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Maaroufi, Mouna

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Reproducing and Resisting the Exploitative Structures of Global Migration, Gender, and Labour Regimes: Migrant Domestic Workers in Lebanon

MOUNA MAAROUFI

Introduction

Extreme exploitation, human right abuses, and political and social exclusion are experienced by migrant workers worldwide. Particularly the Gulf States, as well as Middle Eastern countries influenced by migration systems in the Gulf, such as Lebanon, have often been associated to working conditions akin to slavery. The region represents an interesting case study due to its quickly expanding and increasingly international migrant work force. In Lebanon, at least 250.000 migrant domestic workers originating mainly from Sri Lanka, Ethiopia, and Bangladesh suffer from human rights abuses and exploitative working conditions with inappropriate wages, denial of freedoms, and threat or use of violence, which some scholars refer to as a new form of slavery, phrased as “contract slavery” by Kevin Bales (Parvaz 2015; Jureidini/Moukarbel 2004, 582). In the literature on contemporary unfree labour, the degree of coercion on a continuum ranging from free to unfree labour arises mainly from the conditions of exit from labour relations, whereas the entry into labour relations is better described as “compulsion by necessity” due to socioeconomic conditions (Barrientos/Kothari/Phillips 2013, 1039). In Lebanon, domestic workers often remain in labour relations in an unfree manner, as they incur debts for the travel and agency expenses, and are not free to leave or change employers during a 2 to 3 yearlong period foreseen by a contract which ties their immigration status to one employer (Jureidini/Moukarbel 2004, 584). While the contractual and often short-term arrangements in contemporary forms of unfree labour seemingly differentiate them from traditional forms of slavery based merely on racial subordination, processes of differentiation based on gender, race, nationality, and social class persist – albeit in more complex forms – in neoliberal migration, gender, and labour regimes allowing for extreme exploitation to occur in global care chains (Anderson 2000).

In the light of the establishment of a union for domestic workers in January 2015 which expresses rising agency and activism among migrant workers and the civil society in Lebanon, the article will examine which actors are willing or able to profoundly address exploitation and human rights abuses against migrant domestic workers in Lebanon. Due to the multi-layered and transnational regulation of migrant labour, insights from radical geography are helpful in avoiding methodological nationalism while remaining sensitive to the specific temporal-spatial frame in which forms of unfree labour reappear and persist in a globalized economy (Hanieh 2015, 58). Feminist political economy approaches emphasize the inter-dependence bet-

ween productive and reproductive spheres seen as power relations within states, markets, and households mutually reinforcing each other (LeBaron 2015, 6). Drawing on such critical geography and political economy approaches, the paper will concentrate on the spatial and structural frame in which extreme exploitation occurs in domestic work while simultaneously pointing to actors which could contribute to changing this social, political, and economic frame. In order to assess different strategies of resisting unfree labour it will be analysed to what extent migrant domestic workers' exploitation is anchored within a national context or is related to broader structures of inequality within a globalized capitalist system.

The article will be divided according to the main actors involved as their political and economic interests and power relations determine the conditions of migrant domestic workers. A first part will assess initiatives from above led by the Lebanese state, sending states, and supra-national organisations, such as the International Labour Organisation (ILO). Thereby, dominant tendencies in national and global policies relating to migration and labour will be presented as the context in which unfree labour occurs within neoliberal globalization. The second part will look at migrant activism and civil society engagement for domestic workers in Lebanon from a bottom-up perspective be it social, legal or union-based. The paper will argue that in the context of the hegemony of neoliberal policies on the global and national level, the civil society, and particularly collective organisations by migrant workers, are the only actors with a real interest in profoundly changing the situation. However, achievements will require a comprehensive and inclusive approach linking migrant domestic workers' struggles to broader national and global issues and relying on participation of migrant workers as well as local workers.

While the evidence supporting the paper's argument consists mainly of secondary sources, such as academic and newspaper articles, the author is well embedded in the field and formulated the arguments based on participant observation of different initiatives for migrant workers' rights in Lebanon. Due to my personal involvement with the association Migrant Workers' Task Force¹ supporting migrant workers' community building and empowerment efforts in Lebanon in the last three years, the paper pursues not only an academic aspiration but is also motivated by my position as an activist concerned about the multiple forms of exploitation and discrimination within neoliberal globalization.

The global and national structures of migrants' reproductive labour

As migrant domestic workers' rights pertain mainly to the national management of migration and labour, states can be considered as important actors determining whether and to what extent abuse and exploitation take place. As will be illustrated in the Lebanese case, the exclusion of domestic work from labour laws and a restrictive labour migration regime contribute decisively to extreme exploitation of migrant domestic workers. Yet, in the context of global care chains which reflect and repro-

duce global inequalities, attempts to regulate labour standards and migrants' rights internationally have increased in importance. International actors such as the ILO aspire to influence how nation-states deal with these issues, for example through international conventions like the recently published Convention 189 on domestic work (Mullally/Murphy 2014, 398). Therefore, the essay will present international and national approaches to migration and labour regulation and analyse the prevailing interests and social relations in policy making which determine whether gender, class, and race inequalities are mitigated, reproduced, or reinforced among migrant domestic workers.

