

## **Navigating the Minefield of Power.**

### **Domestic Workers Labour Union Organising in Lebanon**

#### **Abstract:**

This article examines the process of unionising migrant domestic workers in Lebanon. This process was undertaken by a number of international and local NGOs and the Federation of Workers and Employees Unions in Lebanon (FENASOL). The article highlights the potential of, as well as the obstacles confronting the workers in building their union. These obstacles pertain to the many fields of power they have to negotiate or challenge on the level of the state, NGOs and the Federation's leadership. Through fieldwork, participatory observation and in-depth interviews conducted with union activists, the article focuses on the gendered and racial dynamics and relations between the workers forming the union and the Federation's leadership, as well as their relation to the Lebanese state. Their case compels us to consider the challenges that the feminisation and internationalisation of labour pose for the existing trade unions' structures and the ways we envision labour and social movements in general.

**Key Words:** Gender, Labour, Migration, Union Organising

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*“Every meeting we had with the different communities, I wanted to make sure that we stress the idea of solidarity. Now we don't say Philippines, Sri Lanka, Ethiopia and Bangladesh. We say we are the unionists. We are the women workers. We don't mention communities. We emphasise women working together. That's how we have reached [...] a union. I always remove my union's identity card and I raise it with my hand and ask: who has this? In response, the members would wave their cards. I say: you have this card now, if someone looks at you in different ways here, you say: hey! I am one of you! This is always what I emphasise. We are all domestic workers.”<sup>1</sup>*

## **Introduction**

On May 4, 2015, hundreds of migrant domestic workers and their supporters in Lebanon took to the streets for the occasion of International Workers' Day, demanding that the Lebanese government formally recognise their union. In fact, soon after the announcement of the union's launch, the Minister of Labour, Sajaan Azzi, denounced the union as “illegal,” arguing that it would only “generate problems” instead of solve them. The Minister suggested that protection for domestic workers would be best guaranteed through new laws, not through union organising.<sup>2</sup> In other words, rights should be unequivocally granted by the government, not claimed or bargained for by groups or unions. He added: “protection takes place through procedures, not through the introduction of domestic workers into political and class games.”<sup>3</sup> The Minister's last statement clearly expressed the fear generated by the thought of workers, migrants in particular, organising in a country where migrants constitute almost half of the labour force.

Since 1990, Lebanon has increasingly become a host country of both Arab and non-Arab migration. Palestinian refugees and migrants from Syria and Iraq came to Lebanon long before 1990 and settled in the country.<sup>4</sup> Although Syrian workers started working in Lebanon in the 1950s, since the end of the war in 1990, Syrian workers have come to form the largest part of the menial labour force in the country.<sup>5</sup> In general, migrant workers account for 760,000 of Lebanon's total workforce of 1.2 million, including

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<sup>1</sup> Interview by the author with Anna, a union member, Beirut, January 2015.

<sup>2</sup> “*Mou'atamar ta'asisi li naqabet al'amalat wa 'omal al manazel: khotwa oula li-l-difa'a a'an al-houkouk,*” *Naharnet Arabic*, 25 January 2015.

<sup>3</sup> “*Sejel wazir al-a'amal Sejaan Azzi,*” *al-Akhbar Arabic*, 8 May 2015, available at: <http://www.al-akhbar.com/node/232353> [last accessed May 11, 2015].

<sup>4</sup> John Chalcraft, *The Invisible Cage: Syrian Migrant Workers in Lebanon*, Stanford, CA, Stanford University Press, 2008.

