their own rent, clothes, food etc. In some circumstances, she would end up living with other WMDWs; however, for the most part, many DWs find themselves unable to do so for one reason or another. Therefore, they must rely on male domestic workers, preferably ones who have prior

¹³ I.e.: breaching her contract by leaving her original employer.

experience living and working in Lebanon. In such cases, the man may sometimes end up taking advantage of the situation, oftentimes using her sexually in return for shelter, food, etc. (El-Bourji, personal interview, 13/7/2016). In many parts of Lebanon, freelancing is actually increasing in popularity, despite it technically being illegal, as one can find women willing to work very easily by way of other employers. Although it may seem like there is more freedom in freelancing, there are a lot of sacrifices one has to make. It is a struggle to make a living either way. As such, “MDWs face strong tensions between what is legally allowed and what is socially acceptable” (Moors & De Regt, 2008: 154) adding to the social stigma of DWs, which is worsened with racism.

Many Lebanese employers prefer certain maids over others. Such preferences include ethnicity, religion, and the legal status of the DW in the country. For example, Filipina women are often more sought after than other nationalities, as many of them tend to speak English fairly well. Most Lebanese families with children hire Filipina women in order to teach their own children English. This even translates into a difference in salaries based on nationalities as explored by Moors and De Regt (2008). Trust and cleanliness are other important reasons justifying why some employers tend to favor Filipinas over other nationalities, as they tend to be more fastidious than other nationalities. Nepali women for instance are described as respectable and compliant, Ethiopian women as stubborn and difficult to deal with (Moors & De Regt, 2008).

Religion also plays an important role in selecting a suitable housekeeper. What is interesting to note is that for the households in Lebanon that have children, these choices are given much more importance as the DW will often be caring for the employer’s children as well. As a result, most employers prefer if their maids share the same moral outlooks and beliefs as they do, and possibly if they speak the same language. All of these reasons are transferred by word of mouth through employers and recruitment agencies as my interview with the president of SORAL revealed (El-Bourji, 13/7/2016). Even people who consider themselves to be among the most educated of employers will still have some sort of hierarchical approach, which has been completely normalized and which they can simply label as a personal preference (Jureidini, 2001).

Other Possible Reasons for Abuse

In his study on the psychological factors regarding the abuse of MDWs, Jureidini (2011) argues that one of the reasons DWs are abused might be because married Lebanese women are also often abused such that they take out their frustrations on the maid, in the form of both physical and verbal abuse, who happens to be at times the only other defenseless woman in the house whom they can then dominate. The frustration passes down the hierarchal social order from the husband to his wife, and almost always ends up affecting the maid. In parallel, the husband and/or other male members of the household may also end up abusing the maid in the form of

sexual abuse. Another possible explanation is that MDWs are accustomed to being in a subservient position in their home country, therefore they continue to assume this role in their new lives in Lebanon, and basically succumb to any type of abuse at the hands of their employers. Another reason quoted by Jureidini (2001) is that Lebanese are racists to begin with. Domestic workers are not seen as equal to the Lebanese, and are often addressed as *abed* (slave), *ya bint* (girl), *sri lankieh* (Sri Lankan women) or *philipinieh* (Filipino women). In the case of the last two examples, employers often refuse to refer to their maids by their first names and instead simply reduce their identity to that of their country of origin (scapegoating). This objectification is what enables employers to treat their DWs as unequal subhuman slaves. Such harshness is often considered normal procedure where the employer properly trains the domestic worker.

The Lebanese tend to have a limited understanding of foreign cultures, especially with regard to the nationalities of MDWs, which could explain why this lack of trust exists between the maid and the madam. According to Jureidini (2011), this is likely due to the fact that Lebanon never had any sort of historical connection to most of the countries where MDWs originate. Therefore the links between racism, scapegoating and domestic issues can all contribute to mistreatment. Accordingly, all of the above mentioned factors become very critical for the complete understanding of the culture of abuse. After all, the maid is not only accomplishing tasks but also performing a role (Moukarbel, 2009).