The international context

In a globalized capitalist economy, labour relations are increasingly embedded in transnational spheres as industrial employment is driven by multinational corporations and global production networks, and as labour mobility is a key factor in the exploitation of flexible and racialized migrant workers in domestic work, services, and agriculture (LeBaron 2015, 10). It is argued that globalization renders more people vulnerable to contemporary slavery, as poverty and inequalities have exacerbated (Van Den Anker 2004, 15). Thus, the persistence and spread of forms of unfree labour should be contextualized within global social transformations occurring in the frame of neoliberal labour market restructuring (LeBaron 2015, 11). Workers' insecurities created through labour and immigration policies which tend to increase flexibility for employers and decrease wages, rights, and collective action of workers are constitutive of increasingly exploitative conditions in global relations of production and reproduction (ibid.). Pertaining to the globalization of domestic work, new concepts have been developed in the last decades, such as global care chains, transnational care services, and the international division of reproductive labour (Yeates 2004). These concepts point to the transformations in the organisation of social reproduction in the international economy, but also to uneven global relations and an unequal global distribution of resources. In this context, international actors are important in responding to global issues of labour exploitation through international frameworks and regulations. The frame for migrant domestic workers' rights is provided by the ILO's Convention Concerning Decent Work for Domestic Workers and by recommendations formulated by the UN Committees on the Elimination of All Forms of Discrimination Against Women and on the Protection of Rights of All Migrant Workers and Members of their Families (Mullally/Murphy 2014, 398).

Indeed, human rights abuses against migrant domestic workers have increasingly attracted the attention of international organisations in Lebanon. Most recently, the ILO's Bureau for Workers' activities has played an important role in the foundation of the union for domestic workers in 2015 due to its support for the formation of independent trade unions in Lebanon and the inclusion of migrant workers (Kobaiyya 2015, 8). Previously, the ILO contributed to the launching of a code of con-

duct for recruitment agencies and it has published an “Information Guide for Migrant Domestic Workers in Lebanon” in cooperation with the Middle East Office of the High Commissioner for Human Rights (OCHR), the Lebanese Ministry of Labour, the Syndicate of Owners of Recruitment Agencies, and Caritas Lebanon’s Migrants Centre (ILO 2012). These initiatives reflect the ILO’s rights-based and participatory approach to labour migration which advocates for social dialogue between governments, employers, and workers (Rogaly 2008, 1432). However, it is precisely the tripartite system which has put into question the ILO’s capacity to confront larger structures of unequal power relations in capitalist systems (ibid.). For instance, in its *Global Alliance against Forced Labour* initiated in 2005 out of a renewed interest in unfree labour, the ILO adopts a careful reformist approach, which does not directly link unfree labour conditions to recent developments in globalized capitalism, thus contributing rather to isolating the worst labour conditions from a capitalist system of “free wage labour” which is not considered as exploitative (Rogaly 2008; Lerche 2007, 430). The ILO’s capacities to evoke changes in migrant domestic workers’ conditions is also limited as most of the aforementioned conventions have only been ratified by few countries, excluding most powerful immigration states in the global South and North, and due to the difficulty of enforcing ratified conventions in the context of unequal global power relations (Douglas/Ferguson/Klett 2004, 276). Besides difficulties in the implementation of international standards and protection, the content of international initiatives might also not be free of problematic implications reflecting unequal social relations. International bodies concerned with migrant workers’ rights such as the United Nations Development Programme (UNDP) have reinforced gendered conceptions of migrant domestic workers in campaigns, for example on HIV vulnerability. By presenting migrant domestic workers merely as victims of sexual violence, such campaigns fail to acknowledge their consensual sexual relations and thus their sexual agency and right to be autonomous members of the society (Smith 2010). Finally, trends towards rendering migrant labour more insecure and precarious by virtue of immigration control regimes are intensifying globally with the spread of neoliberal polices (Nah 2012). In the UK for instance, previously gained rights and relatively secure migration status for migrant domestic workers have recently been reversed by the introduction of a temporary labour migration system not unlike the often criticized sponsorship system in Lebanon (Mullally/Murphy 2014, 410). Thus, it is unrealistic to expect from an international community which is restricting access to rights and citizenship even in the global North, to advocate for radical changes in the global South. Consequently, international bodies such as the ILO are constrained by the existence of unequal relations and competition among states in pursuing their interest in a globalized economy but also by the hegemonic premises of neoliberal gender, migration, and labour regimes which frame their actions. Nevertheless, the ILO’s role in providing informative and regulatory frameworks and its support to unions can contribute positively in contexts in which local social actors can use the support to exert pressure on states or eventually even on global structures.

