

AMERICAN UNIVERSITY OF BEIRUT

HOW DOES THE COLOR LINE CONTRIBUTE
TO THE EXPLOITATION AND EXCLUSION OF AFRICAN
MIGRANT DOMESTIC WORKERS IN LEBANON

by
MAGDALENE SOPHIE TAPEM

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MAGDALENE SOPHIE TAPEM

Approved by:



Signature

Dr. Sari Hanafi, Professor
Department of Sociology, Anthropology and Media Studies

Advisor



Signature

Dr. Greg Burris, Associate Professor
Department of Sociology, Anthropology and Media Studies

Member of Committee



Signature

Dr. Rima Majed, Assistant Professor
Department of Sociology, Anthropology and Media Studies

Member of Committee



Signature

Dr. Rana Sukarieh,
Department of Sociology, Anthropology and Media Studies

Member of Committee

Date of thesis defense: April 19, 2023

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ABSTRACT OF THE THESIS OF

MAGDALENE SOPHIE TAPEM

for Master of Arts
Major: Sociology

Title: How the Color Line Contributes to the Exploitation and Exclusion of African Migrant Domestic Workers in Lebanon.

This thesis rests on the assumption that the racial hierarchization and differentiation of migrant domestic workers in Lebanon often result in their exploitation and exclusion under the kafala sponsorship system. Kafala, as the primary legal framework governing migrant domestic workers, creates a power dynamic which employers often exploit. The legality of migrant domestic workers depends on their employers, which completely absolves the state of its responsibility. Moreover, due to the nature of their work, domestic workers are explicitly excluded from the protection and provisions enjoyed by other workers. They, thus, are positioned at the bottom of the hierarchy as the last category of workers. The states' exclusion of migrant domestic workers and the delegation of domestic labour regulation to private recruitment agencies encourage dehumanizing recruitment practices.

Using a qualitative content analysis methodology, I examine the accounts of migrant domestic workers published in the Lebanese Daily Star and explore how the color line operates in the lives of African migrant domestic workers. By employing the framework of racial and classical capitalism, I locate kafala within the global structures that exploit migrant domestic workers from less developed countries. In doing so, I demonstrate how the kafala system's racialised labour practices are a microcosm of the larger historical processes of colonialism, slavery, and other forms of servitude.

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ABBREVIATIONS

ARM- Anti Racism Committee

PrEAs- Private Recruitment Agencies

NGOs- Non-Governmental Organizations

CHAPTER 1

INTRODUCTION

On a Friday evening of January 2023, my African friend and I with our Lebanese friend hopped in a taxi on the way to a restaurant in Achrafieh that had been recommended to us. We were in a hurry to get to the restaurant so we could eat the delicious food our friend had been raving about while we perused the menu. The cab driver, eager to join in on our talk, interrupted us and asked, "are you from Nigeria?" with his eyes glued to my side. This was not the first time I had been asked about my origin. After living in Lebanon for over a year, I got used to explaining my country of origin to complete strangers whenever I enter a taxi, a store, a mall, or encounter them on the street. The fact that people assume I'm from one of the West African countries because of my appearance is something else I've noticed. Some Lebanese people have even asked me whether I'm from Africa, but they usually mean the country and not the continent.

I told the cab driver that I was from Uganda, much to his amazement, "I initially mistook you for a Nigerian" he said. He then went on to tell us that he had spent the previous eight years working in Nigeria for a Lebanese firm that specialized in agricultural commodities. This company gave him the opportunity to work and live in Nigeria, where he was paid in both U.S. dollars and the local currency (one about 1,400 US Dollars deposited in his Lebanese bank account every month, and the other about 300 Naira which he received monthly in Nigeria). He also worked alongside Nigerians at the same company, however he was compensated more favorably than his Black coworkers. He believes he got paid well since he is a Lebanese citizen working for a

Lebanese company in Africa and won the respect of his superiors, in addition to possessing a special skill set.

After talking for a while, during which time we established a certain level of connection with him, the topic "what are you doing in Lebanon?" inevitably came up. So, there was a brief pause before we finally told him we were both master's degree students at the American University of Beirut (AUB). As if the reply had taken him aback, he lifted an eyebrow in a "are you kidding me?" expression. "Do you go to AUB to study the sciences?" Again, he inquires. After hearing the remark, I got the impression that he was left wondering, but rather than share his thoughts, he kept his cool. As he did not specify what he meant by "sciences," I jokingly informed him that our course of study was in the field of human sciences.

When he finally inquired, "do people in your country also treat White people as slaves?" the topic of conversation abruptly shifted to that of slavery and racism. We were all silent for a brief period of time, and during that time I was at a loss for words. Rather than that, I had the idea of rephrasing his question and asking him to elaborate on his time spent working and living in Nigeria. I couldn't help but wonder, what caused him to pose such a question in the first place. What form of servitude was he referring to exactly? who exactly did he have in mind when he said, "White people," and what kind of treatment did he have in mind? After giving it some thought, I inquired as to whether he had personally encountered it while residing in Nigeria or whether he had witnessed a 'White person' being treated in a manner analogous to that of a slave. At this point, my African friend had gone silent, and I was beginning to wonder whether he had become exhausted by the long talk with this taxi driver due to the excessive number of questions that he had asked. In the meantime, since the moment we began conversing

with the cab driver, my Lebanese friend had remained silent and had only been listening. It's possible that she was also hoping that this conversation would come to an end.

As our conversation progressed, I learned that the cab driver was familiar with the tragic history of slavery in the United States. But one of the things that perplexed him was how people of African descent could have been so complacent about being enslaved by White people, that Africans stood by and let their people be carried to America to serve as slaves for white men, even though they were aware of what was happening. This got me even more enthusiastic, and I questioned him whether he would declare that slavery had ceased with the White man enslaving Africans, which is the history of the practice and something that everyone is familiar with. In the back of my mind, I had read about kafala in Lebanon and in the Middle East and how some people, including Lebanese citizens, compare it with slavery, and also why he asked us what we were doing in Lebanon. He was probably not satisfied with the response, or it seemed as though he associated us with being slaves ourselves because of the color of our skin. That was not the first time that a random Lebanese person had asked me what I was doing in Lebanon; maybe the most obvious explanation would be that I am a migrant domestic worker from Nigeria or any other African country. He may equate being black with being a slave. Yet, we continued talking after that point in time. When we asked him what kind of slavery he was referring to, he stressed it very clearly to us while pointing to the practice of passport confiscation that is visible in the kafala system in Lebanon and throughout the Middle East, as well as the treatment of migrant domestic workers. As we circled back around to the topic of slavery, I asked him this follow-up question: "You mentioned that you lived in Nigeria for eight years; during that time, did

you observe any practices that were comparable to slavery, particularly with the White man?”. He assured us that he had never been subjected to anything comparable to slavery and that, during the course of his employment with the company, he had enjoyed his time in Nigeria and toured most of the cities, especially he made known to us that he loved to stay in Lagos. He also expressed dismay at the way Lebanese people treat Black people in Lebanon and swore that he would never employ a migrant domestic worker in his house because he considered his home private and would not be comfortable having someone clean, cook and wash for him.

1.1. Background of kafala

Lebanon is one of the countries in the Middle East employing the kafala sponsorship system to govern thousands of migrant domestic workers who come majorly from Africa and Asia. Being driven by the need to support their families back home, these women are attracted by the economic opportunities presented to them by recruitment agents in their countries of origin working with PrEAs in Lebanon. These migrant domestic workers are mainly allowed in the country to perform domestic work and have replaced the jobs which were initially performed by young girls from poor Lebanese families and women from neighboring Arab countries, such that their existence has added to the country’s layer of exclusions.

Legally, migrant domestic workers are excluded from the labor protections and their work has been categorized and classified as the least in the country’s Labour Code (Consortium, 2019). During the period of their stay in the country, they are legally tied to a Lebanese sponsor/employer and can neither change employers nor exit the country unless with the permission of their employers. Because their legality in the country is

tied to a specific sponsor, usually in an unequal contractual relationship, domestic workers have been subjected to exploitative and abusive working and living conditions which have led many international organizations to associate kafala sponsorship system with modern-day slavery (Freedom United, 2019) and thus have pursued initiatives to abolish kafala.

Before the country's latest economic crisis of 2019 and Covid 19 pandemic, Lebanon had around 300,000 migrant domestic workers (Kassamali, 2021). Among the country's domestic workers, the vast majority constitute African domestic workers with a great number of Ethiopians and African women from other countries such as Nigeria, Kenya, Ghana, Sierra Leone, Cameroon, Kenya, Senegal among others (O'Regan, 2017). African migrant domestic workers- like other workers- have been subjected to labour exploitation and abuse as evidenced in their dehumanizing experiences by the Lebanese public and recruitment agencies while the state has been complicit. However, their abuse and exploitation has largely been attributed to the poor labour conditions resulting from their exclusion from legal protection, while little has been studied relating the practices of racism and racialization to their work and stay in the country.

It is only recently that discussions about race and racism have emerged with kafala being associated with anti-blackness (Kassamali, 2021b). In addition, the existence of a legacy of racialized domestic servitude that was performed by slaves of African origin in the Middle East have rarely been acknowledged yet similar socio-cultural ways of referring to African Domestic workers persist. Moreover, research reports produced by scholars and Non-Governmental Organizations (NGOs) in Lebanon mostly view racism synonymously with labour exploitation and rarely link these to the global histories of slavery, colonialism, and other forms of servitude which have

continued to shape the practices of racialization and organize the experiences of African migrant domestic workers.

This thesis aimed at exploring how the racialization of labour under kafala contributes to the exploitation and marginalization of African migrant domestic workers. In this thesis, I examine the experiences of African migrant domestic workers under kafala to identify how processes of racialization of domestic labour impact on the experiences of racialization and exclusion of African domestic workers. I applied the theoretical framework of racial and colonial capitalism to be able to situate the local practices of racialization of labour in Lebanon within regional, global historical processes of labour exploitation and how they organize domestic work. Specifically, to examine the exploitation of migrant domestic workers, I looked at the practices applied by recruitment agencies and the wider strand of Lebanese society to construct a racialized hierarchy among migrant domestic workers and differentiate them to justify their forms of exploitation. While these categorizations are part of the institutionalized classifications created by the state to mark specific workers, they are not different from the global categorizations of workers given that kafala feeds into a global network of structures exploiting cheap labour from poor countries of the Global South.

Through a qualitative method of content analysis, I sampled a total of sixty articles published by the Daily Star newspaper between 2010-2019. The articles cited various issues relating to kafala system in Lebanon, including the stories of African migrant domestic workers which I discuss in the results section . A thematic analysis was then applied to identify key issues raised in the different articles sampled for the analysis and therefore, six themes were derived from the thematic analysis.

1.1.1. Thesis outline

Chapter 1 of this thesis forms the introduction and background of kafala in Lebanon. In this Chapter, I also discuss the motivations for studying kafala and give what my research sought to investigate.

There are subsections in Chapter 2. In the first part, I interact with the existing literature by providing an overview of kafala in the Middle East, including its historical context and its development into the form it takes now. In the second part of the chapter, I revisit the literature provided by academics, researchers, and international organizations on the state of kafala in Lebanon, this time focusing on the gaps in this literature so that I can provide my own insight.

The third chapter explains the theoretical framework I used in this study and demonstrates how it sheds light on my topic when applied to the kafala system in Lebanon. In addition, I discuss the research approach I used, which consisted primarily of qualitative content analysis, the limitations I encountered, and the viewpoint I took.

The findings of the research are presented and discussed in the fourth and final chapter before the conclusion. I also use other scholarly literature and draw from available research on migrant domestic workers in Lebanon to supplement and strengthen my discussion. An intersectional analysis of class, race, nationality, and gender is included in the same section to highlight how these factors intersect to the disadvantage of African migrant domestic workers.

CHAPTER 2

LITERATURE REVIEW

In this chapter, I engage with a body of literature on kafala sponsorship while analyzing the gaps and situating myself in the discussions regarding the thesis question. In this first section, I offer a general overview of kafala's origins and its current practice. Most importantly, I situate kafala within the regional and global structures of organizing migrant labour which tend to reproduce racialized hierarchies aiming at differentiating workers based on their nationality, gender, race, and class.

2.1. Theorizing kafala

Out of the global count of 150.3 million migrant workers, Arab countries account for 17.6 million people (Kassamali, 2017). With more precision, the Arab states have the highest proportion of migrant workers (35.6%) from all International Labor Organization's (ILO) world regions, while South Asia only has 1%. In the Gulf Cooperating Countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates), there are over 10% of the world's migrants, making it the leading destination for labour migrants in the global south in the 21st century (Kassamali, 2017).

Kafala is a word with three different meanings; the first is to feed or support, the second is to provide bail or guarantee, and the last is to sponsor or be a legal guardian. The origin of the word kafala is understood in varying ways; some scholars associate kafala with the Bedouin traditions of hospitality towards guests. Others trace it back to the Islamic tradition of a guarantor providing an assurance of the fulfilment of an

obligation of the guaranteed person, such as ensuring the repayment of a debt, bail money or for the delivery and purchase of goods (Jureidini et al., 2019). While the Islamic notion of a guarantor meant that the person was providing service for free and not in the effect of an employment agreement, the current practice does not hold any Islamic ethics recognized in the contract.

Providing a contrasted account of the origins of kafala, Ana Longva traces the practice to the existence of indentured labour contracts which governed slave labour, particularly those in pearl diving industries in the Persian Gulf (Damir-Geilsdorf, 2016). Adding to this, Alshehabi also traces the emergence of kafala back to 1950 to the British colonial practices of controlling migrant labour in the Gulf during the booming oil industry, which attracted many migrant workers. The British colonial administrators adopted and transformed the kafala by introducing new sponsorship requirements to regulate the flow of migrant workers to the Gulf (AlShehabi, 2021). Kafala is thus theorized in two ways; one as a way of incorporating foreigners into the society and taking responsibility for them, and on the other hand, as a way of controlling migrant labour.