<sup>5</sup> *Ibid.*

around 250,000 migrant domestic workers predominantly in the informal sector.<sup>6</sup> These migrants are usually hired in specific economic niches such as construction and sanitation where they lack regulation of employment conditions, particularly in the construction, agriculture, cleaning, and service sectors. Institutional discrimination upheld by laws and procedures, such as the *kafala* or sponsorship system governing migrant workers, leave those workers vulnerable to all sorts of capital exploitation, including less than minimum wage pay, longer working hours, denial of social and health security, etc. In fact, the labour code specifically excludes domestic workers, Lebanese and non-Lebanese, from the protection afforded to other workers. It also bars union membership for domestic workers, as well as agricultural workers and public employees that are also excluded from the labour law. Under Article 92, migrant workers are denied the right to elect or be elected as representatives of a union. Consequently, large sections of workers have been denied their right to freedom of association and collective bargaining.<sup>7</sup> Moreover, migrant workers, and migrant domestic workers specifically, are subject to restrictive immigration rules based on the *kafala* system that restricts their mobility and makes it difficult for them to leave abusive working conditions.

As a result of the gradual increase of migrant domestic workers during the 1990s<sup>8</sup> and the subsequent rise of reported cases of worker abuse in the 2000s, civil society organisations began to take initiative to highlight and address violations of workers' rights. Both local and international women's rights and human rights organisations began to supplement charity organisations that had been working since the 1980s on opening "safe spaces" for migrants, including domestic workers, offering charity, communal ceremonies, prayers, and legal and social assistance<sup>9</sup>. Hence, a noticeable trend emerging over the last decade is that the needs and interests of migrant domestic workers in Lebanon have overwhelmingly been the concern of NGOs rather than trade unions.

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<sup>6</sup> Elizabeth Picard, "The Arab Uprisings and Social Rights: Asian Migrant Workers in Lebanon," Aix-en-Provence, IREMAM-CNRS, 2013, available at: <https://hal.archives-ouvertes.fr/halshs-00938259/document> [last accessed January 13, 2015].

<sup>7</sup> According to the ILO, collective bargaining is deemed to be the activity or process leading up to the conclusion of a collective agreement: "all agreements in writing regarding working conditions and terms of employment concluded between an employer, a group of employers or one or more employers' organisations, on the one hand, and one or more representative workers' organisations, or, in the absence of such organisations, the representatives of the workers duly elected and authorised by them in accordance with national laws and regulations, on the other." International Labour Conventions and Recommendations, 1919-1951. Volume. I. Geneva, 1996.

<sup>8</sup> Ray Jureidini, "In the Shadows of Family Life," *Journal of Middle East Women's Studies*, 5(3), Duke University Press, 2009, p.74-101.

<sup>9</sup> Annelies Moors, Ferhunde Ozbay, Ray Jureidini and Rima Sabban, "Migrant Domestic Workers: A New Public Presence in the Middle East?," In Seteney Shami, ed. *Publics, Politics and Participation: Locating the Public Sphere in the Middle East and North Africa*, New York: Social Science Research Council, New York 2009, p.151–175.

This paper examines the process of unionising domestic workers, highlighting the possibilities it makes way for, as well as the obstacles confronting it. More specifically, it highlights the ways in which workers, through organising, subvert the state's regulatory power that continuously labels them as the “other” and denies them the right to have a political voice. As such, I argue that migrant women’s labour action is challenging the exclusionary practices of citizenship through which access to rights is mediated. However, while doing so, they have to navigate the many dimensions of the minefield of power, whether in relation to the state, the UN, the Federation of Workers and Employees Unions in Lebanon (FENASOL) or NGOs. For the purpose of this article we will limit the analysis to the power dynamics that structure the relationship of the workers with the state and the federation. The latter continues to perpetuate national ethnocentric discourse on labour and remains to a large extent male dominated and bureaucratic. In fact, FENASOL offers complex and different positions of power and influence. Additionally, and more importantly, analysing the plurality of positions of power calls for an analysis of the discourses that this attempt at unionisation seeks to put in place. My aim is to explore the relations of power and relative privilege marked by racial and gender dynamics that this unionisation has mobilised.