The Lebanese state

Human rights abuses experienced by migrant domestic workers are often blamed solely on employers, without linking them to legal and institutional structures, through which states enable exploitation (Mullally/Murphy 2014). Labour migration to Lebanon has been mainly female and for domestic work, expressing the Lebanese economy's prioritisation of services, finances, and commerce over productive industries (Traboulsi 2014, 25). Hence, abuse of migrant workers is often attributed to individuals taking advantage of the availability of cheap and exploitable domestic workers to reduce reproductive responsibilities for women (Moukarbel 2009, 30). However, national laws and practices, such as the sponsorship system (*kafala*), enable abusive treatment of migrant labour as illustrated below. Even though the sponsorship system is not a formally codified law, the practice of tying migrant workers' immigration status to their employers is well established transferring the management of migration to private employers (ILO 2014). According to this practice migrant workers obtain a work visa for two to three years which is only valid as long as they work for one employer who as the sponsor of the migrant worker also paid most of the travel and visa expenses (Jureidini/Moukarbel 2004, 584). As a consequence, the employer controls the migrant worker's movement closely in order not to lose the investment, as exemplified by the fact that most employers keep their employee's passport (*ibid.*). The resulting dependency of migrant workers on one employer is a crucial factor in the occurrence of abuse and exploitation (Pande 2012, 387). The Ministry of Labour is responsible for determining quotas for migrant workers according to nationality and profession, for issuing permits for sponsors (95% of which are readily accepted), and licencing private recruitment agencies (ILO 2014, 37-40). Moreover, gender and class discriminations of workers, whether Lebanese or foreign, are deeply anchored as domestic and agricultural work have never been included in Lebanese labour law limiting the regulation of labour rights and protection for these sectors and hindering workers from defending their rights through established legal processes (*ibid.*, 47). For a few months in 2014 and 2015, the state had even formalized the employers' interference in migrant domestic workers' love life by rendering employers responsible for restricting migrant workers from engaging in any form of relationship in Lebanon, including marriage (Parvaz 2015). By deporting migrant workers involved in relationships, the state tried to control migrant workers' integration and reproduction to prevent settlement in Lebanon until the Ministry of Justice revoked the decree (El-Hage 2015).

Yet, some limited attempts have been made by the Ministry of Labour to improve the situation of migrant domestic workers. In 2009, a unified contract for domestic workers was introduced which provides them with some basic rights, even though free movement remains restricted by employers, and the contract is little used, not least because it has been drafted in Arabic only (Kafa 2010, 24). Moreover, in 2011 parliament adopted a law aimed at criminalizing human trafficking and the Ministry

has promised to draft a law for domestic workers, without considering including them in general labour law however (ILO 2014). Consequently, the state's complicity in providing a frame for exploitation can be asserted but its political and economic interest in maintaining such an exploitative system requires further interrogation. While migrants are concentrated mainly in domestic work, employment in services, particularly in large cleaning companies subcontracted by the state, such as Sukleen, has become significant and seems to be on the rise in the industrial sector as well (Hachem 2013). Thus, the Lebanese economy is becoming increasingly dependent on migrant labour for badly paid and unprotected jobs as Lebanese workers could not be exploited to the same extent thanks to their protection by the labour law and as they would not accept such working conditions. This development towards a segmentation of the labour market has been supported by the state and reflects the interests of states pursuing neoliberal policies in maintaining restrictive immigration regimes to further neoliberal developments, such as labour market flexibility and divisions among the workforce (Nah 2012). Besides, it is unlikely that the exploitation and abuse of migrant domestic workers could be tackled efficiently by a Lebanese state weakened by sectarian and neoliberal politics which have divided the country between sectarian leaders whose limited accountability to one of the 18 diverse sects² allows them to only provide an apparent of services, infrastructures, and institutions (Wimmen 2013, 23). Finally, the capacity of the Lebanese state in regulating migrant labour is limited as migration policies are not merely a national governance choice, but an expression of the unevenness of relations on the world market and of global trends towards more insecure and exploitable work forces (Hanieh 2015).

Sending states

It is frequently argued that protection of migrant workers should begin in their countries of origin which are to different extents involved in the facilitation of labour migration. While paid domestic work has a long history in Lebanon, the predominantly Lebanese, Syrian, Kurdish, Egyptian, and Palestinian domestic workers were progressively replaced by migrant workers from various African and Asian countries since the 1980s in the context of the Lebanese civil war (Jureidini 2009, 77). Initially, they came mainly from Sri Lanka, Ethiopia and the Philippines, but increasingly also from other West African and South Asian countries, such as Senegal, Nepal, and Bangladesh (ibid.). Sending countries, like Sri Lanka, provide training and insurance schemes and monitor recruitment agencies (Gamburd 2005, 95, 103). Yet, the Sri Lankan state's initiatives for preparing labour emigrants reflect gendered perceptions of female migrant workers who are expected to remit their entire income to their families and to protect their moral and sexual integrity while abroad (Smith 2010). Other sending states, such as Ethiopia and Nepal, have discouraged or even banned labour emigration to the Middle East, but it has been observed that these patronising measures have often generated more vulnerability as migrant workers started relying