The prevalent practice of kafala in its contemporary form is that of placing labour controls on migrants, which is evident in the oil-rich countries of the Gulf and adopted by Lebanon, Jordan, and Iraq. Because these countries host the largest populations of migrant labour in the region, kafala became essential in the political economy of regulating the flow of migrant labour and was then legalized and accompanied by a set of practices and procedures. One of kafala's features is that a migrant worker cannot access the country without legally being sponsored. Usually, the sponsor (also referred to as '*kafeel*') must obtain authorization for the work permit and

residency for the worker. The sponsor must be a citizen of the country or a company with the financial capacity to support the worker. Equally, while employed under kafala, the worker cannot freely change sponsors or exit the country without approval from their sponsor (Pande, 2013). This practice promotes an unequal power relationship between the sponsor and the worker. Thus, the sponsorship system absolves the state of its responsibility over the migrant worker.

2.2. Categorization of workers under kafala

In the analysis of kafala, two categories of foreign-sponsored workers exist, mainly migrant workers and domestic workers. In practice, however, there is evidence of the different patterns of employment existing under kafala. Apart from the legally sanctioned categories, there is also the practice of labour-out sourcing mainly used by companies. Some companies recruit foreign workers and hire out their labour to other companies, although this is more pronounced in some countries compared to others. There is also the practice of rent-seeking where migrant workers, specifically 'freelancers' in a bid to remain legal in the country, have to pay the citizens a lump sum of money to process their residency permits, or some citizens make unofficial arrangements with migrant workers to operate businesses which they will pay the citizens some commission monthly (Kassamali, 2017).. Although the practice is illegal, it is prevalent, and citizens take advantage of these arrangements to exploit migrants. Thus, they have joined a web of labour brokerage agents benefiting from exploiting migrant workers under kafala. The Gulf States have continued to attract international condemnation for their abusive and exploitative kafala system (Kassamali, 2017).

While these provide a lens from which to theorize kafala, in this thesis, I argue that state institutions have used kafala as a framework regulating migrant labour to produce a racialized hierarchy of workers constructed along nationality, gender and class. Consequently, the racialized hierarchies contribute to the exploitation and exclusion of workers as they confront the social structures which organize their everyday experiences. Kafala is founded on a citizen-non-citizen divide and situated in the global processes of exploitation based on racial capitalism by exploiting the cheap labour of migrant workers (people of colour). At the upper end of the kafala hierarchy are found to be Expats (mainly citizens of OECD countries, usually 'white'/Caucasian Europeans, North Americans, and Australians who are attracted to work in global companies because of the high and tax-free salaries. Although sponsored to work in these countries, they are privileged migrants hired for their symbolic superiority, usually denoted by their 'whiteness'.

The second hierarchical category under kafala comprises workers from other Arab countries, the Philippines, and the Indian Sub-continent hired for their professional and semi-professional skills. In this category, it is also essential to give attention to the intersections of race, class, and gender, as some of the migrant workers in this category also sponsor other migrants to work. The last type then constitutes migrant workers who, according to Pande work (Pande, 2013) in 4D jobs (Dangerous, Dirty, Demeaning and Difficult). Mostly construction workers and migrant domestic workers from African and Asian countries belong here. Migrant domestic workers, in particular, experience exploitation and exclusion because of their class, gender and nationality, which stems from their exclusion from the labour laws as in the case of Lebanon, which is the primary concern of this thesis.

2.3. Centering race and the color line in the analysis of kafala

A significant amount of scholarship on kafala has problematized race as applied to studying kafala. Yet, it is often absent in the analyses of migration (Kassamali, 2021a). In studies of kafala in the Middle East, researchers have looked at the flow of labour migration to the Gulf, with the 1975 oil boom playing a significant role. Others emphasize the economic benefits of migration on both sending and receiving countries, with a focus on the role of remittances in bolstering the economies of countries that export their labor force. Despite contributing to vital frameworks for understanding migration, these studies give comparatively less attention to issues of race and racism.

Centering race, racism, and racialization in the study of kafala as a migratory framework will not only broaden the understanding of the different ways race manifests in kafala but also provide the unique ways race manifests in the context of the Middle East. Fernandez (Fernandez, 2021) provides three useful meta-reviews from the literature on race and migration, which are worth noting and useful in analysing race in the context of kafala.

The first meta-review points to the practices of racialization, race, and racism, as well as the building of racial hierarchies (based on skin colour, ethnicity, religion, language, or culture), which are usually aimed at the bodies of migrant workers. Secondly, they all point out how people talk about race has changed from complex biological or essentialist ideas to problematic ideas of race as natural, cultural differences. These ideas are based not just on the fact that people are different but also on explicit or implicit neo-racist opinions that these cultures are inferior to others. All three reviews stress the importance of intersectional approaches to race and migration as a critical mode of inquiry needed to understand migrants' experiences, which constitute

many different parts. For these kinds of research, it's also essential to pay attention to how structures of relative privilege overlap, especially how "whiteness" is seen as usual and can be hard to see. Lastly, all these meta-reviews agree that it is crucial to look at the lasting effects of the colonial encounter and the differences it makes over time and in different places, especially while recognizing that the color line as developed by W.E.B Du Bois emphasizes the racial classification, which came as a result of European imperialism.

While the above meta-reviews, as discussed by Fernandez apply to the analysis of African migrant domestic workers' experiences under kafala in Lebanon, it is also essential to recognize the specificities in the way practices of race, racism and racialization unfold under kafala. The color line, for instance, as applied by Du Bois relied on the experiences of Black people in the United States, and so are other scholars who study the migration experiences of people in the global North. However, this does not mean we cannot apply them to this part of the world (Middle East). The Color-line is a global phenomenon which is unique to American history but affects all people of color around the world. Keeping in mind that race is still a topic of discussion in the Middle East and Lebanon, this study aims to add to the existing body of knowledge on migration by explaining where the Lebanese kafala system falls within the broader historical context of racism and racial discrimination around the world. I now discuss kafala, mainly analyzing migrant domestic workers in Lebanon.

2.4. The Case of Kafala in Lebanon

2.4.1. History of domestic service in Lebanon

Before the arrival of foreign domestic workers from Asia and Africa into the country, wealthy Lebanese families relied on domestic labour provided by Lebanese girls and women from mainly poor backgrounds. These girls were sent by their families to work, sometimes in exchange for education and in some instances, they would be adopted by these families and therefore modelled to fit into the elite class's gendered patterns, increasing their chances to rise through marriage. Additionally, women from other Arab countries were also hired as maids. These were mainly Syrians, Palestinians from the refugee camps in Lebanon since the 1950s and Egyptians since the 1960s (Jureidini, 2009).

A fundamental shift in the Lebanese domestic labour market ensued during and after the civil war which began in 1975 until 1990 (Jureidini, 2009). This civil war significantly impacted the practices of hiring maids by Lebanese households. Because of its political and sectarian motives, relations between the different sects of Lebanese society changed mainly due to the rising political tensions and suspicions. Most Lebanese families stopped hiring maids of Arab origin. While most Palestinians and Syrians experienced expulsion during the war, many Lebanese families could not hire them because they were considered strong and, therefore, afraid of them. A significant portion of Lebanese society (about 40%), together with Egyptians who had come to work in Lebanon (Kassamali, 2021a), also fled during the war (Jureidini, 2009). Furthermore, the regional and global economic changes brought about by the post-1973 oil boom opened opportunities for labour migration to the Gulf from Asia and Arab

countries, including Lebanon (Kassamali, 2021a), creating gaps in the labour market thus creating the demand for foreign labour

It is worth noting that post-war Lebanon (the 1990s onwards) opened the door to migrant domestic labour, mainly from Asia and Africa. Although minor migration from Sri Lanka, the Philippines and Seychelles is said to have occurred in the 1970s (Kassamali, 2017), more women from Sub-Saharan Africa and Asia migrated widely in the 1990s. During this time, Lebanon undertook a reconstruction process with various economic changes, which led to the growth of the middle class and an increase in consumerism. Lebanese citizens who had migrated to the Gulf during the war returned with money earned from the oil boom. At the same time, they had experienced labour changes in the Gulf, especially with the growing employment of Asian domestic workers in the Gulf.

This period also witnessed an ever-increasing demand for social status associated with employing a foreign maid in the 1990s, and was even made more perverse with the return of Lebanese from the Gulf along with their Asian domestic workers (Kassamali, 2021a). Thus, the opening up of the Lebanese labour market to foreign women coincided with local and regional processes brought about by social, political, and economic changes. Kafala as a contemporary form of labour governance become essential in the political economy of the Lebanon, and domestic work was relegated to the private sphere. Most importantly in labour relations, Jureidini also notes that the arrival of foreign migrant domestic workers to Lebanon contributed to the racialization of household work which in its nature is gendered. Many Lebanese women now regard it as fit for migrant women from Asia and Africa, and the job attracts unskilled and low-skilled labour, thus paying low wages. For Lebanon, it is clear that

several factors converged to create structural changes in the domestic sector, which shaped contemporary practices under kafala, brought about by the civil war and post-war economic, political, and social changes and coupled with current labour practices.

2.4.2. Kafala and migrant domestic workers in Lebanon

Migrant domestic workers form a significant migrant population in Lebanon, with domestic workers from Ethiopia, the Philippines, Srilanka, Bangladesh and other African countries (Kenya, Nigeria, Cameroon, Sierra Leone, Senegal, and Ghana, among others). Estimated migrant domestic workers fall between 250,000-300,000 (O'regan, 2017). According to reports, Ethiopian and other African migrant domestic workers constitute the country's largest group of domestic workers in the country. However, with the recent economic crisis of 2019 and the COVID-19 pandemic, the numbers may have reduced since many domestic workers left the country. .

Given the foreign nature of domestic work in Lebanon, domestic workers broadly fall under the kafala sponsorship, A system of labour control imported from the Gulf in the 1950s and prevalent among Middle Eastern countries. Both African and Asian migrant domestic workers are regulated and controlled under kafala. Both their work permits and residency status are tied to a Lebanese sponsor who is their employer for a given period, usual one year as per the contract, although this may not be the case most times. During their stay in the country, kafala demands that they do not have a right to either change employers or quit their job, unless their employers' consent to the exchange by signing release forms the presence of specific authorities. Therefore, kafala structurally renders domestic workers vulnerable and empowers employers over domestic workers, and employers . For this reason, International human rights

organizations and civil society groups have condemned kafala as perpetuating modern-day slavery.

While serving their contract, domestic workers must live in their employer's homes and are completely dependent on them not only for wages but also food, health, accommodation, and legal status. They may also be liable to arrest and detention should they leave their employer's house without permission. This total dependence by the migrant domestic workers on their employers exposes them to exploitation and abuse.

The practice of kafala in Lebanon has become common sense because it is a state-sanctioned institution regulating foreign domestic labour. Kafala, in its essence, does not even appear anywhere in the Lebanese Labour Code of 1946 (Consortium, 2019). Instead, it is applied as a mixture of laws, jurisprudence and customs governing the sponsorship of migrant domestic workers in the country. The practice is upheld by various state institutions, including the Ministry of Labour, Judiciary, General Security, and the Lebanese society. Among the four categories of workers excluded by Article 7 of the labour code, include domestic workers who become a kafala subject. Their exclusion from the labour law deprives them of the provisions enjoyed by other workers covered under the law and those imposed by international labour conventions, such as the minimum wage, paid annual leave, recourse to arbitration councils, and maximum daily hours.

The organization and classification of foreign labour in Lebanon derive from the Ministry of Labour's decree, which was issued in 1964. The classification and categorization of foreign workers is based on the wage and the nature of the occupation of everyone entering Lebanon to work. Accordingly, the authorization to work must be approved by the Labour Ministry and the permit is issued by the General Security.

Important to note here is that once the permit has been issued depending on the occupation of the worker, the worker is not allowed to change their occupation once on Lebanese soil and the permit can also be revoked in case the worker is convicted of crime (which is not also indicated). The decision places domestic workers as the last of the categories (category 4) because of the nature of their work that is considered a private affair and without a minimum wage.

In the first category are employers and employees whose salaries are three times the minimum wage and this is where generally 'expats' fall, whose jobs require a high set of skills to perform and usually may be citizens of Western Europe, but also some Arab and African countries. Their status is that of a privileged 'foreigner'. The Second classified category is that of employees with technical skills whose salaries are two times or three times the minimum wage and these jobs are mainly occupied by Lebanese nationals mostly in management positions and they also earn better with their salaries being paid twice or thrice the minimum wage. The third category in this classification includes mainly male foreign workers who are employed in janitorial roles, in both private, commercial, and municipal services and also includes construction workers, agriculture, car repair and maintenance. These positions usually attract male workers from Syria, Ethiopia, Bangladesh, Sudan, and Egypt. Based on their occupation, their salaries range from one to two times the minimum wage.

The state's classification and categorization of foreign workers on the nature of their job and wage and pushing domestic workers to the last of all the categories speaks further to their exclusion from labour law. This institutionalized hierarchy of workers is constructed based on the worker's wage and occupation, consequently determining their

working conditions and exploitation, which manifests along the lines of nationality, class, race, and gender.

2.4.3. Migrant Domestic Workers and Private Recruitment Agencies (PrEAs) in Lebanon

In light of the global nature of labour migration and the increasing role of recruitment agencies in the worldwide labour market, governments have tended to delegate their role in dealing with labour recruitment procedures to private agencies while maintaining surveillance and control over migrant workers. To further consolidate the position of recruitment agencies, they have instituted policies to govern recruitment agencies in their day-to-day dealings with recruiting foreign labour. In Lebanon, one must recognize the role played by recruitment agencies in ensuring the functionality of the Lebanese domestic labour market. Jureidini notes that the first recruitment agency that brought in Srilankan women, the first group of domestic workers to come to Lebanon, was opened in 1978 (Jureidini & Moukarbel, 2004), although some accounts indicate that recruitment agencies started operating in Lebanon as early as the 1950s.