Thus, through the example of the union for domestic workers, this paper reflects firstly, on the challenges that the growing feminisation and internationalisation of labour pose for the existing trade unions structures; secondly, the need for alternative theoretical and organisational tools to be available for labour unions; and thirdly, the implications that the changing face of labour has on how we envision our labour and social movements in general.

### **Methodology**

The paper draws on fieldwork that took place between December 2014 and February 2015 as part of my thesis in Master of Arts in *Gender and Women’s Studies* at the American University in Cairo. The fieldwork consisted of seven in-depth interviews, additional informal meetings, small group discussions with migrant domestic workers' union and non-union members, and eight interviews with Lebanese trade unionists, women's rights activists, International Labour Organisation staff, and participatory observations which took place at FENASOL's headquarter and other workers' gatherings. The interviewees’ names have been changed in order to protect their anonymity. The majority of the women interviewed

constitute the most active members of the union. These women have lived in Lebanon between seven and thirty years. They are freelancers:<sup>10</sup> while they are still governed by the *kafala*, they have established relationships of trust with their *kafeel*/sponsor, which allows them to have greater mobility. As such, most of these women have a history in community organising before the union.

## A Union Was Born

In talking about domestic workers, within the context of this research, we are referring to women, predominantly migrants. Migrant domestic workers experience three-fold exploitation as migrants, women and workers. The lack of social recognition for domestic workers is due to the fact that domestic work is considered an extension of a woman's natural role. This lack of recognition is coupled with an intensified degradation of the occupation through its association with race and nationality.<sup>11</sup> Gutierrez-Rodríguez argues that “while this labour is constitutive for the production of value, this value is largely not recognised in society because its cultural predication connotes it as ‘non-productive’ and its labour force is devalued through its prescription as feminised and racialized labour.”<sup>12</sup> This understanding of feminised and racialised aspects of domestic labour is not always recognised by labour unions, which have historically mobilised with the formal class model (the industrial/formal male worker), and upheld nationalist and exclusionary practices toward migrants. Hence, unions did not historically perceive domestic workers as workers worthy of organising. On the contrary, they were invisible, or, at best, considered marginal temporary workers in a devalued labour process, and therefore, their field of labour was disregarded.

The year 2015 marked a shift in the organisation of migrant workers in Lebanon, witnessing the formation of the first trade union for domestic workers in the Arab world. The union was established as the result of the cooperation among the National Federation of Workers and Employees' Trade Unions in Lebanon (FENASOL), the International Labour Organisation (ILO), Kafa (enough) Violence & Exploitation (a women's-rights organisation), Insan (a human-rights organisation) and the Migrant Community Centre (MCC, a centre run by the Anti-Racism Movement in Beirut.)

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<sup>10</sup> Freelance means that the domestic workers have made arrangements with a *kafeel*/sponsor so that he/she keeps sponsoring them while they work and sometimes live outside his/her house. However, many freelancers are "runaway" workers who left their employer and work illegally on their own.

<sup>11</sup> Ray Juriedini, *op. cit.*

<sup>12</sup> Encarnacion Gutierrez-Rodríguez, *Migration, Domestic Work, and Affect: A Decolonial Approach on Value and the Feminization of Labour*, New York, Routledge, 2010, p.8.

However, the relations between some of these groups were characterised by tensions. Many interlocutors expressed that some NGOs view themselves as the “godfathers” of migrant domestic workers since many years of cooperation had given the NGOs more expertise in dealing with these workers. Meanwhile, labour unions were newcomers to this field and lacked expertise in dealing with migrant women. FENASOL’s leadership, on its part, considers the “natural” place of domestic workers to be in labour unions and that NGOs lack expertise in collectively organising workers since their mandate concentrates primarily on individualised service provision. Thus, these tensions are the result of competition over representation of domestic workers, driven in some cases by donor funding which renders migrant domestic workers a valuable asset to be fought over. It also highlights the ways in which the different actors portray them as workers, as women, and as migrants. For instance, in the context of a union, women migrant workers are mainly viewed as workers, whereas for women's rights organisations, they are mostly considered migrant women. Despite tensions, the union was born out of the cooperation between the Federations, the NGOs and the ILO.