on irregular migration routes and networks (Gamburd 2005, 100; Fikresalam 2013). On top of failing to address causes of exploitative and abusive working conditions, these bans also seem to be inefficient, as the majority of new migrants in Lebanon in 2010 came from countries with a ban in place (Anti-Slavery International 2014, 15). In receiving countries, embassies, consulates, and labour attachés can play a supportive role for migrant domestic workers. In Lebanon, functions of the Sri Lankan embassy, such as providing shelter, support for legal issues, and repatriation, point to the frequent recourse migrant domestic workers seek in the embassy (Moukarbel 2009). While the embassy represents a safe base for many migrant workers from which they can more confidently negotiate with their employers, their cases are not always treated according to their best interest, as the embassy complies with the Lebanese General Security's instructions, referring migrant workers without legal status to the Lebanese authorities which leads to their detention (*ibid.*, 74). The actions of embassies have to be understood as motivated by power relations within sending states which marginalize migrant domestic workers' interests in good employment and living conditions abroad as they are female and poor. Furthermore their scope of action depends on receiving countries which accept the involvement of sending countries to various extents. Overall, the protection sending states can offer is limited by their weak position as countries providing low-skilled labour for a global reserve army for labour whose continuous exploitation can be ensured through spatial restructuring by simply shifting labour supply from one country to another. Such mechanisms could be described with Harvey's notion of spatial fixes allowing for a flexible regulation of labour in times of crisis and weakening the power of workers and sending states (Hanieh 2015, 68). Thus, the fact that sending states rely on labour emigration to relieve unemployment and receive remittances will make them prioritize the persistence of job opportunities for their nationals abroad over labour standards and rights.

Space for agency? Migrant and civil society engagement

After discussing various obstacles and power relations which render a profound change of the exploitative labour migration system by state actors unlikely, the essay will now analyse bottom-up approaches to social, legal, and, economic emancipation of migrant domestic workers in Lebanon. The three forms of resistance that will be presented are understood as complementary and as building up on each other, as the constitution of social networks is the first step towards the realisation of more durable and powerful actions, such as legal defence and unionisation. While these approaches are constrained by attempts to divide and weaken migrant labour, the essay will argue that they represent the only hope to push for migrant domestic workers' interests through collective action. However, civil society engagement can undermine migrant domestic workers' agency and power by representing them as passive victims who ended up in exploitative working conditions due to missing education and information. As in the case of trafficking, migrant domestic workers are often

well aware of the risks their decision to migrate imply, yet chose nevertheless to do so out of a lack of better mobility and employment options (Yeates 2004). Thus, this paper will consider that whilst individual migrant domestic workers' situation can be improved through various ways, addressing extreme exploitation of migrant domestic workers overall requires profound structural changes of inequalities in global care chains as well as of national labour and migration laws imposed through collective and transnational mobilisation.

Fostering relational networks

Some of the human rights abuses migrant domestic workers in Lebanon suffer from are directly related to the particular nature of domestic work which on top of relying mainly on young women, confines the employment relationship to the private, creating ambiguities between work and personal relations and contributing to the isolation of domestic workers (Moukarbel 2009, 123). In a continuously gendered division of labour control over domestic workers is usually exerted by women, reflected by the fact that only 29% of Lebanese women employing a domestic worker were in the work force in 2005/6 (Jureidini 2009, 91). At the same time, the commonality between female employer and employee whose unpaid and paid reproductive work is not valued by society, is denied as the Lebanese women simply shift the pressure over being the sole responsible for the flawlessness of the household onto migrant domestic workers expressing their gained superiority by the excessive use of power and even violence interfering in every aspect of the employees' life, thereby patronising and dehumanising them (Moukarbel 2009, 124). Arguably, the created divisions between women expressed through 'maternalism' stem from postcolonial inferiority complexes and support the persistence of patriarchal and hierarchal systems (ibid., Anderson 2000, 145). In this context, the first step for migrant domestic workers to claim rights is to regain agency by creating spaces or relations outside the household. As Bridget Anderson observed in the case of migrant domestic workers mobilizing in the UK, it was crucial that workers from different countries gathered at cultural and social events to form united communities (2010, 62). By sharing experiences, forging relations, and appropriating public space, migrant workers became political actors demanding rights and formulating collective claims over citizenship (ibid.). Migrant domestic workers in Lebanon have found ways to regain agency by employing acts of everyday resistance such as choosing to misunderstand, to disobey or to steal (Moukarbel 2009, 202). Yet, such subtle forms of resistance also express the lack of power to confront employers directly. But once domestic workers use gained space and agency to form alliances, for example by building relations across balconies, meeting at churches or living collectively after having run away from employers, their actions can be described as resistance on a meso-level which is not confined to the private anymore but also not part of public space yet (Pande 2012). Migrant domestic workers who have escaped abusive households manage to free