There are about 513 recruitment agencies in Lebanon, with hundreds of them operating illegally (Jureidini, 2003). The number has rapidly grown since 1997 when only 12 legally licensed agencies existed. Initially, Lebanon, through legislative decree No. 80, established the National Employment Office to manage the recruitment of migrant workers in the country. However, this office was later overshadowed and rendered incapable by the recruitment agencies who took up the role and became more reliable in this sense. Since then, several legal orders and decrees have been instituted to regulate the operation of recruitment agencies in Lebanon. Despite these legalities, with

limited implementation and supervision from the government, recruitment agencies have managed to get away with their illegal practices of recruiting and exploiting migrant domestic workers.

For the government, generating money from recruitment agencies and kafala operations even makes it much more logical to increase the number of recruitment agencies. For recruitment agencies to secure a formal license, agents must deposit a bank bond of \$35,000 to bring up to 150 workers per year. There are no legal accreditation requirements to establish an agency apart from the bank bond, which makes it challenging for the government to regulate their operations. When interviewed, the president of the Syndicate of Recruitment Agencies in Lebanon (SORAL) remarked, "opening an agency is like opening a grocery shop or minimarket".

Their role and power lie in the supply of cheap domestic workers to compensate for the inability of the state to provide care services to its nationals. But also, recruitment agencies manage the entire process of recruiting and bringing domestic workers into the country; they advise prospective employers on how to select the worker based on employers' budget, household needs and personal requirements to the extent that 'catalogue shopping' ('shopping for options') has emerged as one-way agencies cater for the diverse preferences of their customers (employers) while trying to stay in the market. They also work with their business allies from countries of origin to ensure a flow of domestic workers entering the Lebanese domestic market—the continuous practices of human trafficking and forced labour under kafala result from the illegal recruitment of domestic workers. Upon matching employers with workers, recruitment agencies mediate potential conflicts that may arise between employers and their workers, including advising employers on how to treat domestic workers.

2.4.4. Migrant Domestic Workers and racism under kafala

Scholars and academics have not widely covered racism under kafala; it is worth pointing out that the treatment and exploitation of African migrant domestic workers, who form the largest group of domestic workers in Lebanon, has been attributed to kafala. When discussing kafala in Lebanon, one can hardly avoid associating it with racism, especially with the foreign make-up of women from Africa and Asia who replaced the jobs which initially belonged to Lebanese nationals and women of Arab origin. The structural changes in post-war Lebanon and the migration of foreign women have shaped the Lebanese kafala system to what it is today, to the extent that new ways of thinking and talking about race and racism become inevitable. In Lebanon, just like in other Middle Eastern countries, the question of race and racism has recently gained attention, especially with the global political movements which became apparent with the murder of George Floyd in the US, which made many scholars and activists raise the question of anti-blackness in the Arab Gulf. At the same time, some even began to associate kafala with anti-blackness. It was a moment used by many people to decry the structural racism experienced by Afro-Arabs as a result of the systemic discrimination that they experienced (Nusairat, 2020). In the same way, these discussions, mainly on the media, have been able to recall the history that Arabs and Africans share and possibly highlight the forgotten past of the African presence in the Gulf (Hopper, 2014).

How does this relate to African migrant domestic workers and their experiences of exploitation and exclusion under kafala? Can we attribute their experiences to the fact that they are black (in terms of their skin color) or to the practice of racialization that targets physical and social characteristics? There have been varied debates on how

to conceive race and racism. W.E.B Du Bois, in his essay "Of the Dawn of Freedom" stated that, "The problem of the 20th century [would be] the problem of the color-line, the relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea." (Du Bois, 2014). Du Bois prophesied about the color line in 1903, and demonstrated how deeply engrained it had become in the relations of Black and White people in the US. The concept of the color line emphasises the centrality of race and racism as powerful forces which continue to shape and organise life in the contemporary world. As a global phenomenon, the historical continuity of the color line is reproduced through structures of exploitation, oppression, domination, exclusion, and dispossession of people along racial lines. However, the color line is manifested differently within each space and time.

The presence of African migrant domestic workers in Lebanon has introduced a new configuration of the color line which although unique to Lebanon reflects how global historical processes of race, slavery and colonialism continue to shape the economic and social relations between domestic workers and their employers under kafala. Kafala, as a system of exploitation, makes use of racial distinctions to reinforce the maintenance of racist ideologies and practices at the economic level.

For long, conceptualizations of race have relied on bodily features, and practices of racism and racialisation have targeted the embodied features of specific racial groups (Fassin, 2011). In as much as the biological and physical differences among racial groups provide an understanding of how to conceive race in terms of its social construction, it is important to understand the underlying structures of power and privilege that serve to justify unequal relations between racial groups. For the case of

domestic workers, studying the aspect of racialization becomes necessary because it allows us to move beyond embodiment to include power relations.

2.4.5. Racialization and hierarchization of migrant domestic workers in Lebanon.

Racialization is a societal process in which individuals assign racial labels and traits to specific groups. It is both a political and cultural process that reproduces the racialized modernity of the world. Du Bois argues that racialization is a product of the emergence of racial and colonial capitalism because it serves to justify the exploitation of specific groups. It is indeed evident that migrant domestic workers are racialized, and this racialization is mainly along the lines of race, gender, nationality, and class.

Kassamali (Kassamali, 2021a) identifies the most common way that domestic workers have been racialized by analyzing the emergence of the Arabic term "*Srilankiye*" which means a person from Srilanka. However, its usage in the Lebanese social landscape has changed its meaning. It is no longer used to refer to a person of Srilankan origin as it would be but instead came to increasingly adopt new meaning as an identifier for all migrant domestic workers regardless of their country of origin or skills. The meaning references both the class position of domestic workers and the gendered nature of domestic work. Although '*Srilankiye*' applies to all domestic workers. Other Arabic terms reveal specificities; for instance, the words like '*Abed*' and '*Khadim*', whose socio-cultural meanings refer to 'slave, and servant' respectively, are used explicitly for Ethiopian and other African migrant domestic workers (Fernandez, 2019).

The usage of these terms, especially for African domestic workers, reveals the historical existence of racialized domestic work performed by 'slaves' of African origin

in the Middle East which is rarely acknowledged by scholars in the Middle East partly due to limited evidence to show the practice. However, some studies demonstrate the existence of slavery in the Middle East especially the Arab Persian Gulf. Hopper (Hopper, 2014) acknowledges that slaves of African origin who were mostly war captives serving both in the domestic sector and production of commodities for global markets before the abolition of slavery in the Gulf in the late 19th century. It is also important to note that voluntary migration to the Gulf from Africa was limited but was only possible and traceable to a unique period in the Gulf's history when capitalism and global markets converged to create a new demand for labour that was largely met by slave trade from Africa.

Kafala as a system organised around global capitalism employs a new form of subjectification resulting from labour migration of workers from less developed countries. Specifically, Racial and class differences among workers have been used to justify their exploitation. The racialising dynamics employed by recruitment agencies in Lebanon to categorize and differentiate domestic workers are a result of the result of global systems of organising workers. Most notably, recruitment agencies have instituted a racial hierarchy of domestic workers in Lebanon, which is evident in the amount of recruitment fees that employers have to pay, with Philipinos commanding high fees compared to their African counterparts. In addition, because of their education and good English language skills, Philipino domestic workers are placed on top of the status hierarchy of migrant domestic workers and also earn better salaries.

There may be explanations for wage variances between Philipino and African migrant domestic workers and these partly depend on the role of their home governments in their efforts to market the export of cheap domestic labour. Whereas

countries like Kenya and Ethiopia have instituted migration bans barring their citizens from pursuing work in Lebanon and other Arab countries following reports of abuse and poor working conditions, Philippines has actively encouraged international labour migration. This is because of the positive impact of workers' remittances to their sending countries as well as individual families. The granting of the "Overseas Filipino Workers" (OFW) with the honorary status of "new heroes" serves to underscore the contribution that migrants make to their countries' economies. The Philippines government was also instrumental in negotiating a minimum wage of US \$400 for Filipino domestic workers.

This status hierarchy in the labour market reflects the new transformations which have resulted from globalization of domestic labour. Philipinos being among the first groups to arrive in Lebanon than African migrant domestic workers are held in high regard and their employment becomes a status symbol because of their perceived modernization and professionalism (Moors et al., 2009). Although they may be subjected to the same mistreatment, their racial and status hierarchy places them on top of African migrant domestic workers in the labour market.

Race and racism have been used to legitimize the system of exploitation, they also determine social relations and structure the lived experiences of migrant domestic workers. Kafala sponsorship promotes structural racism and racialised violence which is evidenced in the lived experiences of migrant domestic workers. Employers have engaged in racist behaviours and attitudes directed towards domestic workers. Reports of violence and abuse (physical, verbal, sexual, and psychological) against domestic workers, restricting their freedom of movement by locking workers in the house and forcing worker to labour for longer hours (Kassamali, 2021b)

2.4.6. Conclusion

In this section, I have explained the history of domestic service in Lebanon and how it changed to its current practice since domestic workers from Africa and Asia entered the country in the 1990s through recruitment agencies. Lebanese families that had previously relied on local family arrangements to recruit young girls and Arab women to work in their homes rely primarily on recruitment agencies to provide cheap foreign domestic labour. In addition, kafala sponsorship, as a practice of dealing with guests/foreigners, has acquired a new form, and meaning in the contemporary nature of labour migration and practices. Contractual agreements encouraged by governments between migrant domestic workers and their employers were introduced, sustaining unequal relationships, and encouraging situations akin to slavery.

Further, the introduction of migrant women in the Lebanese domestic labour market and the marked categorization and classification based on the nature of their job and wage have also encouraged new ways of racialization based on their nationality, race, gender, and class. Although race and racism are not largely explored under kafala, the new forms of racialization provide an important layer to explore the exploitation and exclusion of mainly migrant domestic workers by providing new ways of conceptualizing race and racism which the color line offers. However, this can be possible by situating kafala within global and regional labour migration processes.

CHAPTER 3

METHODOLOGY

In this chapter, I present the research design I employed, including the sampling, coding, the analysis, and the interpretation of the data. I also show the limitations I faced while conducting the research as well as discuss my position as a researcher. In this research I employed the qualitative content analysis method to analyze how the color line contributes to the exploitation and exclusion of African migrant domestic workers in Lebanon. Content analysis is a scientific process of categorizing qualitative textual data into clusters of similar entities or conceptual categories to identify consistent patterns and relationships between variables or themes (Given, 2008).

3.1. Sampling

The research mainly considered the Lebanese newspaper Daily Star¹ articles published on migrant domestic workers and kafala sponsorship in Lebanon. I chose to focus on the Daily Star articles because they were mainly published in English, making reading, and understanding the content easier for me. Initially the articles to be collected for this research were to cover a period from 2010 to 2021, although I only covered up to 2019. I analysed sixty Daily Star news articles for this research. The data collected reflected several issues reported on kafala and migrant domestic workers in Lebanon,

¹ Founded by Kamel Mrowa in 1952, this newspaper ceased its print format in February 2020, and completely closed on 31 October 2021. (Wikipedia) however, I think it is difficult to find trace of this newspaper after 2019.

including labour conditions of migrant domestic workers and social and legal regarding the situation of migrant domestic workers in Lebanon.

Beyond collecting data from the Daily Star News, and in order to get a comprehensive picture of the situation of migrant domestic work, I looked into several reports and studies conducted in Lebanon by different scholars and organisations working with domestic workers on a range of issues. These organisations include; Anti-Racism Movement, Caritas Lebanon, and KAFA Enough Violence. Additionally, I looked into reports published by International Organizations on the situation of migrant domestic workers, especially Studies conducted by Human Rights Watch (HRW), International Labour Organization (ILO), Amnesty International and also academic theses published by some of the AUB students on kafala in Lebanon were sought for this study. All these helped me establish a bigger picture and compare my findings with the broader context I was researching.

3.2. Data analysis and interpretation

At the beginning of the analysis, a code book entailing a list of codes, and their definitions, including specific examples from the data, were identified, and developed (Saldaña, 2014). The codes were developed by repeatedly reading through the articles and identifying several issues presented in the accounts of kafala, including labour conditions, legal issues, social issues and gender, race, and nationality of domestic workers. I was able to generate a list of fourteen codes which were labelled and related sets of data. Later these codes were grouped to form categories. The grouping of categories made it easier to establish and identify relationships and patterns among various categories, some of the categories overlapped, and I collapsed them with other

categories. Later in the analysis, I identified the common themes as they emerged from the categories, and a total of six themes were derived, which I discuss in the next sections as my findings. In addition, I conducted a statistical analysis to identify and quantify the number of articles presenting each theme using a table. Out of the sixty articles obtained for the study, 23 referred to issues of racism, racialisation, and discrimination of migrant domestic workers, 32 referred to working conditions, 31 referred to state exploitation, 29 referred to societal exploitation, 29 referred to the death of migrant domestic workers, and 24 referred to abuse of migrant domestic workers.

3.3. Limitations of the study

As I do not speak or read Arabic, I restricted my research on the only newspaper in English, Daily Star News. Other newspapers could have information which I may have missed to include in my analysis; for instance, I came across online news articles published by ‘Al-Akbar’ news on the situation of migrant domestic workers, yet I was not able to read them due to my Arabic language limitation.

During my data collection, I also learnt that the Daily Star news had stopped publishing in Lebanon in 2019, yet initially, I had considered looking at the periods between 2010-2021. This also limited my analysis, since I could only get articles from 2010-2019. In addition, because the Daily Star stopped publishing in 2019, their articles were not accessible online. I had to use the microfilm available at the AUB Jaffet Library to scan the hard-copy newspapers available in the library, which was a bit time-consuming. However, I managed to close this gap by looking into recent reports published by organizations working with migrant domestic workers and other scholarly articles published after 2019.