Conclusion

This paper has argued that there are numerous causes leading to the continued exploitation of WMDW's in Lebanon. In the first instance the migration process as a whole affects women. They, both the maid and the madam, are exploited by the emotional factors in their relationship, which is underpinned by the inability of the state to regulate the system within which they operate. Secondly, the main reason behind their exploitation can be traced back to the maids who are forced to live with an employer, often have their passports and legal documents confiscated and thus are left helpless within the society within which they live; work long hours, receive unsuitable or no training from the host countries, and being made to respect and cater to particular expectations set by the madams in Lebanon. Thirdly, the lack of understanding of the rights and responsibilities the employers have towards their maids means that they are vulnerable and in many cases inevitably exploited. In other words, many DWs enter Lebanon ignorant of its culture, without valid contracts and have not been informed of the nature of domestic work they are expected to undertake, nor of their respective rights and duties. Employing families also have to learn how to adjust to migrant workers coming from different cultures where most of them will know very little about this nor of the background of their employees (Jureidini, 2009). Finally, what makes the situation worse is the attitude of the authorities towards this matter, inadequate frameworks to support annulled/failed contracts,

also bans on MDW traveling to certain countries (mostly by the sending country in order to keep their citizens safe), agency decisions, and the like.

Control, the forming of communities, and racism combine to create two separate entities in the household: the madam and the maid. Similarly, I have explained how the DW exists as a social group; one that is entirely separated from the Lebanese society in the public sphere. Looking at the factors combined, they serve to explain the discrepancy between the groups and their resulting behaviours. These performances have become inherent to these roles, and as a result, translate to abusive practices not just at a personal level, but also at emotional, physical and legal levels.

Many say that from a legal standpoint, the *kafala* system is primarily to blame for the observable discriminatory practices. Yet the abolishment of the *kafala* system itself would not mean that the bad practices and attitudes would end entirely even though it would enable MDWs to work legally. In reality, the *kafala* system exasperates the complicated relationship between the employer and the DW by, for example, preventing a maid's movement. Furthermore, such behaviours and attitudes have become so internalized by many madams and maids, due to their daily interactions, so that it would be difficult to sever, even with the presence of a new legal framework. A solution to this could be to allow MDWs to work legally in the country without sponsorship, which could alleviate some of the legal issues relating to recruitment agencies. However, even with this small change, there is no doubt that the principal issues would remain unresolved. In order to remedy that, there has to be considerable effort to humanise the relationship between madam and maid, and eliminating the social stigma of domestic work and what it means to be a maid. Once that is completed, then and only then can legal reform truly succeed.

MDWs face numerous legal barriers, making it difficult for them to seek legal advice and help in cancelling a contract or resolving issues with the madam. All this forces them to resort to informal support systems such as balcony talk. This strengthens the bonds between the MDWs whilst marginalising them in society. Hence, there must be a reform that also breaks this cycle. For instance, making this matter of marginalization a state concern (public as opposed to private) may help prevent such mistreatment. Alternatively, another solution could be through the use of both short and long term contracts that would be given to MDWs depending on the needs of the maid and madam, keeping in mind that *both* should be given legal protection and rights. This would give the employer and the DW more peace of mind. Understanding how these factors interact to create this tragic catch 22 situation is crucial to the understanding of the continued exploitation and mistreatment of MDWs in Lebanon.

Furthermore, many women complain that the training that they receive in their home country is either not sufficient or non-existent. After all, they have to learn how to carry out a plethora

of tasks like taking care of babies, cleaning, cooking, and using electronic devices, most of which they have no experience. According to Mansour (2005), in Sri Lanka, it takes 12 days or a maximum of four weeks to train the domestic worker. Interestingly enough, Mansour (2008) also explains how some countries train both the maids *and* the madams of households. However, there appears to be no such requirement in Lebanon something that probably needs further examination. Perhaps another future solution could be mandatory training in Lebanon before or even while these women are working with the Lebanese family. At the same time, host families need to better understand those whom they are employing, and be better prepared for the inevitable cultural differences and be sensitive and sympathetic to the circumstances of these women.

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