themselves from spatial structures of discipline to a certain extent and to appropriate some space in Beirut, for instance around shared flats acting as collective support structures³ (ibid.). Furthermore, local organisations are creating spaces for migrants to gather, seek support, and build communities, such as the Migrant Community Centre (Kumera 2015). While these activities are promising signs for the formation of politically conscious communities, they face constraints as to their means to be heard and to overcome the divisive and isolating structure constructed for them. Alienation of migrant domestic workers has become an established strategy of employers and agencies which favour young women from remote rural areas with few social ties (Fikresalam 2013). Finally, tense relations between migrants from different countries due to their differentiated treatment and wages even lead to a reproduction of race and class divisions among migrant workers (ibid.).

Rights-based approaches

Rights-based approaches aimed at empowering people to claim individual and collective rights have become popular among civil society organisations concerned with migrant workers' rights (Elias 2008). These approaches require a critical analysis of the nature and implementation of rights taking into consideration unequal power relations on national and global levels. Jacques Rancière (2004) argues that human rights emerged as a mechanism to protect rightless people, such as migrants and refugees, within a context of exclusive nation-states as the main guarantors of rights. Yet, mainstream human rights discourse has been criticized for ignoring social power relations which determine access to rights, particularly when it comes to transnational domestic workers who are marginalized due to their gender, nationality, and the nature of their work (Elias 2008, 285). Moreover, focussing on the human rights of migrant domestic workers entails the risk of neglecting their identity as workers whose struggles share many aspects with labour mobilization in other sectors.

In the case of Lebanon, the importance of national laws can be asserted, as migrant domestic workers suffer from the sponsorship system and from not being included in labour laws determining workers' rights and protection. Yet, since 2008, the Labour Arbitration Councils are accepting cases of migrant domestic workers whose wages have not been paid, a progressive attitude impaired however by their president's opposition to including domestic workers in national labour law (ILO 2014, 14, 46). Other positive evolutions can be observed as employers have been condemned to prison sentences for physical violence against migrant domestic workers in 2006 and 2013 (ibid., 57). Furthermore, a migrant domestic worker reclaimed her passport in June 2014 in a first successful case on the basis of restrictions on the freedom of movement (Wansa 2014). And lastly, the civil society, including the Union for Domestic Workers, supported by the Council of Public Notaries succeeded in pressuring the Ministry of Justice into withdrawing a decree which obliged notaries to include the employers' responsibility over ensuring that migrant domestic workers

do not maintain relationships (El-Hage 2015). These few legal achievements can be explained by increased awareness of judges and lawyers for the situation of migrant workers following the engagement of rights-based organisations which have filed petitions and provided legal aid (ILO 2014, 16). However, they remain isolated cases in which migrant domestic workers had access to legal defence, and they will not lead to a profound transformation of the system which allows for abuse and exploitation to recur as long as pressure is not exerted on legislators and policy makers to include migrant domestic workers in labour laws and provide them with more secure immigration statuses.

Unionisation

The right to association and collective bargaining is one of the core ILO labour rights and its importance for migrant workers is frequently highlighted. Inclusion of migrant domestic workers in trade unions provides crucial access to information and protection and presents them as valuable economic contributors to society, and as such as legitimate political actors (Anderson 2010, 65). However, in the context of neoliberal globalization, unions face enormous challenges in organising a work force which is characterized by its increasing transnational dispersion, racialized and gendered divisions, informalisation, and the spread of service industries which are less localised than industrial sectors. Indeed, trade union theorists have often criticized unions for not including racialized labour and thus failing to act as a progressive force in the interest of the whole working class (Virdee 2000). Since the 1960s pluralistic identity politics have weakened and divided unions globally, which were incapable of transcending perceptions of either a universal homogenous working class or of a particular migrant worker class with intrinsically different and opposed interests from the majority of workers (Alberti/Holgate/Tapia 2013, 4134). Yet, Marxist scholars have advanced less statist and pessimist visions of unions considering their inclusiveness as determined merely by particular strategies and economic, political, and ideological conditions (Virdee 2000, 549).