3.4. Positionality

As a novice qualitative researcher, I must be aware of my positionality and how it influences the entire research process to adopt a reflexive approach in my research (Holmes, 2020). My positionality influenced the research process, from choosing this topic to analysing and interpreting the data. As I already showed in the story I presented in the introduction of this thesis, being a Ugandan and researching African migrant domestic workers in the Lebanese context of kafala may have influenced my interpretation and analysis of the data, especially since I have been most often mistaken for a migrant domestic worker.

I am both an insider and an outsider in the context of this research. An insider in the sense that I have lived in Lebanon for over a year now and have read widely on the practice of kafala, and my knowledge of kafala and the Lebanese context has been helpful in the research process. Even before I thought of researching kafala, I already had some knowledge about the topic. However, my daily experiences as an African in the Lebanese context also influenced my choice of subject.

Being an outsider in this context means I did not interact with any migrant domestic workers to collect this data. Instead, I used the Daily Star news articles to develop an understanding of the situation of domestic workers in Lebanon. I hoped to talk to and collect data from them. However, the few times I have met some African migrant domestic workers at my church and interacted with, and observed them from a distance have been helpful in thinking further about this topic.

3.5. Theoretical Framework

In this thesis, I applied the framework of colonial and racial capitalism advanced by Du Bois's in his analysis of the historical processes of global exploitation, oppression, and exclusion of workers of color (Itzigsohn & Brown, 2020). Du Bois's encounter with Karl Marx's ideas on capitalism allowed him to develop his analysis of historical capitalism. In his analysis, Du Bois emphasises the role of slavery and colonialism in the emergence of British capitalism. In addition, Du Bois analyses racism as a product of historical capitalism because, for him, the racial categorisation and differentiation of workers worldwide are central to the continuity of historical capitalism. Therefore, race emerged as a category of oppression and exclusion and simultaneously as a form of group identification. What is also important is that Du Bois recognises Africa's relevance in wider regional and global processes. He argues that "throughout history, the people of Africa were part of political, cultural, and economic developments in Europe and Asia." (Du Bois, 2007).

In this research, I applied this framework to analyse the experiences of African migrant domestic workers in Lebanon from the angle of racial and colonial capitalism. By placing kafala within a network of global structures exploiting the cheap labour of workers coming from less developed countries to developed countries who are pushed to migrate because of their economic situation seeks to offer an understanding of the global disparities among countries in the world some of which were as a result of colonialism. African migrant domestic workers constitute the majority of domestic workers in Lebanon. Most of these women migrate because of a lack of employment opportunities, and thus find themselves trapped in exploitative situations as in the case of the Lebanese kafala.

As a global economic system, capitalism has historically exploited people of color. Capital in the form of (land, labour, and resources) continues to be accumulated through violent means and systems of slavery have emerged to justify the exploitation of migrant domestic workers. Du Bois notes that due to racism and racialization, conditions of workers worldwide can never be the same. This is important for analyzing the exploitation of African migrant domestic workers in Lebanon. The nature of domestic work includes care giving roles which are performed in the privacy of the home and has been relegated to the regulation of individual employers. Furthermore, because of regional differences between sending and receiving countries, paid domestic work has increasingly attracted economically vulnerable women from poor countries (d'Souza, 2010). This has encouraged new slavery maintained through unequal contractual agreements with minimal legal protection from governments as domestic work is excluded from the legal protections.

CHAPTER 4

FINDINGS AND DISCUSSIONS

In this chapter, I present the research findings which are organised into five main themes in the following order; race, racism and racialization, societal exploitation, state exploitation, death, and abuse of domestic workers, and lastly working conditions. The discussion of the themes is further presented in the various sections of each theme to provide a comprehensive analysis derived from similar studies by scholarly researches and findings published by organizations working with migrant domestic workers in Lebanon.

4.1. Race, Racism, and Racialization of Migrant Domestic Workers

“This Friday night, be Sinkara or Milenga...be Soumatra or Domma...create your own maid costume, speak like them, and look like a Philipino [sic], Bengladish [sic], Srilanka [sic] or any maid you want and definitely win 100 US dollars in cash. They do work all the month to get it...imitate them and win it in some few comedy moments”². Daily Star News.

In 2012, a bar owner in the Gemmayzeh district of Beirut announced an event on Facebook in which participants were encouraged to act and dress like migrant domestic workers in exchange for a chance to win a cash prize of \$100. After being accused of employing racist language, the event's organizer cancelled it and removed any references from the page, but she maintained that she had no such intention. Why

² Daily Star, January 26th, 2012. Beirut bar cancels event inviting guests to dress as domestic workers, Olivia Alabaster.

would it be so commonplace for a bar owner to think of hosting a performance that openly seeks to stereotype and degrade migrant domestic workers?

Kafala's continuous existence is predicated on racializing domestic workers to justify their exploitation and exclusion. Positioning domestic work as a lower category by nature and wage allows Lebanese citizens to internalize and reproduce themselves as socially different from domestic workers because of the racial stereotypes and assumptions surrounding domestic work. Moreover, including cultural aspects (like dress and language) in the advert speaks to cultural differences and the assumed cultural inferiority of domestic workers. Racialization as both a social, cultural, and political process is made possible by the structures of power and privilege that tend to reproduce unequal relations between racial groups. Thus, kafala reproduces Lebanese citizens in proximity to "Whiteness" and migrant domestic workers in proximity to "Blackness" representing their social marginalization because of their socio-economic status in the Lebanese society.

The racial and classed position of migrant domestic workers in the Lebanese social environment is revealed by the social category of "*Srilankiye*," which is applied to all migrant domestic workers regardless of their nationality and degree of ability. The term "*Srilankiye*" designates a position that, in addition to devaluing domestic workers due to the servile nature of the role it entails, also serves to justify all forms of treatment aimed at them because they are positioned below a status hierarchy that upholds the Lebanese social order in both their working and living conditions.

Lebanese employers and a significant strand of the society have created and developed a definite preference for particular groups of migrant domestic workers, even within the many migrant domestic workers. This is typically expressed in pay,

recruitment costs based on the worker's nationality, and employer preference for particular nationalities of workers over others. Due to their English-speaking skills and lighter skin tone, Philipino domestic workers are typically favored over African domestic workers. The racial preconceptions held by Lebanese employers about domestic workers from Africa, who are mostly subjected to discrimination based on their skin colour, result from the historical legacies of slavery and colonialism. Reducing racism in Lebanon to skin colour may come off as unjustified, yet we cannot ignore its presence. In his interviews with migrant domestic workers' employers, Abdulrahim notes that some prefer employees with fair complexion (Abdulrahim, 2010). Likewise, employers have already chosen migrant domestic workers based on their country, qualifications, and cultural background before the workers even arrive in Lebanon. Recruitment agencies typically show pictures of domestic workers so potential employers can select the ones that best match the characteristics of the domestic worker they seek.

The firmly ingrained racial stereotypes give the Lebanese population a sense of the migrant domestic workers as an inconsequential other worthy of unfair treatment. The Murr Television Station (MTV) faced controversy in 2012 after airing a comedy program that racially stereotypically depicted migrant domestic workers, according to a story in the Daily Star published in Feb 2012 by Stephen Dockery. On the station's comedy program 'Ktir Salbe', a couple sought an agent for a new maid with qualifications such as "servant", "thief", and "stupid"³. The joke's punch line was when the couple claimed that all maids are like that after the agent said he couldn't supply a maid like that. The sponsorship system, which keeps the migrant domestic worker under

³ Daily Star, February 6th, 2012. MTV comes under attack for airing racially charged program.

the control of her employer and offers minimal protection, and the racism in Lebanese society uphold racial prejudice towards migrant domestic workers. The upholding of racial categories and racist biases and assumptions among the wider Lebanese community can be explained further in the next section to show how domestic workers experience discrimination in public spaces.

4.1.1. Racial discrimination of workers in the public spaces: The case of Lebanese beaches.

“In Sporting [Club], the migrant worker is under the kafala of the Sporting’s owners. Through these policies, the management was trying to reclaim the kafala authority from the people she lives with, choose the clothes for her, and impose the look they think appropriate of reflecting the Sporting image”. Daily Star, July 2019, Adrei Popoviciu⁴

While the nature of work performed by domestic workers confines them to the private sphere of the household, there are instances where their visibility in public places becomes inevitable, for example, when they accompany their employers to restaurants, beaches, ski resorts and shopping malls. They may be required to look after children while in these places. Their presence in these places often invokes the practice of racism directed towards them. Discriminatory policies and actions have been purposefully instituted to exclude migrant domestic workers who, not only by their socio-economic status but also by their supposed inferior and categorized position in Lebanese society, are barred from places that often attract upper and middle-class Lebanese citizens.

⁴ Daily Star, 25th July 2019. Beach resort denies domestic worker attire policy is racist.

In 2019, the Sporting Club Beach, a well-known beach Club in Beirut that has a history of racism and discrimination, implemented a "Dress Code" for maids who accompany their 'madams' to the Club. The "Dress Code" was detailed in a document named "Helpers Dress Policy" made available on the Club's social media site. It set forth precise instructions for employers regarding how to dress their housekeepers and adhere to Sporting's policy to avoid penalties. A picture of a Black woman wearing above-the-knee shorts and a tank top was also attached to the form. According to Sporting's owners, this picture "befits" the Club's brand.

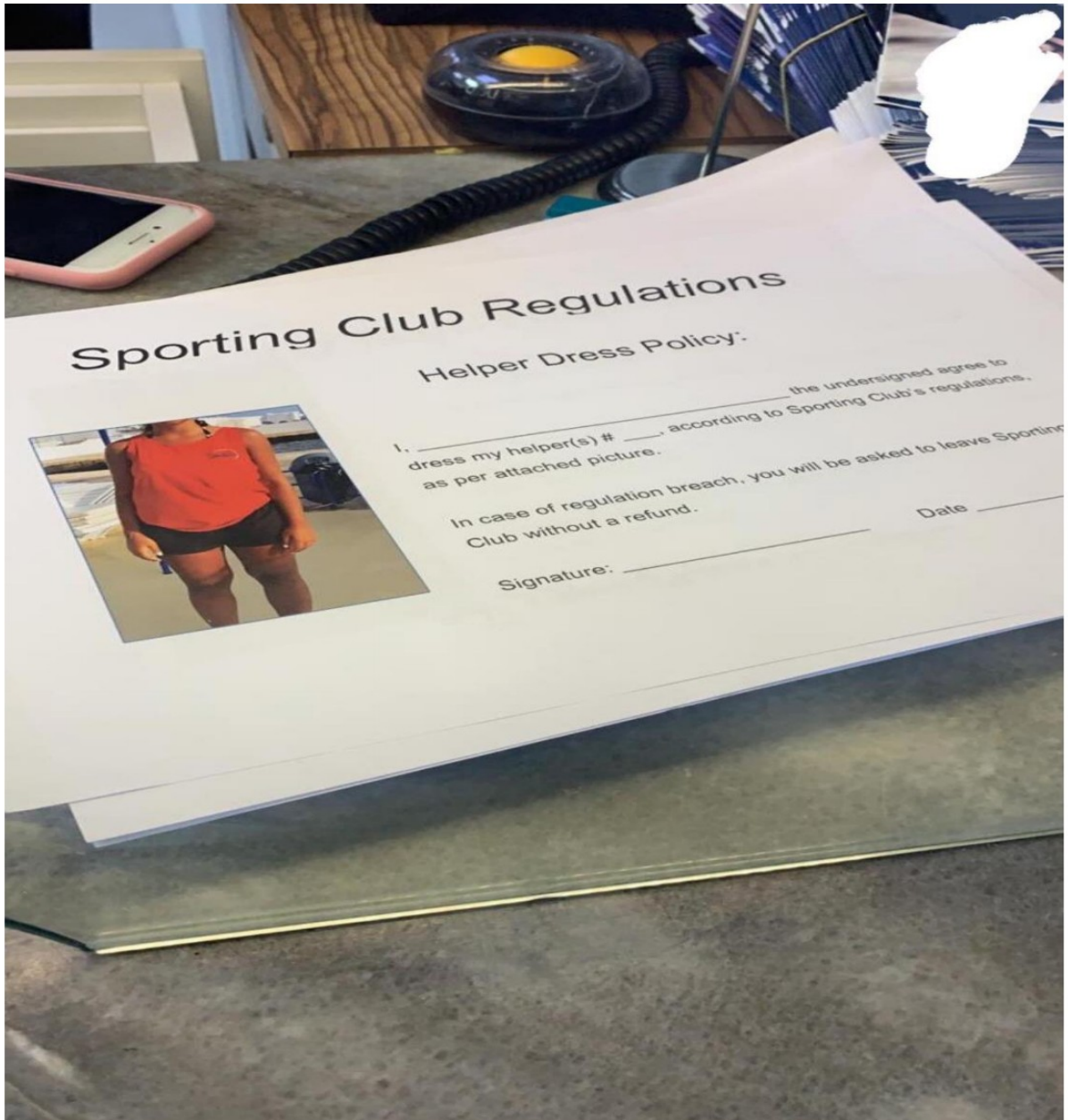


Figure 1. A form signed by employers of migrant domestic workers detailing the Helpers Dress Policy.

The particular phrase choice in the "Helpers Dress Policy" form that the employers must sign reveals the prejudice that frequently singles out a migrant domestic worker's body and how the kafala entirely strips the domestic worker of her agency when it comes to choosing her appearance. This dress policy can also be related to the practice of employers dressing domestic workers in a particular uniform while

executing their roles, as it is most common to encounter domestic workers on the streets of Hamra dressed in a specific way which enables one to identify them as workers. For beach clubs, even when she leaves the confines of the employer's home, she remains in the hands of a private business owner who still decides what she wears.