The launch of the Union took place on January 25, 2015, during which over 300 migrant women from Ethiopia, Nepal, Sri Lanka, Sudan, Ethiopia, the Philippines, Lebanon, Madagascar, South Africa, Bangladesh, and Senegal participated in the congress. A common feeling was that, from that day on, they would be “making history,” a sentence I heard many workers repeat with a noticeable sense of pride. Indeed, this day was a historic day for the workers as they declared the establishment of the first union for domestic workers in Lebanon and in the Arab region. The pride the workers exuded and their sense of “making history” emanated largely from their perception that what they were doing challenged norms, authority, the law, and their representation as victims. Their pride was rooted in the power they felt in collectively claiming their rights in a job which tends to isolate workers and individualise their problems. The importance of their actions rests, however, on the fact that the union came at a time when there was a general mistrust of labour unions and their ability to lead change in Lebanon. Even so, the actions of domestic workers gave back hope to the hopeless, proving that organising the unorganised is not only a possibility but also a necessity.

### **Contextualising the Domestic Workers’ Union**

The initiative to organise domestic workers under the umbrella of FENASOL was supported by the ILO. A report published by the ILO in 2012 states:

“NGOs are expected to engage workers’ unions in the planning and implementation of relevant programs and activities if only to emphasise the ‘worker’ in domestic workers. When unions become thoroughly informed about the working and living conditions of domestic workers, their commitment to

domestic workers' issues during tripartite dialogues on migrant workers becomes more significant.”<sup>13</sup>

In fact, the ILO global agenda on domestic workers, following the adoption of the ILO Convention 189 on domestic work in 2011, emphasised the need for local trade union federations to act as partners to organise domestic workers and ultimately push towards tripartite negotiation among the state, workers, and employers/placement agencies. At that time, the ILO was still searching for a suitable labour federation ally in Lebanon to implement the project. FENASOL, as the only federation willing to cooperate, was the only candidate. As one ILO official said: “Other labour federations such as the General Confederation of Lebanese Workers (CGTL) still consider the domestic workers as servants unworthy of labour rights.”<sup>14</sup>

In 2012, FENASOL, which is tied to the Lebanese Communist Party (LCP), made the decision to withdraw its membership from the CGTL, the sole official representative of workers on the state level. The CGTL suffers from an ineffective bureaucracy, as well as extremely poor membership as sectarian elites control it and thus, use it as a tool in their clientelist patronage network.<sup>15</sup> Following this move, FENASOL needed and wanted to assert itself as an alternative model to the CGTL and compete for the status of true representative of workers in Lebanon. Organising migrant domestic workers was an expression of FENASOL's commitment in that regard.

The withdrawal came as a reaction to the CGTL leadership's alliance with the employers' committees on crucial issues such as the minimum wage bill. That alliance had conceded to a minimum wage below what the former Minister of Labour Charbel Nahas had proposed and refused to allow Nahas' proposed universal health coverage plan under his “social wage” project.<sup>16</sup> FENASOL's decision to withdraw also came within a national context of intensified labour mobilisation within the informal, formal, public, and private sectors. Workers from Spinneys, a supermarket chain, were fighting a unionisation battle, while contract workers of the Lebanese Electric Company, the Hariri hospitals, the Lebanese University, and Casino du Liban were on strike for fixed employment. In addition, teachers in private and public schools, along with public employees, were long campaigning for wage increases, with strikes and protests reaching tens of thousands of participants. The common denominator among these labour struggles, aside from the common experience of precarity, was their lack of

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<sup>13</sup> Marie-Jose Tayah, “Working with Migrant Domestic Workers in Lebanon (1980–2012): A Mapping of NGO Services,” Beirut, International Labour Organisation, 2012, p.56.