The newly formed union for domestic workers in Lebanon under the discreet name The General Union of Cleaning Workers and Social Care, though founded by Lebanese domestic workers due to the ambiguous association rights of migrant workers, has been created with the aim of inclusiveness which is precisely why it has received hostile reactions from the state (Shoufi 2015). Despite calls by the Ministry of Labour not to hold an inaugurating conference for the union which it considers illegal, more than 200 migrant domestic workers gathered on the 25th of January 2015 at the headquarters of the Federation of Workers and Employees Union in Lebanon (FENASOL), which is the main supporter of the union besides the ILO and the International Trade Union Federation (*ibid.*). Since the labour law excludes domestic workers and migrants, it is unclear whether migrant domestic workers have the right to form and join unions. Yet, article 92 states that some foreign workers are allowed to join unions

but not represent them, furthermore the ILO Convention on Decent Work for Domestic Workers which the Lebanese Parliament has approved but not ratified grants the right to freedom of association to domestic workers (Human Rights Watch 2015). On this basis, over 100 civil society organisations and Lebanese and international unions have published a joint statement to support the union's recognition (ibid.). The composition of the union of Lebanese and migrant domestic workers is reflective of labour laws which discriminate against all domestic workers. Therefore, the union should be understood as representative of larger issues concerning all workers whose wages are depressed by the exploitation of migrant labour and whose capacity to unionize is undermined by the fractionalisation and marginalisation of non-partisan labour movements (Traboulsi 2014). Indeed, since the 1990s and the intensification of the neoliberal project in Lebanon, unions' power and cohesion were weakened considerably by the establishment of trade union federations affiliated to sectarian leaders and the simultaneous reduction of union memberships (Kobaissy 2015, 42). Despite the hostile and divisive context, the union for domestic workers has managed to gain more than 300 members and pushed for the closing of 12 abusive recruitment agencies since its formation (Massena 2015). Due to the Ministry's hostile reaction, the formation of the union managed to attract media attention demonstrating increased collective organisation and activism to policy makers and employers, and constituting an empowering message for migrant workers (Shahvisi 2015). However, as in the case of the Gulf States, collective mobilisation in Lebanon faces serious obstacles, due to migrant workers' insecure legal status constantly threatening unionised workers with potential detention, deportation, and spatial restructuring of the work force (Hanieh 2015). Moreover, the private character of domestic work requires innovative approaches to mobilisation and to address issues which are not only confined to working conditions, but encompass broader living conditions. Finally, even a union founded upon progressive premises is not guaranteed to remain free of dominant power relations but risks to reproduce gender, race, and class inequalities as the leadership is still mainly assumed by established Lebanese and male unionists (Kobaissy 2015). In conclusion, the union now faces the challenge to expand its local support basis consisting of marginalized migrant workers and local workers in a united class struggle against capitalist elites and to develop into a globally networked union which makes use of the ever more important transnationalisation and spatial structure of labour exploitation for its own benefit (Gillan/Lambert 2009).

Conclusion

When discussing the interests and capabilities of different actors in advancing migrant domestic workers' rights in Lebanon, the chances for a profound change of their situation seem rather grim. The Lebanese sectarian leaders/capitalist elites have no interest in reforming a migration regime which allows them to push for further neoliberal policies by depressing wages, dividing workers, and rendering labour more flexible.

Moreover, these policies correspond and respond to international trends generating a global class of disposable workers based on racialized and gendered relations within an international labour reserve army. This essay argued therefore that improvements can only be imagined to stem from resistance from below with migrants and local workers mobilizing to address labour and migration issues on a national as well as a global level. In this context, universal human rights and labour standards could serve as a frame and provide awareness and information, yet national immigration and labour laws remain crucial for migrant workers' rights. Due to the temporary nature of labour migration to Lebanon, a focus on working conditions rather than social and political inclusion seems appropriate to tackle human rights abuses, however separating different spheres of rights can fail to grasp the complex reality of migrant domestic workers whose lives cannot be confined merely to their work. Thus, instead of distinguishing between labour and immigration issues, it should be pointed out that rights in both of these domains will mutually reinforce each other, as more empowered and secure workers will have more opportunities to gain citizenship rights and as social inclusion will empower migrants to secure labour rights. Finally, it is essential that migrant workers' struggles are expressed through collective action which appeals to deprived segments of the Lebanese society as well in order to efficiently pressure the state to respond to migrant and local workers' needs. However, overcoming dominant divisive structures is one of the major obstacles the civil society and unions face in mobilizing workers around common concerns. A further challenge these movements have to meet is the increasingly transnational scale on which such struggles should take place in order to resist the spatial fixes that a globalized capitalist system uses in order to weaken labour movements and to further exploit migrants and workers.

Notes

- 1 Since 2015 the grassroots association Migrant Workers' Task Force (<https://mwtaskforce.wordpress.com/>) is part of the Migrant Community Center funded by the Anti-Racism Movement.
- 2 Alawite, Armenian Catholic, Armenian Orthodox, Assyrian Church of the East, Chaldean Catholic, Copts, Druze, Greek Orthodox, Ismaili, Jewish, Latin Catholic, Maronite Catholic, Melkite Greek Catholic, Protestant, Sunni, Shia, Syriac Catholic, Syriac Orthodox
- 3 Beirut's eastern suburb Dora has become an area where many 'runaways' live, meet and open businesses.