As if that were not bad enough, the look is forced upon her regardless of whether she likes it, and she is powerless to object because she is still obligated to provide childcare. The extent to which the institutionalized humiliation of migrant domestic workers has become normalized is further demonstrated by the Club's declaration that they are "recovering the authority from her employer and that the maid is now under the kafala of the Club". Although activist reports about the existence of the practice led the Ministry of Tourism to issue circulars outlawing discrimination in private beaches, it has not been successful in ending this practice, and migrant domestic workers continue to experience discrimination based on their physical and social characteristics.

When questioned by the Daily Star about one of the circulars issued by the Ministry of Tourism in 2012, one of the managers of Sporting Club Beach disagreed, saying, "Totally wrong. I asked them [the Ministry] to please specify, in a complete list, all people I should let into private clubs. They should, first of all, decide what the rules are for private clubs and what the rules are for public beaches". He also continued by saying the Sporting Club's Policy "has always been that any kind of worker, bodyguard, security, escort, maid-any help except for those medically required- are not allowed on the premises"⁵. He added further that he considered this to be "social" rather than racial selection.

⁵ Daily Star, May 18th, 2012. Tourism Ministry bans discrimination at beaches.

It is not the first time Sporting Club has been attacked for their racist policies against migrant domestic workers. A Black woman was also refused access to the Club in 2010, and a group of Anti-Racism campaigners managed to capture the event on camera. Sporting is not the only private club in Lebanon that has these rules. Similar rules are used by several secluded beaches when it comes to migrant domestic workers visiting the beaches and even swimming in the same pool as other Lebanese citizens. It is common for private businesses to control who they admit into their personal spaces. Since these businesses are usually outside of regulation by the government, they set the rules.

4.1.2. Discrimination in the employer's residences/ privatized spaces.

Kafala, by design, places the domestic workers under the guardianship of their employer, making them dependent on the employer in an unequal relationship. Employers often adopt paternalistic attitudes towards their domestic workers and claim to treat them as part of their family. Lebanese households historically hired young girls from low-income families in Lebanon and other Arab countries to undertake domestic labour. As a result of the close bonds formed between the families, it was not uncommon for domestic workers to marry into their employers' families (Jureidini, 2009). However, with the transformations in the domestic sector came foreign domestic workers from Africa and Asia from different cultural backgrounds. Their inferiorization from their Lebanese employers and broader society stems from their cultural backgrounds and origins, which determines how she is treated.

Most employers of migrant domestic workers regard African domestic workers as coming from "primitive" backgrounds (Abdulrahim, 2010), and therefore must be

taught how to eat well, including how to clean up after oneself. In some instances, disgust for those with a dark complexion and thought to be malicious and unclean is voiced among Lebanese employers. Racism and the dehumanization of domestic workers in private spaces of the home are ultimately consequences of these sentiments and racial stereotyping, employing terms like "dumb," "dirty," "lazy," "servant or slave," or "thief" to describe domestic workers (Bangura & Stavenhagen, 2005). These stereotypes, mainly directed towards African migrant domestic workers, are historical interpretations of prejudices against Black people in the United States during slavery that served to excuse their exclusion. They also reveal the less documented slave history of domestic service performed by 'slaves' of African origin in the Middle East.

Racist assumptions and stereotypes targeted at domestic workers give employers and their families a reason to discriminate against and dehumanize their employees. In a study by Abdulrahim, one of the employers expressed that it was okay for her son to abuse her maid because the son was terrified by her skin colour, "it was not a big deal. My son was 4 years old, and I do not know what happened, but he slapped her [the 4-year-old son hit the domestic worker]. She was very dark, and my son was not used to her looks" (Abdulrahim, 2010). Similarly, Howland's Ethiopian interlocutor relates how her "madam" shouted at her when she saw her eating in the kitchen and ordered her to eat in the bathroom instead (Howland, 2019).

Furthermore, rooms occupied by domestic workers in their employers' houses are a clear example of this pattern of racialized treatment in private shared spaces. Recent studies have explored how Lebanese residential architecture, which has been institutionalized in the country's building code, promotes the racialized treatment of domestic workers (O'regan, 2017). Most of the floor plans of apartments in Beirut

include a "tiny enclave" labelled "maid"; most often, the room measurements read "180 x 155cm", and such is found on real-estate billboards in Achrafieh. This room is typically built next to the kitchen and storage areas, apart from the rest of the house's primary living quarters, and with insufficient ventilation. Incorporating the maid's chamber into state building codes, made operative by the architectural drawings, and building floor plans, materializes a categorized and racially charged compartment dedicated to hiding the existence of the domestic worker in the home. The room indicates the worst forms of exploitation, racism, and enslavement, and It's no secret that these rooms have led several migrant domestic workers to take their own lives.

4.1.3. Conclusion

In this section, I have shown how the categorization and classification of migrant domestic workers, which is institutionalized in the country's labour laws, sustains a social structure that racializes and discriminates against migrant domestic workers. The different forms of racism and racial discrimination experienced by migrant domestic workers in public spaces show how race, apart from being used to justify oppression and exclusion, also becomes a form of group identification. The racial assumptions against migrant domestic workers by the Lebanese society allow them to construct and develop a racial superiority by elevating themselves to positions of privilege and thus regarding domestic workers as inferior.

4.2. Societal Exploitation

In this section, I focus on how migrant domestic workers are exploited in Lebanese society and highlight the role played by Private Recruitment Agencies

(PrEAs) in shaping the domestic labour market in Lebanon. Both recruitment agencies and Lebanese employers form an entanglement that analyses the different practices of exploitation and dehumanization directed against domestic workers through their recruitment practices. I examine the patterns of commodification in Lebanese society, including the market dynamics and argue that these practices fall within the global capitalistic systems of exploiting racialized workers. The global hierarchies and differentiation among domestic workers in Lebanon reflect those of the international networks exploiting workers from 'poor countries' . The existence of an unregulated foreign domestic market provided by recruitment agencies has made it possible to turn domestic workers into commodities. This is further upheld by the state's institutions and its security apparatus, which safeguard and provide legal backing for the Lebanese sponsors to exercise total control over the lives of migrant domestic workers, thereby owning them as though they are their property.

4.2.1. Recruitment Agencies as marketplaces.

Recruitment agencies have long been at the forefront of fulfilling the demands of Lebanese society for domestic labour. Since their legalization at the end of the 1950s, they have kept a steady supply of cheap and exploitable foreign migrant domestic workers from Africa and Asia in Lebanese society. Recruitment agencies transformed the Lebanese domestic labour market from mainly relying on informal and local social arrangements for providing domestic labour to a more 'formal' market facilitated by brokerage networks in sending countries and Lebanon to supply foreign domestic labour. Recruitment agencies now encourage a market mainly characterized by unequal transactions between domestic workers and employers.

In Lebanon, recruitment agency offices have been transformed into shops where prospective Lebanese employers wishing to acquire maids visit to explore various options. These options usually range from employer budget needs to the skill's cultural preferences, nationality and even the skin colour of the domestic worker. To attract clients (employers), recruitment agencies advertise their services by displaying signs in front of their shops since they are barred from commercial advertising. Kassamali (year) (Kassamali, 2017) notes the practice of 'catalogue shopping' which has become synonymous with domestic worker recruitment in the country. PrEAs agencies have files containing the photographs and details of domestic workers for employers to look through and make the best possible choice. Sometimes recruitment agents advise them on which maids may be suitable.

This practice of 'shopping for options' has pushed "race to the bottom", where recruitment agents and employers have constructed a racialized hierarchy of domestic workers based on their nationality, skills, experience, and even skin colour. At the top of the order are found Philipino domestic workers who, apart from attracting a high recruitment fee, are always preferred over their African counterparts for being able to speak good English and are considered 'civilized and educated' and even command better wages than other domestic workers. Although, according to the ILO, variance in recruitment fees is attributed to travel costs and recruitment bans placed by labour-sending countries. As is the case with Lebanon, more employers (61.1%) are still paying for Philipino domestic workers (Abdulrahim, 2016). In Lebanon, it is also noted that employing a Philipino domestic worker has increasingly become a status symbol because of their social prestige and that it is associated with the employer's socioeconomic status (Jureidini, 2004). Because PrEAs operate within a global

capitalistic system, the configuration of racial hierarchies is noted as a standard practice employed by recruitment agents to differentiate workers.

In addition, the differences in skills and experience between Filipino and other domestic workers can also be attributed to the differences in policies adopted by labour-sending countries to boost their worker's skills and thus market them as better potential employees to labour-receiving countries. The Philippines, for instance, has adopted a favorable policy in terms of empowering its citizens. This is noted in the pre-departure training offered to all workers wishing to move out of the country. Moreover, the Philippines has higher number of educated citizens compared to African countries. I usually visit a nail shop around Hamra to get my nails done, and most of the workers employed are Filipinos. From my conversations with them, almost all of them told me they had acquired such skills before they left their country. They can also converse with clients because of their English language skills.

The existence of a deregulated domestic labour market provided by PrEAs, and the many roles performed in the recruitment process of domestic workers have encouraged the practice of commodification and the dehumanization of racialized workers, as elaborated below;

4.2.2. Commodification of domestic workers

In 2015, the Ministry of Labour issued decision No. 1/168 (2015) as the primary legal framework guiding the operations of recruitment agencies in their dealings with domestic workers and employers. Article 8 of this decision "declares that the owner of the office shall undertake to return the worker to her country at his own expense and

provide a replacement for her, or usually the amount paid after deducting the value of the contract under these three rules.

Within the first three years of its entry into the Lebanese territory:

1. If she is found to be carrying an infectious, work-related, psychological, or mental illness, unless the disease cannot be detected within the first three months, the period shall be extended to one year.
2. In case of incompatibility, provided that the limit, in this case, starts from the date of commencement of work with any employer.
3. In the event of a disability that does not allow the worker to perform her work

Second: within one year from the date of commencement of work with any employer

1. If the worker is found to be pregnant before entering Lebanese territory or before moving to work for any employer unless the employer's knowledge of pregnancy is established before that
2. If she refuses to work without legal justification
3. In case of leaving the employer's house

This decision makes it clear how the language used here portrays and positions a worker as a guaranteed commodity that can be replaced anytime the employer finds the worker unsuitable. Agents further interpret this in a way which suits their transactions with employers. For instance, agents tell employers, "If their worker proves to be 'too stupid' or not 'obedient enough', she should be returned and replaced" (Abdulrahim, 2016)). When you usually buy a product from a shop, especially for electronic products like a computer to be concise, the seller [who in this case can be posed to be the 'producer'] for investing in bringing the product at your convenience always has to give the buyer a product warranty, captured on a receipt. Usually, the warranty comes with

conditions upon which the seller should ask for a product replacement. This replacement is possible mainly if the product is proven not to function as was intended upon purchase. The warranty also includes a defined period upon which the replacement can be guaranteed.

According to Nancy Leong, White institutions under racial capitalism seek to maintain racial superiority by treating non-Whiteness as a commodity and thus derive social and economic value from it (Leong, 2012). In the same way, the Ministry of Labour's worker warranty positions domestic workers as commodities whose value has to be exploited by recruitment agents and Lebanese employers and society for as long as the conditions that come with the exchange agreements are met. Remember that this does not benefit domestic workers but exposes them to degrading and dehumanized treatment by both agents and employers.

On March 8, 2012, when Alem Dechasa Desisa, an Ethiopian domestic worker whose story drew the attention of the Lebanese media, including the Daily Star, she was mistreated by her agency, an incident caught on camera provided a way to delve deeper into dehumanizing experiences of domestic workers. Alem was smuggled from Ethiopia using irregular routes since Ethiopia in 2009 had issued a travel ban against its citizens travelling for work to Lebanon for human rights violations and domestic violence against domestic workers. According to a social worker at the Caritas Migrant Center, she arrived in Lebanon in December 2011. She worked for a Lebanese family for one month and was returned to her agency due to communication issues. According to Alem, she was not paid for the first month she worked for this employer. She was then taken to her second employer by the recruitment agency but was also returned to the agency after just a few days again. Upon return from the second employer, her agency

beat her and threatened to send her back to Ethiopia. The agency also concluded that Alem had mental health problems. At one time, they even drove her to the airport and attempted to send her to Ethiopia but failed after Alem screamed at the airport, and they had to return her.

From Alem's story, the exchange between employers of domestic workers and recruitment agents depicts how the unfairly regulated nature of the domestic market in Lebanon facilitates the exploitation of migrant domestic workers. Lebanese employers are elevated to a position of privilege, while PrEAs who are driven by the need to extract profits from the cheap labour of migrant domestic workers do so by engaging in racialized abuse to force domestic workers to work under poor conditions.

According to the former director of the Beirut office of the Human Rights Watch, Nadim Houry, there are over 500 recruitment agencies in Lebanon, with an increasing number of granted licenses each year. To register an agency business in Lebanon, only a bank bond is required, making it hard to regulate their operations. In addition, the Lebanese government still needs to ratify the ILO Private Employment Agencies Conventions, 1997 (No. 181), which elaborates on the state's obligations to regulate and supervise employment agencies. Although the Association of Owners of Recruitment Agencies in Lebanon 2013 announced a self-regulating code of conduct at a conference organized by the International Labour Organization (ILO) with the cooperation of the Labour Ministry, more still needs to be done to regulate their activities.

4.2.3. Domestic workers as property

“The mentality in the Lebanese society is that of owning a migrant domestic worker as property”. Daily Star News, October 1, 2010.

“Because they bring a woman in from another country - such as Ethiopia - they think they have bought her. They don’t understand they are paying for the process; they think they are paying for her”. Rahel Abede, Ethiopian domestic worker interviewed by Daily Star, 2012.