<sup>14</sup> Interview by the author with International Labour Organisation staff, Beirut, February 2015.

<sup>15</sup> Bassel Salloukh, Jinan S. Al-Habbal, Lara W. Khattab, Rabie Barakat, and Shoghig Mikaelian, *The Politics of Sectarianism in Post-war Lebanon*, UK, Pluto Press, 2015.

<sup>16</sup> Hassan Chakrani, “Lebanon's ‘Social Wage:’ Catching Up with Inflation,” *al-Akhbar English*, 11 October 2011, available at: <http://english.al-akhbar.com/node/1031/> [last accessed February 21, 2015].

formal union organisation. This inexperience made workers' mobilisations weak, and hindered workers' abilities to fully obtain their demands. Hence, CGTL's inefficiency and letdown of workers, as well as the intensification of labour protests, reopened the public discussion on the need for a democratic, independent and representative labour movement in Lebanon. But this discussion was not only local; it also took place at the regional level within the revolutionary context of 2011 in the Arab world.

Workers formed independent trade union federations as alternatives to the state-led federations in Egypt and Yemen, and unions played a leading role in the popular uprisings against dictatorships in Tunisia and Bahrain. In response to these local and regional developments, the CGTL issued a statement on December 20, 2012 accusing "anyone who wants to establish an independent trade union or seeking to atomise, dismember and divide the trade unions and abandon the workers in order to serve the Zionist project calling for constructive chaos."<sup>17</sup> Clearly, the message was addressed to the ILO that had been supporting the formation of independent trade union federations, and backing already existing unions in countries where freedom of association and workers' movements were under massive attacks by employers and the state. In Lebanon, following the withdrawal from the CGTL, FENASOL leadership expressed the need and its will to work on the establishment of an independent and democratic union movement to replace the existing confederation, particularly as this would allow it to gain new allies such as the ILO and other international trade union organisations. Such partners would grant it greater visibility in the international scene, where migrant domestic workers' rights are part of a larger international agenda. Thus, within the context of local, regional, and global events, and the intersection of opposing and colluding agendas of national and international actors, the trade union for domestic workers was established.

### **Challenging State Power**

For years, migrant workers, including domestic workers, had organised around community lines and aimed to promote the community by strengthening and supporting its members and mobilising cultural, religious and national ethos. More specifically, this community organising aimed at retaining and cultivating migrant communities' cultures and acted as a support network for domestic workers, especially those who suffered from poor working conditions.

Many interlocutors' told stories of runaway domestic workers who sought support and assistance as they escaped difficult working conditions. Some of the members would

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<sup>17</sup> Mohammad Zbeeb, "A Nation Living Day to Day," *al-Akhbar English*, 31 May 2012, available at: <http://english.al-akhbar.com/node/7917> [last accessed February 18, 2015].



host them temporarily at their homes, help them find another job and approach a new *kafeel*. In cases where runaway domestic workers are detained by General Security, fellow community members would collect money from one another in order to buy the detained an airplane ticket back home. For example, Marguerite, a union member from Cameroon, first came to Lebanon in 1999. At the time, a small community of Cameroonians was holding its Sunday monthly meetings in a small church in Dekweneh. After meeting a Cameroonian domestic worker who told her about the community meetings, she started attending the meetings and assisting the community, later on becoming the community leader. Commenting on her story, she said:

“We mainly spoke about our problems at work. We complained and shared what was happening with us during the month. It was a way for us to evade and temporarily escape our work. When the Sunday meeting came, I was very happy. On Saturday night I prepared the shoes and the clothes that I was going to wear the next day. I would put them next to me on the bed. I waited for the alarm clock to ring so I [could] wake up and go meet my friends. I waited [for] this day, every month. It was very important for me.”<sup>18</sup>