References

- Alberti, Gabriella/Holgate, Jane/Tapia, Maite**, 2013: Organising Migrants as Workers or as Migrant Workers? Intersectionality, Trade Unions and Precarious Work. In: *The International Journal of Human Resource Management*. 24 (22), 4132-4148.
- Anderson, Bridget**, 2000: *Doing the Dirty Work? The Global Politics of Domestic Labour*. London.
- Anderson, Bridget**, 2010: Mobilizing Migrants, Making Citizens: Migrant Domestic Workers as Political Agents. In: *Ethnic and Racial Studies*. 33 (1), 60-74.

- Anti-Slavery International**, 2014: Into the Unknown. Exploitation of Nepalese Migrant Domestic Workers in Lebanon. Anti-Slavery International. Internet: http://www.antislavery.org/includes/documents/cm_docs/2014/i/into_the_unknown_report.pdf (02.04.2015).
- Barrientos**, Stephanie/**Kothari**, Uma/**Phillips**, Nicola, 2013: Dynamics of Unfree Labour in the Contemporary Global Economy. In: *The Journal of Development Studies*. 4 (8), 1037-1041.
- Douglas**, William A./**Ferguson** John-Paul/**Klett**, Erin, 2004: An Effective Confluence of Forces in Support of Workers Rights: ILO Standards, US Trade Laws, Unions, and NGOs. In: *Human Rights Quarterly*. 26 (2), 273-299.
- Elias**, Juanita, 2008: Struggles over the Rights of Foreign Domestic Workers in Malaysia: the Possibilities and Limitations of Rights Talk. *Economy and Society*. 37 (2), 282-303.
- El-Hage**, Anne-Marie, 2015: Au Liban, les employées de maison étrangères désormais libres d'aimer. In: *Orient le Jour*, 08.07.2015. Internet: <http://www.lorientlejour.com/article/933443/les-employees-de-maison-etrangeres-desormais-libres-daimer.html> (09.07.2015).
- Fikresalam**, Habebo, 2013: The Social Politics of Ethiopian Migrant Domestic Workers in Lebanon. In: *Berkeley Undergraduate Journal*. 26 (3), 187-191.
- Gamburd**, Michele R., 2005: Lentils there, Lentils here!. Sri Lankan Domestic Labour in the Middle East. In: Huang, Shirlena/Yeoh, Brenda S. A./Rahman, Noor Abdul (eds.): *Asian Women as Transnational Domestic Workers*. Singapore. 92-114.
- Gillan**, Michael/**Lambert** Rob, 2009: Industrial Restructuring, Trade Union Strategy, and Social Transformation in Australia and Asia. In: Gillan, Michael and Pokrant, Bob (eds.): *Trade, Labor and Transformation of Community in Asia*. London, 129-157.
- Hachem**, Rim, 2013: Travailleurs étrangers au Liban: Du droit à la réalité. Institut Français du Proche Orient, Beyrouth. November 20 2013. Internet: <http://ifpo.hypotheses.org/5468> (29.03.2015).
- Hanieh**, Adam, 2015: Overcoming Methodological Nationalism: Spatial Perspectives on Migration to the Gulf Arab States. In: Khalaf, Abdulhadi, AlShehabi, Omar, Hanieh, Adam: *Transit States. Labour, Migration and Citizenship in the Gulf*. London, 57-79.
- Human Rights Watch**, 2015: Lebanon: Recognize Domestic Workers Union. 10.04.2015. Internet: <http://www.hrw.org/news/2015/03/10/lebanon-recognize-domestic-workers-union> (15.04.2015).
- International Labour Organization (ILO)**, 2012: Information Guide for Migrant Domestic Workers in Lebanon. Beirut. Internet: http://ilo.dataflow.com.lb/pdfs/english_informal.pdf (13.07.2015).
- International Labour Organization (ILO)**, 2014: Accès à la justice des travailleurs domestiques migrants au Liban. Beirut. Internet: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_247034.pdf (20.03.2015)
- Jureidini**, Ray, 2009: In the Shadows of Family Life: Toward a History of Domestic Service in Lebanon. In: *Journal of Middle East Women's Studies*. 5 (3), 74-101.
- Jureidini**, Ray/**Moukarbel**, Nayla, 2004: Female Sri Lankan Domestic Workers in Lebanon: a Case of Contract Slavery?. In: *Journal of Ethnic and Migration Studies*. 30 (4), 581-607.
- Kafa (enough) Violence & Exploitation**, 2010: Servant, Daughter or Employee? A Pilot Study on the Attitudes of Lebanese Employers towards Migrant Domestic Workers. Beirut. Internet: <http://www.kafa.org.lb/studiespublicationpdf/prpdf9.pdf> (12.03.2016).
- Kobaissy**, Farah, 2015: Organizing the Unorganized: Migrant Domestic Workers Labor Union Organizing in Lebanon. The American University in Cairo, Digital Archive and Research Repository. Internet: <http://dar.aucegypt.edu/bitstream/handle/10526/4414/Farah%20Kobaissy.pdf?sequence=3> (12.01.2016)
- Kumera**, Genet, 2015: Vital collaboration in Lebanon part one, interview with Farah Salka of the Anti-Racism Movement (ARM). In: *Huffington Post*, 17.03.2015. Internet: http://www.huffingtonpost.com/kumera-genet/vital-collaboration-in-le_b_6835660.html (09.07.2015)