The above quotes call for varied understandings associated with property. My analysis is not to highlight the most acceptable but instead, use the different interpretations to explain how owning workers as property among Lebanese employers and agencies contributes to their exploitation in varied ways. Traditionally, property ownership has been limited to people of a particular race and class (for instance in the US, only White individuals were allowed to own property). On the other hand, some racialized bodies were contingent on ownership by others (Blacks being owned by Whites, although some Native Americans were also enslaved). Usually, property ownership allows the owner to derive value from the property by mainly exercising their right to use it to satisfy them yet elevating those owning property to a certain status.

Still, in domestic worker recruitment, the recruitment costs paid by employers to obtain a domestic worker usually involve all the money spent on transportation and other expenses related to work and residency permits, notary fees, and medical tests. As soon as employers complete these payments, they conceive they have invested in bringing a domestic worker to Lebanon. Their perception is further bolstered by the practices of the recruitment agents who advise employers to safeguard their financial investments (Ghaddar et al., 2021), which they incurred during the recruitment process.

The domestic worker, therefore, becomes, in this sense, a new property available at the employer's disposal. In addition, the kafala system confers property rights to

employers of migrant domestic workers by legalizing this ownership. By tying the legality of a migrant domestic worker to her employer and making her dependent on her employer, the state institutions grant the employer legal privileges over the domestic worker. In this way, their status is equated to that of Whites (Whiteness) in the classical sense, and their relationship with workers is not only in physical forms but also legal. Property then, in this sense, is "included as not only external objects and people's relationship to them, but also all of human rights liberties, powers and immunities that are important for human well-being, including freedom of expression, freedom of conscience, freedom from bodily harm, and free and equal opportunities to use personal faculties" (Leong, 2012).

This perception of owning domestic workers as property among Lebanese employers has normalized practices of advertising and selling their workers on social media platforms, especially Facebook, where trading human beings like other items is a common phenomenon among some Lebanese employers. Recently in April 2020, Ashraq Al-Aswat, an Arabic International Newspaper, published a story where a Lebanese employer uploaded a post on a famous Lebanese Facebook known to be a common site for trading household items but also turned to be a site for selling domestic workers. The post on "Buy and Sell in Lebanon (Original)" read, "Domestic worker of African Citizenship (Nigerian) for sale with new residency and full legal papers. She is 30 years old, active, and very clean". The post even included a selling price of \$1,000 for a domestic worker (Al-Jack, April, 2020).

After the post had caused outrage from activist organizations and several bloggers, General Security decided to arrest the man and the Minister of Labour, Lamia Yammine announced that Ministry had filed a complaint against the man and

condemned the act as promoting human trafficking online. The nature of the language used in the advert reveals the value the employer attached to the domestic worker. Using words like "for sale" and tagging the nationality of the domestic worker with a price exposes the racialized dehumanization of domestic workers.

This practice evokes the historical picture of chattel slavery, where certain groups of people were owned as a legal property that would be bought and sold and justified by their racial differences. The contemporary forms of labour governance and relations continue to reproduce an historical slave past. While responding to the advert, Mohana Ishak, a lawyer working with Kafa Enough Violence, a local Non-Governmental Organization (NGO) working with domestic workers, added, "this form of advertisement shows that some people deal with workers as private property. Therefore, some employers believe that they have the right to sell their domestic workers for any reason" (Al-Jack, April, 2020).

The recent COVID-19 pandemic and the economic crisis have seen many employers unable to pay their domestic workers and provide better living conditions. Some employers of Ethiopian domestic workers were reported to have abandoned most of their workers on the streets or outside their embassy and had also failed to repatriate the workers back home (International, June, 2020). Employers may have desperately used dehumanizing practices of selling their domestic workers on Facebook. The Labour Minister Lamia Yammine told Ashraq Al-Aswat newspaper that, "This is a newly reported case. It alerts us of many problems. We receive on a daily basis a large number of requests from residents unable to pay the salaries of their domestic workers"⁶.

⁶ The Daily Star also published a similar story on October 11th, 2019, by Timour Azhari, where groups of Ethiopian migrant domestic workers accused their consulate in Lebanon for its complicity in the abuse

4.2.4. Conclusion

In this section, I analyzed how the unregulated nature of the Lebanese domestic market with PrEAs as the main facilitators exploit the cheap labour of migrant domestic workers through several recruitment practices. In addition, the institutional arrangements issued by the Ministry of Labour as well as the failure of the Lebanese government to ratify specific conventions render domestic workers vulnerable to exploitation because of their position in Lebanese society and further perpetrate their dehumanization.

4.3. State Exploitation

The exploitation of migrant domestic workers in Lebanon has only been possible in the absence of state enforcement to protect migrant domestic workers' rights. Although much of the exploitation and dehumanisation is achieved through the delegation of the state's regulation of the labour market to recruitment agencies and individual employers, the absence of the state in terms of policies, laws and regulations further exposes the domestic workers to exploitation facilitated by the state itself. In the same way, the state appears to be more excessive in the lives of domestic workers, which exposes them to another dynamic of state exploitation as I analyse this below;

The legal exclusion of migrant domestic workers from the 1946 Lebanese Labour law evidences the state's absence and exploitation. The transfer of the state's responsibility over migrant workers to the individual Lebanese sponsors automatically pushes domestic work to the realms of private households. Noting that for domestic

and suffering of domestic workers. Many of the domestic workers had been left without shelter after being dumped by their employers and the women were seen sleeping outside the consulate building.

workers, their employers' homes become their workplaces and that usually, it is nearly impossible for the state officials to inspect homes as their 'supposed cultural sacredness' matters a lot more, migrant domestic workers are then explicitly excluded from the entitlements of the Law. The Labour Law categorises migrant domestic workers as the last of the four categories of workers according to the nature of their profession and wage. This categorical exclusion renders domestic workers vulnerable to exploitation in the absence of a defined minimum wage and an explicit contract upholding their domestic worker's rights.

The same Law restricts foreign workers and denies them the freedom to form trade unions. Although some Lebanese citizens and foreign workers (mostly Syrians and Palestinians) are not allowed to form trade unions, migrant domestic workers are more definitely excluded. In 2015, when the National Federation of Labour Unions submitted a proposal for a Domestic Workers Union, the Labour Ministry dismissed it and called the union an "illegal syndicate"⁷. The Daily Star quoted a statement released by the Ministry: "Advanced laws would solve the problems that the [migrant worker] sector is suffering from, not the formation of groups under the guise of a syndicate". For the Ministry of Labour to publicly issue such a statement shows the state's non-commitment to the Universal Declaration of Human Rights, including the right for workers to join and form unions. The state prohibits migrant domestic workers from organising trade unions and participating in their political rights. This prohibition can be attributed to racialised anti-integration policies of the country, which have substituted Arab migrant workers who previously worked as domestic workers and claimed citizenship rights with Asian and African nationals who could be disenfranchised and

⁷ The Daily Star, Friday November 2010. Forum tackles steps needed to boost rights of migrant domestic workers.

excluded from participation in the political life and access to essential services, rights, and benefits of citizenship.

During a two-day conference organised by the International Labour Organization (ILO) in Beirut in 2010 between United Nations representatives and Arab regional representatives of trade unions⁸, one of the issues raised by the then Lebanese Minister of Labour Boutros Harb was to allow domestic workers to form a trade union that would protect them from abuse and exploitation. However, one of the representatives from Yemen strongly reiterated his position when he preferred that issues of Arab nationals have to be attended to first; "places like Yemen, Syria, and Qatar have barely any trade union representation [many people] have barely any rights, how are we expected to try and fight for rights for people who are not even from our countries?".

The right to organise trade unions for foreign workers is still missing in Lebanon as the adoption of Convention No. 87 issued by the ILO 1948 was truncated, as the Council of Ministers on the background of equivocation and fraud against international standards which explicitly states the following; "workers and employers, without prior authorisation, to form organisations of their choice, as well as the right to join them provided that abide by the regulation of these organisations" (Mansour-Ille & Hendow, 2018). Although a Domestic workers union was formed in 2016 by a group of domestic workers and supported by the International Trade Union Federation and International Labour Organization, it has not achieved registered success in lobbying for migrant workers' rights. The top-down approach applied by the state in seeking formal recognition diminishes the autonomy of the women it sought to represent. Justo, a

⁸ Daily Star, January 27, 2015. Labour Ministry rejects proposed maid union

domestic worker from Cameroon and one of the few women representatives, expressed her concerns over the union, saying, "We believe a domestic worker union [should be] operated, managed, decided by the workers themselves. That's not the way it's happening" (O'regan, 2017). Even when the Ministry of Labour had tried to block the formation of the union, a few domestic workers who felt they needed to ally to provide a link between domestic workers who needed help and Civil Society Organizations managed to get together to offer each other the required support.

To demonstrate how the state's absence in the protection of migrant domestic workers is also shown by its excessive presence in their lives is how the state has securitised the presence of migrant domestic workers in the country. The use of words such as "illegal" or "irregular"/ undocumented migrants reveal the legal issues surrounding domestic work in Lebanon. According to Jureidini (Jureidini & Moukarbel, 2004), migrant domestic workers in Lebanon are placed under three categories; live-in, free-lance and run-way domestic workers. The legal arrangements under kafala require every migrant domestic worker who enters the country to live in her employer's house while serving her contract. During the contract period the domestic workers is completely dependent on the employer, her freedom of movement is restricted and the employer withholds her papers to prevent her from running away. Even while living with her employers, domestic worker can still become illegal incase her residency expires and the employer has not taken the step to renew her residency permit.

The freelance migrant domestic workers are those who complete their contracts with their employers and instead of returning to their countries decide to stay in Lebanon while their sponsors arrange their papers annually at a fee. They live independently and can withdraw their labour at will. Some Lebanese citizens have

benefited from the exploitation of freelance domestic workers by charging them much money to fix their papers. In instances where they fail to fix their papers, they may be faced by detention and deportation for being illegal in the country.

Finally, Runway domestic workers are live-in domestic workers who for many reasons citing abuse and exploitation by their employers decide to run away, and thus are rendered illegal once they leave their employers premises. In this case, employers alert the General Security of the runaway domestic workers since they are held responsible for their legal stay in the country and thus are absolved of their responsibility over the runaway domestic worker. To avoid being illegal, live-in domestic workers are trapped with their employers. If they choose to run away, they may be forced to go back to her employers' house or pay money to retrieve the passport from her employer. In all these categories, migrant domestic workers always have to negotiate their legality with their employers and sponsors which traps them in situations of oppression. Moreover, they even lack legal representation in the country.

In 2018, two Kenyan migrant domestic workers were brutally assaulted by a Lebanese man who was later joined by a mob along a street in one of Beirut's suburbs of Bourj Hammoud⁹. Instead of arresting the abuser, the General Security Officers arrested the two women. One of them was deported without accessing justice because she was found to reside in Lebanon illegally after fleeing her employer (Guardian, 2018). Undocumented migrant domestic workers are, in fact, reluctant to report cases of abuse and exploitation to the courts for fear of deportation but also because the legal courts do not listen to them (Houry, 2010; Jureidini, 2003).

⁹ Daily Star, July 2018. Kenyan woman beaten in viral video deported.

4.3.1. Conclusion

In this section, I explained how the exclusion of migrant domestic workers from the benefits which other Lebanese citizens enjoy, such as participation in political rights and labour laws, contributes to their vulnerability and exploitation. The reluctance by the Lebanese state to ratify some of the international conventions to safeguard the rights of migrant domestic workers shows its racial character by limiting protection only to its citizens while excluding non-nationals. Yet, simultaneously, its presence in their lives is indicated by how the state maintains surveillance and control over non-citizens by turning labour matters into security issues.

4.4. Death and Abuse of Migrant Domestic Workers

“Nobody helped her. How did she die? She didn’t kill herself. She is not crazy”.

Ethiopian domestic worker Sarah interviewed by the Daily Star, April 2012¹⁰.

Since 2008 when Human Rights Watch first published about the death of migrant domestic workers who were dying in Lebanon at a rate of two per week, there has been a rising body count of Black and Brown bodies of women dying under mysterious and suspicious circumstances. What is mostly reported about these deaths is that the domestic workers committed suicide either by hanging themselves, some from poisoning by drinking detergents, and/ or falling off from the balconies of tall buildings of their employer's apartments in botched escape attempts (Su, 2017). However, no exact figures have been documented on these deaths by the General Security, other than non-Governmental Organizations trying to reach some estimates using their research.

¹⁰ Daily Star, April 2nd, 2013. Ethiopians protest over consulate’s apathy, disregard, Justin Salhani.

According to some reports, Ethiopian and other migrant domestic workers of African origin were found to be dying at higher rates compared to their counterparts from other groups (Arab, 2022). One would ask, why exactly are migrant domestic workers dying? Are their deaths trying to communicate their subjectivity and agency?

In this section, I discuss how the global color line shapes the subjectivity and the self of African migrant domestic workers and show how their lived experiences are racialised as they construct their world and struggle for dignity, while the racial veil blinds dominant groups from the plight of racialized others. The Lebanese state represents the political power of the dominant class as its complicity in the death and abuse of migrant domestic workers becomes more apparent.

Du Bois's analysis of the racial veil in his theory of double consciousness shows how racialized class groups construct their subjectivity and agency under racial and colonial capitalism (Itzigsohn & Brown, 2020). In the fight against racism, the concept of double consciousness as applied by Du Bois is presented as both a result of racist social practices and as a possible front (Du Bois, 2014).

On 15 March 2012, as reported by the Daily Star, a dreadful incident involving Alem Dechasa Desisa, an Ethiopian domestic worker whose story I already highlighted in the previous section, brought the kafala once more to the spotlight and drew not only the attention of Lebanese society but also international sympathizers and activists. In the video, released by the Lebanese Broadcasting Cooperation (LBC), Ali Mahfouz, with the help of another Lebanese man, was seen grabbing Alem by her hair and beating her while forcing her to the car. At the same time, Alem, in protest, screamed as she refused to enter the vehicle. According to the Ethiopian Consular Bonssa, who was in his office and watched the whole abuse as it took place, Mahfouz had taken Alem to the

Consulate, alleging she was sick. Still, Bonssa told him to take her to the hospital. Later, Bonssa called the police, who took Alem to the detention center before being admitted to a Psychiatric hospital. Unfortunately, the hospital pronounced Alem dead a few days after her admission. According to the hospital, Alem allegedly committed suicide by strangling herself using her bed sheets.