As Marguerite's narrative demonstrates, these community meetings provided migrant women with the opportunity to gather and discuss important events in their lives, thereby creating significant communication networks. The Lebanese state rarely perceived these migrant agglomerations as threatening; the government seldom tried to break up communities, as the latter did not present themselves as openly contestational and did not challenge discriminatory policies affecting migrant workers. This does not mean that community gatherings were apolitical spaces, however. On the contrary, they were politicised in the sense that they sought to forge solidarity among community members. Solidarity is a political act, which does not necessarily aim to challenge the state, but rather to forge new modes of sociality and social interactions within a certain community. Nevertheless, these community spaces were the first instances of politicisation for many migrant domestic workers such as Marguerite, who became a community leader and later on a union activist. They created new avenues of access and mobilisation, and provided the grounds for new political subjects to emerge.

But when the workers' organisation became openly political, taking the form of a trade union for domestic workers, the government – through the Ministry of Labour – was quick to declare this form of organisation illegal and illegitimate. On the eve of the trade union launching on January 25, 2015, Minister of Labour Sajaan Kazzi threatened ILO officials supporting the trade union for domestic workers, declaring their actions as an infringement on Lebanon's sovereignty and in violation of its laws. He also threatened to send the police to prevent the trade union congress from convening. However,

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<sup>18</sup> Interview by the author with Marguerite a union member, Beirut, February 2015.

FENASOL's leadership insisted on holding the conference despite these threats, profiting from the presence and the support of the International Labour Organisation, the International Trade Union Confederation, the International Federation of Domestic Workers, and the Arab Labour Organisation, in addition to local support from different human rights NGOs. The presence of these organisations' delegates constituted a safeguard for migrant domestic workers and ultimately curbed the Minister's intentions to forcefully break up the congress, which otherwise may have caused an international "stir." To fight the union, the Minister of Labour armed himself with the labour code, which limits the establishment of the union to Lebanese citizens and explicitly excludes domestic workers from its protection. However, in order to be consistent with the law, the union for domestic workers, established as a committee under "the General Union of Cleaning Workers and Social Care," included Lebanese citizens and submitted a formal request to the Ministry of Labour for authorisation. While there were no representatives of the Ministry of Labour present at the workers' congress, a representative of the Lebanese General Security did attend the conference. The presence of the latter, with the absence of the former, was a message addressed to the trade unionists that the only party that primarily deals with migrant workers is General Security. Any initiative that concerns migrants should take place, if at all, under the direct auspices of the General Security, or the state's "hand that strikes," to borrow Agier's term.<sup>19</sup> The state's management of migrant workers' through General Security instead of the Ministry of Labour constitutes the boundary between the national worker and the migrant worker. Migrant workers' ineligibility for social and political rights, as well as their exclusion from laws that govern national workers, render them temporary migrants in a permanent state of exception. Within this context, FENASOL's organising efforts with migrant domestic workers should be seen as a defiance of these exclusionary policies and racist discourses on migration, and as a struggle against racial and gender based discrimination in the labour market. Despite these efforts, the federation is also adopting a rather ambivalent discourse and politics towards these migrants which bear being explored further.

### **FENASOL's ambivalent politics towards migrants**

Despite the growing numbers of migrant workers, trade unions in Lebanon continue to propagate a discourse that is centered around national workers. This phenomenon is not unique to Lebanese labour unions, however. Its roots go back to the dominant ideology held by postcolonial countries that favoured a national market that guaranteed self-fulfillment, a strong national industry and a national labour force. This is why even the trade union bylaws continue to operate along the same lines, linking membership rights

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<sup>19</sup> David Fernbach, Michel Agier, *Managing the Undesirables: Refugee Camps and Humanitarian Government*, Cambridge, Polity Press, 2011.

to nationality. To date, the trade unions' discourse does not tackle the development of transnational workers' mobility, and the open-market policies that have brought a large number of foreign workers to the country. The latter are constantly evoked as a reason for the deterioration of the national workers' economic conditions. For example, with the growing number of Syrian refugees and workers, both right- and left-wing trade unions repeatedly called on the Lebanese government and the Ministry of Labour to intervene in order to put an end to the "competition" between Lebanese and foreign workers and to protect Lebanese workers. This anti-migration discourse represents a strategy for governing labour and also shapes the nationalist approach of the labour unions whereby the migrant working class is accused of lowering the citizens' living standards.