- LeBaron**, Geneviève, 2015: Unfree Labour Beyond Binaries: Insecurity, Social Hierarchy And Labour Market Restructuring. In: *International Feminist Journal of Politics*. 17 (1), 1-19.
- Lerche**, Jens, 2007: A Global Alliance against Forced Labour? Unfree Labour, Neo-Liberal Globalization and the International Labour Organization. In: *Journal of Agrarian Change*. 7 (4), 425-452.
- Massena**, Florence, 2015: Lebanese Domestic Workers to Unionize. In: *Al-Monitor*, 25.03.2015. Internet: <http://www.al-monitor.com/pulse/originals/2015/03/lebanon-domestic-workers-union-rights-fenasol-ilo-kafala.html#> (10.07.2015).
- Moukarbel**, Nayla, 2009: Sri Lankan Housemaids in Lebanon: A Case of Symbolic Violence and Everyday Forms of Resistance. Amsterdam.
- Mullally**, Siobhán/**Murphy**, Clíodhna, 2014: Migrant Domestic Workers in the UK: Enacting Exclusions, Exemptions, and Rights. In: *Human Rights Quarterly*. 36 (2), 397-427.
- Nah**, Alice M., 2012: Globalisation, Sovereignty and Immigration Control: the Hierarchy of Rights for Migrant Workers in Malaysia. In: *Asian Journal of Social Science*. 40 (4), 486-508.
- Pande**, Amrita, 2012: From Balcony Talk and Practical Prayers to Illegal Collectives. Migrant Domestic Workers and Meso-Level Resistances in Lebanon. In: *Gender & society*. 26 (3), 382-405.
- Parvaz**, D., 2015: Lebanon's Immigrant Domestic Workers Remain Vulnerable to Abuse. In: *Al Jazeera*, 26.06.2015. Internet: <http://america.aljazeera.com/articles/2015/6/26/lebanons-migrant-domestic-workers-vulnerable-to-abuse.html> (06.07.2015).
- Rancière**, Jacques, 2004: Who is the Subject of the Rights of Man? In: *The South Atlantic Quarterly*. 103 (2), 297-310.
- Rogaly**, Ben, 2008: Migrant Workers in the ILO's Global Alliance against Forced Labour report: A Critical Appraisal. In: *Third World Quarterly*. 29 (7), 1431-1447.
- Shahvisi**, Arienne, 2015: From Resisting Definition to Resisting Exploitation: The Ongoing Struggle of Domestic Workers in Lebanon. In: *Truthout*, 28.03.2015. Internet: <http://truth-out.org/news/item/29820-from-resisting-definition-to-resisting-exploitation-the-ongoing-struggle-of-domestic-workers-in-lebanon> (09.07.2015).
- Shoufi**, Eva, 2015: Overcoming Threats, Domestic Workers in Lebanon Established Unprecedented Labor Union. In: *Al-Akhbar*, 26.01.2015. Internet: <http://english.al-akhbar.com/content/overcoming-threats-domestic-workers-lebanon-establish-unprecedented-labor-union> (10.07.2015).
- Smith**, Monica, 2010: Erasure of Sexuality and Desire: State Morality and Sri Lankan Migrants in Beirut, Lebanon. In: *The Asia Pacific Journal of Anthropology*, 11 (3-4), 378-393.
- Traboulsi**, Fawaz, 2014: Social Classes and Political Power in Lebanon. Heinrich Böll Foundation Beirut. Internet: http://lb.boell.org/sites/default/files/fawaz_english_draft.pdf (09.07.2015).
- Van Den Anker**, Christien, 2004: Contemporary Slavery, Global Justice and Globalization. London, 15-36.
- Virdee**, Satnam, 2000: A Marxist critique of black radical theories of trade-union racism. In: *Sociology*. 34 (3), 545-565.
- Wansa**, Sarah, 2014: A Judicial Blow to Lebanon's Sponsorship System: Employer Must Return Domestic Worker's Passport. In: *Legal Agenda*, 14.08.2014. Internet: <http://english.legal-agenda.com/article.php?id=639&folder=articles&lang=en> (29.06.2015).
- Wimmen**, Heiko, 2013: Citizens of the Void: Power-Sharing and Civic Political Action in Lebanon. In: Sadiki, Larbi/Wimmen, Heiko/Al-Zubaidi, Layla (eds.): *Democratic Transition in the Middle East. Unmaking Power*. New York. 22-42.
- Yeates**, Nicola, 2004: Global Care Chains. In: *International Feminist Journal of Politics*. 6 (3), 369-391.