Similar death experiences have become the tales of most domestic workers under kafala. Alem's incident only attracted attention because the video was captured by a passerby and circulated on social media. Yet many cases of abuse are not reported, many involving the death of migrant domestic workers. The invisible abuse experienced by domestic workers in their employers' homes does not usually get the attention of those prepared to call out the state for these acts of institutionalized degradation. In as much as Alem's case was publicized and statements condemning the abuse and her death went out from non-governmental organizations, civil society, and the Labour Ministry, Mahfouz was only arrested and even released shortly, while Alem's body was awaiting to be laid to rest in unclear circumstances.

While commenting on the death of migrant domestic workers, Rahel Zegeye, a renowned activist within the migrant domestic worker community, has openly expressed her dismay on the death of Ethiopian domestic workers and thinks that domestic workers are being killed, "why don't these women jump off buildings back home? what? you think we do not have tall buildings in Ethiopia?" (Kassamali, 2017). This statement by Rahel shows that the death of domestic workers is questionable. Either they are pushed to jump off their employers' balconies to their death, or their employers are killing them. She added, "When I found out that women were being

killed in Lebanon, I didn't believe it. You bring someone to work for you; then you kill them? Does it make any sense?".

Ethiopia is one of the countries sending many migrant domestic workers to Lebanon and is believed to constitute the most significant number of domestic workers (O'regan, 2017). In 2009 the Ethiopian government placed a migration ban to stop women from travelling to Lebanon as a measure to protect women from abuse and exploitation in Lebanon. Despite this ban, Ethiopian women continue to enter Lebanon through irregular routes, being smuggled by recruitment agents who are motivated by the need to keep a steady supply of cheap labour to meet the demand. Alem Dessisa, too, was a victim of smuggling and human trafficking. According to her, she had borrowed money to finance her travel to Lebanon with the hope of improving her economic situation. Like most domestic workers, she arrived in Lebanon undocumented, making it difficult for her to receive help from their embassies or the Lebanese state due to her undocumented status. The degrading conditions of work in which domestic workers are trapped in Lebanon reveal the most dehumanizing experiences that migrant domestic workers encounter, yet their constant struggle against these is countered by the racial veil which structures their experiences under racial capitalism as shown below.

4.4.1. The racial veil and the abuse of domestic workers

According to Du Bois, the racialized treatment and abuse of domestic workers under kafala, leading up to their degradation, is due to the dominant group's failure to see and experience what it is to live life from the perspective of the racialized group. Migrant domestic workers and Lebanese employers live on separate sides of the veil,

where they experience life differently. For Lebanese citizens and employers of migrant domestic workers, their privileged position and perceived racial difference determine how they treat and define migrant workers. Domestic workers perceive and internalize their treatment as they constantly struggle for dignity.

Alem's decision to commit suicide after enduring the humiliation she experienced from Mahfouz speaks to her struggle with her dignity, which had been robbed. The circumstances leading to her death were enough for Alem to internalize and construct her identity as the oppressed. The suicide was possibly a desperate move after realizing she would not get any support. Even if she had mental issues, as Mahfouz and a section of the Lebanese society claimed, the repeated patterns of abuse might have led her to develop mental health issues. According to Anti-Racism Committee, half of the women who were reported to seek mental health care at Medecins San Frontieres were survivors of physical and sexual violence. Additionally, the Daily Star indicated there are so many migrant domestic workers who go crazy' in detention centres and are transferred to hospitals.

The failure of the Lebanese state and society to realize how their actions and humiliating treatment affect migrant domestic workers speaks to their ignorance and the plight of migrant domestic workers who constantly struggle with degrading treatment. They only wait for an issue to go viral for them to act, and even if they chose to act, such abusers of domestic workers would not be jailed, as previous reports indicate (Houry, 2010). Following Alem's abuse and death, the former Minister of Labour Salim Jreissati, stated that "he had given strict instructions to ask Alem's employment agency about the circumstances of her employment as well as the health problems she reportedly suffered from. What happened is a human tragedy that opens the door for

cleaning the employment sector and completely opening up the agency issue". Even after making this statement, Mahfouz's agencies' license was not revoked following the announcement of a self-regulating code in 2013 by the Association of Recruitment Agencies aimed at protecting migrant domestic workers from any form of abuse and discrimination.

Prior to Alem's death, the Ethiopian consular in Beirut, Bonssa had appealed to the General Security to provide a security guard at the consulate because, to him, it was not a new phenomenon that migrant domestic workers were abused by their employers in the consulate, "the consulate is a place where employers and employees have social problems. We do arbitration, we settle many problems. There are people who are harsh and treat them [workers] poorly". After being referred to the police, his request was not granted, "we became frustrated and for the sake of relations between the two countries [Lebanon and Ethiopia], I did not report this problem." In a country that privileges its citizens and accords them legal rights over migrant domestic workers, these incidents are not new, and the poor treatment of domestic workers becomes normalized as it could happen anywhere, in the words of the former Minister of Interior Marwan Charbel, "such an incident could take place anywhere. It could happen on any street, and it could happen inside homes. Should we place security forces in everyone's home?".

Such crimes and degrading treatment against domestic workers in Lebanon have always gone unpunished. The Lebanese judiciary is usually reluctant to act in cases involving abuse towards migrant domestic workers by their employers and the Lebanese society. Human Rights Watch reviewed 114 cases of abuse brought by migrant domestic workers to the Lebanese courts and found that such Lebanese courts

failed to protect domestic workers (Houry, 2010). It was, therefore, unlikely that Alem would receive justice for her abuse despite the abuser being arrested and later released. Despite their abuse, migrant domestic workers, even portrayed as victims of abuse and exploitation, assert their agency as elaborated below.

4.4.2. Migrant domestic workers agency

For migrant domestic workers, their experiences with degrading treatment and humiliation and their internalizations of these experiences make them develop various forms of agency to resist the oppressive structures of the kafala system. Through their treatment, they can pierce through the veil [Du Bois calls these second sight] to glance into the world of their oppressors and so, in their way, develop ways of asserting their agency. It is often said that to become an agent, one must exert some degree of control over the social relations or structures in which one is enmeshed, which implies the transformation of such systems (Calhoun et al., 1993). Media representations of migrant domestic workers often reflect them as helpless victims of abuse and exploitation. However, they do not usually go beyond to highlight some of the agential aspects of how migrant domestic workers resist the oppressive structures of kafala by developing ways to manoeuvre these systems in their everyday experiences, individually and collectively.

Domestic workers, while attempting to struggle against a system of institutional racism in Lebanon, have shown that even with limited support from the state and or non-governmental organizations, they are capable of engaging and developing the structures in which they try to negotiate with the state and support each other. NGOs such as KAFA, and Anti-Racism Movement have supported domestic workers in their activist

efforts to educate Lebanese citizens and the government about life under the veil and how their perceptions and disregard affect them.

In 2006 when Israel attacked Lebanon in one of the most destructive ways, it was reported that most of the employers of migrant domestic workers while fleeing the war, especially in South Lebanon, abandoned their workers trapped in their apartments, which exposed the inhumane attitudes towards foreign domestic workers. Those employers did not care whether their domestic workers died in those buildings because of war or were starved to death. In these situations, domestic workers did not receive support from embassies, NGOs, or the Lebanese government. Therefore, the abandonment experienced and felt by migrant domestic workers triggered a need for change, giving rise to forms of collective resistance (Mansour-Ille & Hendow, 2018).

Rahel Zegeye, an Ethiopian domestic worker who, like many migrant domestic worker from Africa and Asia, found herself trapped in an abusive employment relationship with her employer, is one among the migrant domestic worker community who experienced this situation and has since risen to become a renowned activist both in Lebanon and internationally. After the Israeli war in 2006, Zegeye left her employer for good, expecting to return to Ethiopia as soon as flights resumed. By the time the Daily Star interviewed her in January 2013, she had stayed in Lebanon for 13 years. However, she couldn't fly back to her country since her papers were stuck with her employer and reclaiming them would take another four years. But in the meantime, she worked for another employer who offered to sponsor her, and she decided to stay in Beirut even after flights resumed. While she experienced abuse from her former sponsor, Zegeye did not receive help from her embassy or the Lebanese authorities. Instead, she found solace in her community church, where she met other women who

had gone through similar experiences. Listening to those women eventually inspired her to use the experiences she recorded to create her first film entitled "Beirut". In her own words, Zegeye told the Daily Star, "I was going to church every Sunday so that I would see many problems, women who had been beaten, abused, or were sick and some who died. No one was taking action"¹¹.

The shared experiences of abuse and mistreatment among domestic workers thus become a starting point in the arousal of their agency. Zegeye's word choice when she referred to domestic workers as problems reflects how she internalized their shared experiences and developed a common understanding of their condition. She uses a similar phrase that Du Bois used while developing a phenomenological study of Black subjectivity in the US, "How does it feel to be a problem". It is possible for the racialized to fight oppression and potentially develop emancipatory collective action by forming groups. Through listening to the stories of these women, Zegeye was able to create a script and therefore influenced other domestic workers to take part in acting in the film. She has produced various films and performed in theatres, going beyond Lebanon to Ethiopia to raise awareness about domestic workers' situation. When interviewed by Kassamali, Zegeye remarked, "I want to teach [Ethiopian women] about what happens in Lebanon, and not teach them how to clean and mop." (Kassamali, 2017).

Even within the constraints of kafala, migrant domestic workers have still found a way to organize and advocate for their rights while supporting other women to cope with the situation. They have developed structures and used them to shine a light on their status in Lebanon. In collaboration with NGOs and their community churches,

¹¹ Daily Star, Jan 21, 2013. An Ethiopian theatre of servitude comes to the NEST, by Meris Lutz

they have established grassroots organizations and developed leadership structures to support their community activism. For instance, an Ethiopian migrant organization called 'Mesewat', meaning "Ethiopian women are helping each other", is one among few community advocacy organizations which are raising awareness on the issues affecting migrant domestic workers while providing spaces for social and cultural belonging, for women to meet and build relationships and share information that will help them to adapt to their living conditions in Lebanon.

Such community organizations link migrant communities and Civil Society organizations, including the Domestic Worker's Union. NGOs such as the Anti-Racism Committee have channelled their support to domestic workers through their local organizations and have also used such spaces to organize and mobilize workers to match for their rights. In 2013, the Anti-Racism Committee and the Migrant Worker's Task Force (MWTF) organized an activist march combining migrant domestic workers from different groups. Migrant domestic workers chanted slogans like, "The people want an end to racism" and "Stop modern slavery". One of the organizers, Dipendra Uprety, chief advisor of the Non-Resident Nepalese Association, said, "We are workers, but we are not slaves. We have a right to be respected and protected. Rahel Zegeye, who also joined the protest, said she was there to "protest for migrant workers, for all of us for respect... I have seen many girls beaten by their employers [they] are not treated like humans".

4.4.3. Conclusion

The racialized mistreatment and deaths of domestic workers in Lebanon shed light on how the kafala system's pervasive racial capitalist relations create an invisible

barrier that keeps the dominant class groups from listening to the workers' plight.

Domestic workers are forced to constantly fight against demeaning forms of maltreatment because of their marginalization. They have been able to develop structures to resist the oppressive kafala through community activism and creation of grassroot organizations, while also depending on their churches and international NGOs in the absence of state's provision and their embassies.

4.5. Domestic Worker's Working Conditions

The nature and conditions of work under kafala have drawn criticism from International Human Rights Organizations, including the former Lebanese Minister of Labour Camile Abousleiman, who referred to it as modern-day slavery. The kafala sponsorship ties the legality of a migrant domestic worker to a specific employer and does not provide an option for the domestic worker to change employers. The system thus renders workers vulnerable by making them totally dependent on their employers and establishes a power dynamic which employers always exploit by exerting control over the domestic workers. Kafala promotes a master/slave relationship between the domestic worker and her employer which opens a door to exploitation of the domestic workers. In the absence of a legal law, domestic workers are bound to a contractual relationship which strips them of their rights. The Standard Unified contract, adopted by the Ministry of Labour in 2009, is the only legal document that governs the relationship between the employer and the domestic worker. In this section, I analyze how the existing contract institutionalizes a relationship pattern that turns domestic workers into slaves.

4.5.1. Modern slavery or racialized servitude?

According to the United Nations Special Rapporteur on Contemporary Forms of Slavery, domestic work is considered a form of ‘contemporary slavery’ which disproportionately affects (s) women and girls. Usually most of these women and girls are trapped in these conditions due to the need to escape poverty. At the same time, some are deceived into these conditions by recruitment agents who want to profit by luring the women into situations perceived as slavery. Kafala sponsorship system in its contemporary form has been equated to modern-day slavery because it traps domestic workers to degrading working conditions which are inseparably linked to living conditions.

Bales applies three different forms of slavery to explain modern-day slavery. He distinguishes between “chattel slavery”, “bonded slavery”, and “contract slavery”. While the abolition of slavery ended the legal ownership of slaves by their masters, other forms of controlling and exploiting human labour were introduced. In Contemporary slavery, contracts have been transformed into slave relationships between workers and their employers which are enforced by denying workers certain rights and ultimately placing them under the control of their employers making them vulnerable to abuse and exploitation. Bales refers to a slave as a person who has been denied freedom against their will, is exploited economically and experiences violence or threat of violence. Whereas Bales provides a way to conceive contemporary or the ‘new slavery’, historically race has been used to justify slavery and exploitation of specific groups of people especially Africans. African migrant domestic workers therefore become the new slaves under kafala who not only lack legal rights but also because of

their race and class continue being exploited as evidenced in their work and living conditions. .