Despite the fact that FENASOL took the initiative to organise migrant domestic workers and undertook a revision of its bylaws and internal structures to make it inclusive of migrant workers, allowing them the same rights as Lebanese workers, FENASOL's politics and discourse on migrants remained ambivalent. The revisions that the federation undertook, discussed, voted for and approved in its general assembly in 2015, gave the migrants the right to join FENASOL's unions, vote and run for elections on the level of the federation representative boards. These internal reforms, however, are concomitant with FENASOL's public discourse that considers the migrant worker as an illegitimate competitor of the Lebanese worker. FENASOL's public statements take a stand against illegal migration rather than denouncing exploitation by employers. For instance, between 2014 and 2015, dozens of statements were issued by the federation's affiliated unions, many of which called on the Ministry of Labour to intervene and put an end to the illegitimate competition between migrants and Lebanese. In addition, the unions called for an end to the flow of illegal migration to the country which, in the case of Arab migrants, was most easily undertaken through Syria before 2011. For instance, on December 22, 2014, the executive board of the Union of Bakery Workers in Beirut and Mount Lebanon (which is affiliated with FENASOL) issued a statement that reads as follows:

"The board found that the social and economic situation in the country is hurting workers in bakeries, who suffer from the competition of foreign workers and the displaced [Syrian] workers that started to constitute a burden on all workers. Therefore, we call upon the Ministry of Labour and all concerned to put an end to the abuses and protect the Lebanese workforce."<sup>20</sup>

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<sup>20</sup> Lebanese Labour Watch, "*Naqabet 'omal al afran tad'ou li himayat al 'omal al lubnaniyyin min al muzahama,*" *Lebanese Labour Watch Website*, 22 December 2014, available at: [http://lebaneselw.com/llw\\_v1/content/%D9%86%D9%82%D8%A7%D8%A8%D8%A9-%D8%B9%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D8%A7%D9%81%D8%B1%D8%A7%D9%86-%D8%AA%D8%AF%D8%B9%D9%88-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-](http://lebaneselw.com/llw_v1/content/%D9%86%D9%82%D8%A7%D8%A8%D8%A9-%D8%B9%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D8%A7%D9%81%D8%B1%D8%A7%D9%86-%D8%AA%D8%AF%D8%B9%D9%88-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-)

The question, however, remains: why would FENASOL organise migrants in domestic work, if it still perceives migrant workers as a threat or competition to the national labour force? Migrants in domestic work do not really constitute a “competitor” to local domestic workers. The migrants in this sector outnumber the Lebanese who do not view domestic work as an attractive job for many reasons, one being “social shame”<sup>21</sup> and another being that it’s poorly valued and remunerated.

Moreover, the issue of migrant domestic workers in specific has become part of a global humanitarian agenda. This agenda is problematic as it singles out the migrant workers’ experiences as unique or exceptional among working-class experiences and within the context of neoliberalism.<sup>22</sup> Often, funds are channeled to local partners for projects designed exclusively for migrant domestic workers. The conditions of migrant domestic workers are being removed from the larger discussion regarding the structural factors driving labour migration across borders. This disconnect renders the issue of exploitation of migrant domestic workers a subject of humanitarian intervention that seeks to save workers and to redress their unjust working conditions without addressing simultaneously the system that created and allows for these injustices. The insertion of labour unions into this logic is partly the consequence of the gradual yet constant depoliticisation of the labour movement to the benefit of NGO-driven rationales, whereby inflammatory politics are replaced by “rationalities of administration.”<sup>23</sup> Despite the initiative to organise migrants in domestic work, FENASOL and its affiliated trade unions have not had a strategic discussion on how to organise migrant workers. The instance of organising migrant domestic workers appears to be isolated in the

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<sup>21</sup> Bina Fernandez, Marina de Regt, *Migrant domestic workers in the Middle East: The home and the world*, New York, Palgrave

Macmillan, 2014, p.8.