4.5.2. The Standard Unified Contract for migrant domestic workers

In October 2009, through the Ministry of Labour, Lebanon issued and adopted a Unified Labour contract for the employment of foreign domestic workers. The contract, which comprises several articles, explains the rights and responsibilities of both the employer (sponsor of a domestic worker) and the employee (domestic worker). In its well-articulated manner, the contract lays the basic terms related to; the number of working hours, rest days, and salary remuneration, among others. However, the contract since its adoption has been identified as a significant source of domestic workers' vulnerability to exploitation and poor working and living conditions. I chose two articles in the contract to analyse how they contribute to the dehumanisation of migrant domestic workers.

Article 16 of the contract provides reasons upon which the First Party (employer) can terminate the agreement in the following cases;

1. In case the Second Party commits a deliberate mistake, neglect, assault, or threat or cause any damage to the interests of the First Party or a member of his/her family.
2. In case the Second Party has committed an act that is punishable by Lebanese laws in force in accordance with a court judgement.

In these cases, the Second Party shall be obliged to leave Lebanon and to pay the price of the return ticket home from his/her own money.

Article 17 of the same contract also lays out the grounds upon which the Second Party (domestic worker) can terminate the contract with the First Party taking full responsibility as follows;

1. In case the First Party does not honour the payment of the salary of the second party for a period of (3) three consecutive months.
2. In case the First Party or a family member of his/hers or any resident in his/her house beats, assaults, sexually abuses, or harasses the Second Party after such has been established through medical reports given by a forensic physician and investigation records provided by the Judicial Police or the Ministry of Labour.
3. In case the First Party employs the Second Party under a capacity other than that under which he/she had recruited him/her without his/her consent.

In these cases, the First Party shall be obliged to return the Second Party to his/her country and to pay the price of the travel ticket.

The terms upon which employers may terminate the contract are vague. When the contract refers to a domestic worker committing a deliberate mistake, it neither delineates what constitutes a deliberate mistake nor clearly explains which acts are punishable under Lebanese law. Most times, employers have interpreted these terms and punished domestic workers without a proper understanding of what the contract refers to. For domestic workers, it is usually impossible to prove physical or sexual abuse because they cannot hold their employers responsible for such violations because of the unequal power dynamics. Therefore, in such cases, they cannot successfully revoke their contracts. Despite this contract's existence, domestic workers cannot benefit from its provisions and remain bound to their employers because the

sponsorship system can only allow them to change employers with the approval of relevant authorities and does not mention who the authorities are.

Given their exclusion from labour law, the contract remains the only legal document that defines the relationship, and domestic workers remain legally bound. The contract denies them a right to possess their passport and to exercise freedom of movement because employers believe that kafala allows them to retain their workers' passports. The General Security also upholds the practice of passport confiscation. According to reports, the moment migrant domestic workers arrive at the airport, Security Officers immediately take the passport from and hand it over to their employers (Abdulrahim, 2016). Furthermore, recruitment agencies usually advise employers to withhold their workers' passports to prevent them from running away and thus bringing financial losses to the employers since domestic workers are treated as commodities. NGOs have blamed domestic workers vulnerability to exploitation on their unfair contractual agreements which privilege employers over domestic workers.

In 2019, an incident was reported by the Daily Star of an Ethiopian domestic worker who committed suicide by falling off from the 5th floor of her employers' apartment in Jounieh. According to her sister, who the Daily Star interviewed, Tilaye must have been pushed to commit suicide because of her working conditions. Tilaye's sister told the Daily Star, "She wasn't happy there at all. Her employers used to make her scared all the time. He [her male employer] hit her". Even if this were true, Tilaye would not be able to prove that her male employer would assault her because when interviewed, Kahwach, her employer, denied the allegations saying, "I am sorry that this happened... God have mercy on her soul. But we didn't beat her; this is not true, it is not accurate, and it's shameful".

Most times, for domestic workers who cannot prove their abuse allegations, the word of their employers is taken as relative truth. They even make it appear to the public that they never had any labour disputes with their domestic worker by appearing clean outside because no one knows what happens behind closed doors. Tilaye's employer told the Daily Star about their relationship with Tilaye, "We would treat her very well. We really liked her, and she was nice to us. She had no problems. We prayed for her yesterday". This statement reflects the paternalistic and maternalistic claims often made by employers of migrant domestic workers related to "I treat her like my daughter" (Abdulrahim, 2010). Treating her very well does not have a qualification because if she was treated well, she would probably not have chosen to fall off the apartment and kill herself, just like the sister stated, "This could have not happened if she was happy".

As domestic workers are isolated from the outside world and cannot communicate with their family and friends, they may be unable to recount their detailed experiences with those they care about. Although the contract allows domestic workers to communicate with their family and friends, studies show that they are usually prohibited from staying in touch with their family and friends because employers believe that they will be talked out of a job. Tilaye, who even had a sister in Lebanon, had not met her sister for almost a year. She was always locked up in the house by the employer, who admitted to the act for security reasons saying, "When I leave my house, I lock the house for her safety and for the safety of my house. We have Syrians and a lot of foreign labour here, they talk from the balcony and let people in" he said.

Employers of migrant domestic workers always justify why they lock their domestic workers in the house, and there is a widely held belief that kafala gives them that right (Abdulrahim, 2016). On the other hand, employers are also advised by

recruitment agents always to lock their workers in the house to prevent them from running away and stealing. They even advise them on which nationalities to be careful with. Among these nationalities are Ethiopians and African domestic workers from other countries, which may be linked to stereotyping. According to a study conducted by ILO on employers of migrant domestic workers, one employer even indicated that his domestic worker is okay with being locked in the house to justify his actions, “when we go out, [the domestic worker] tells me, please Mr., lock the door. I feel good because she is the one who asks me to lock the door... Honestly, I prefer to lock her inside. You never know. Sometimes you can get mugged even if you are inside your house, so what about if you are not there and the worker does not know how to deal with a situation like this. I like the fact that she asks me to lock her inside, though I try not to show it. So, now, I lock the door and leave because this is her request”.

To further demonstrate how restricting domestic workers' freedom of movement is the norm in Lebanese society, one of my African friends, an AUB student, went shopping at Coop supermarket in Hamra. While exploring the items on the shelves, a random Lebanese woman stopped and asked her, “so your madam leaves you to come out alone?”. She was amused that the lady mistook her for a domestic worker, and she was surprised that most employers engage in this practice. She then told the lady calmly that she is not a domestic worker. It is common, especially for Black female students, most of whom I have interacted with, including myself, to be mistaken for domestic workers, especially when moving on the streets or shopping places. The perception by employers that domestic workers are incapable of dealing with their freedom further justifies their restricted movements. However, because domestic work is already a

racialised occupation in Lebanon, it has become normalised for us to explain that we are not domestic workers to those who usually associate us with domestic work.

There have been futile attempts to adopt a new labour contract to include the right for domestic workers to change employers without notifying them, possess their identification documents and minimum wage, and obtain fixed working hours, overtime, annual leave, and sick pay. The Ministry of Labour together with the ILO and NGOs on 4th Sept 2020, adopted a new standard Unified Contract which included all these revisions. Unfortunately, the Shura Council, the highest administrative court in Lebanon ruled in favour of recruitment agencies who opposed the new contract because they argued it would cause severe damage to their business (Dagher et al., 2020). The new contract, as officials noted, would provide an alternative to the kafala system. Aya Majzoub, a researcher carried out studies in both Lebanon and Bahrain on this issue commented that "the new contract would have vastly improved protections for migrant domestic workers and would have been a step to dismantling the abusive kafala system. This decision underscores the importance of urgently amending the labour law to include domestic workers and abolishing the exploitative kafala system that traps tens of thousands of workers in highly abusive conditions amounting at worst to modern-day slavery" (Ullah, 2020).

4.5.3. Conclusion

The Standard Unified contract is designed to maintain a system of slavery which is reflected in the unequal relationship between domestic workers and their employers. The Unified contract limits the rights of domestic workers and leaves them entirely dependent on their employers thus making them vulnerable to exploitation.

4.6. Intersectionalities (Nationality, Gender, Race and Class)

In this section, I discuss how the intersections of race, class, gender, and nationality contribute to the vulnerability of African migrant domestic workers in Lebanon.

With the migration of women from Africa and Asia into the Lebanese domestic labour market we see an increasing devaluation of domestic work in Lebanon with the government delegating care services to individual families. Not only has domestic work become a docket of foreign women but has increasingly become racialised. The racial labeling of domestic workers as “*Srilankiye*” reveals the classed and gendered nature of domestic work. This is because this work attracts low skilled and economically vulnerable women.

Domestic work is categorized and classified as least compared to other professions and thus domestic workers are excluded from legal protections. This exclusion leaves domestic workers trapped in conditions of slavery facilitated by unequal contractual arrangements between employers and domestic workers. The exploitation of domestic workers is evidenced in their poor working conditions and the use of violence in all its forms by employers demonstrates the contemporary nature of slavery present under kafala. For instance, in a study conducted by Jureidini, it was found that the “madame” of the house, in most cases, is the abuser of her maid (Jureidini, 2011). The violence used by the "madame" against her domestic worker is typically viewed from the perspective of a maternalistic relationship, and it serves to maintain the disparities between the two women.

In other instances, recruitment agencies have defended using violence to reprimand and coerce domestic workers into compliance (Jaoudeh, 2017). For instance, a 40-year-old man at her agency sexually assaulted and physically abused an Ethiopian domestic worker in 2014. After the employer accused the domestic worker of theft, and took her to the agency to be disciplined, the rape was used as a form of punishment (Migrant-Rights.org, 2014). In December 2020, The Lebanese parliament passed Law No. 205 which criminalizes sexual harassment and includes varying penalties for sexual offenders. However, this law does not include migrant domestic workers (Diab et al., 2023). Additionally, racist attitudes and practices can be seen in how migrant domestic workers are treated in their employers' homes. They are not permitted to share utensils or even the same bathrooms with family members due to "fear of contamination."

Placing kafala within the global capitalist framework has led some scholars to pay attention to the 'global care chains' which characterize domestic work. It is noted that there is a steady flow of women from poor countries to rich countries that are migrating to take up caregiving roles. The significant increase in the number of women joining the formal labour force in these receiving countries has been associated with the presence of migrant domestic workers. Employers of domestic workers in Lebanon are indeed overwhelmingly female, with college degrees and professional careers, who need help caring for their children and elderly¹² (Abdulrahim, 2016). Furthermore, the delegation of care services to families compensates for the failure of the state's provision of public services like kindergarten and after-school care to families. This has

¹² An article published by the Daily Star in 2016 indicated how migrant domestic workers have been pressed to providing care to elderly relatives of their employers. According to the article, Lebanese families are reluctant to enroll elderly family members under professional care due to the stigma associated with enrolling senile family members in a nursing home. Thus, migrant domestic workers are tasked to provide elderly care. In addition, it is also a viable economic alternative since professional care in Lebanon is expensive.

opened a door to exploitation of domestic workers who then fill up these roles through their cheap labour (Beck, 2018).

In addition, there is also pressure from developed countries on husbands and fathers to relieve their women from domestic duties, even in Lebanon, where the care of children and the household was predominantly under the women. Currently, in Lebanon, domestic work does not require active male interference since the woman is mostly the one in charge of the maid, and so it promotes a neo-patriarchal structure. This has given rise to globally gendered institutionalized hierarchies where domestic workers from foreign countries now do unpaid care work, thus exposing them to exploitation.

CONCLUSIONS

An essential demographic in Lebanon is migrant domestic workers, who contribute significantly to the country's labour market. They remain outside of the nation's institutional and legal structures, which places them under the authority of their employers. The state's transfer of control over domestic employees to private sponsors makes it easier for them to be exploited, which is frequently accompanied by other forms of servitude. As a result, domestic workers must continually bargain with their employers not only their living and working conditions, but also their legal status in the country.

Domestic work is devalued and consigned to the private realm by the institutional structure guiding the categorization and classification of workers in the country, which places it in the lowest category below other occupations. It is understandable why this issue is being pushed to the regulation of recruitment agencies, which have increasingly emerged as labour market facilitators. These agencies not only need to engage in ad hoc market strategies to maintain a supply of cheap labour to meet market demand, but they also need to differentiate between workers based on race to satisfy the preferences of their “clients” and justify exploitation. The consolidation of racial capitalism under the kafala sponsorship system is abundantly visible by hiring foreign workers and giving them fewer or no rights relative to citizen employees. By doing this, the state upholds an apparent distinction between citizens and noncitizens based on nationality, gender, race, and class.

A lens through which to view and discuss the racialization practices prevalent in the Lebanese kafala system and how these feed into the historical global processes of labour exploitation, oppression, and exclusion is made possible by the fact that domestic

work is performed by foreign women from Africa and Asia . Due to their socio-economic status, these women are marginalized and positioned at the bottom of the social hierarchy and are perceived as inferior to their employers and the rest of Lebanese society. Their perceived racial difference serves both as a justification for their exploitation and exclusion.

In this study, I contend that migrant domestic workers internalize their position as a result of their racialized experiences. In the absence of state provision, migrant domestic workers have developed structures in their struggle against the oppressive and exploitative kafala system. The past 17 years have witnessed an increase in migrant worker agency and local activism. With the support of NGOs, most notably Anti-Racism Committee and KAFA, domestic workers have established grassroots organizations that serve as a link between migrant communities and NGOs. Most notably, “Mesewat,” a grassroots organization whose name in Amharic means “if you have something tiny, you share with others”, was founded by Rahel Zegeye in 2018. The organization advocates for the rights of migrant domestic workers and provides a safe space where workers can feel accepted and form deep bonds. Additionally, migrant community churches have been instrumental in providing aid and support for abused migrant domestic workers.

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