<sup>22</sup> The neoliberal turn since the 1970s has dramatically reconfigured the working class. With it, profound changes have occurred on the level of relations of productions, labour practices, and organisation. The working class has come under considerable economic pressure, which has limited its political power. Entire labour categories that once enjoyed certain stability have found themselves in precarious employment conditions. The flexible and diffuse flow of capital corresponded with a constant deterritorialisation and reterritorialisation of labour. Structural adjustments programs, economic and political crises, and international trade agreements have had devastating consequences on the global south, driving labour to migrate, sometimes legally but often illegally, in search of better life opportunities, not just in the North but also to sites of capital investment in the South. Driven by the logic of capital accumulation, a process of devaluation of labour took place, which is reflected in their exploitation of workers as racialized and feminised labour.

<sup>23</sup> Linzi Manicom, “Globalising ‘Gender’ in, or as, Governance? Questioning the Terms of Local Translations” *Agenda: Empowering women for gender equity*, Vol.16, No.48, Taylor & Francis, Ltd, 2001, p.6–21.

absence of a conscious strategy for recruiting and organising migrants and informal workers.

### **The Politics of Feelings: Shame, Pride and Pity**

Contrary to popular belief, the union for domestic workers is not only intended for migrants, as it does not specify the nationality of its members. The union is open to nationals as well as to migrant women and men in domestic work. However, since the beginning of the unionisation process, the organisers seemed to focus solely on migrants with African and Asian origins. Lebanese, Syrian and Palestinian domestic workers continue to be far from the reach of the union and are not considered a “target group” for recruitment and outreach, which explains why the migrants are the largest constituency of the union. There is no doubt that organising migrant domestic workers is an easier endeavor, since, as discussed above, they have already established community networks and there are particular locations and areas where they live, work, congregate and meet on their days off (churches, markets, community centres, NGO activities.) Such community networks for local domestic workers are not present, hence, approaching them would not be as easy as in the case of migrant women. The growing association of paid domestic work with women of Asian and African origins pushed Lebanese women to prefer to work as waitresses or cleaners in offices rather than working in houses, according to Castro Abdallah, the president of the Federation. Notably, this also denotes a rigid racial division of gendered labour. Despite the fact that migrant women outnumber Lebanese, Syrians, and Palestinians, those continue to work in this sector. However, the social shame attached to working in other people's homes, which is shared among local domestic workers, stands in opposition to the feeling of pride that the migrant unionists attach to their work. The pride and the consecutive demands for recognition of domestic labour as work, upheld by the migrant domestic workers, act as a political motif for their recruitment, organisation, and mobilisation, while the feeling of shame experienced by women of primarily Arab origin does not constitute an incentive for political action. However, in the absence of a union strategy to approach local domestic workers, it is not possible to transform this economic moral shame into pride that can drive grassroots organising towards challenging political norms. Such a strategy would alter social responses to, as well as definitions of, stigmatised attributes associated with paid domestic work. In fact, many social movements build on, and use emotional capital to mobilise and propel participants into collective action, which, in turn, generates pride and solidarity. Additionally, the lack of connections made by the union between migrant and local domestic workers has repercussions on the way the handful of Lebanese unionists portray themselves and migrants in their discourse. In fact, three Lebanese women – one working as a house cook, the second as an office cleaner, and the third in accounting at a private company – were encouraged by FENASOL's leadership to join the union for domestic workers and

ultimately made their way to its executive board, which is made up of 12 women in total. Since the union needed to have Lebanese membership in order to get the license from the Ministry of Labour, the Lebanese, who submitted their papers to the ministry in order to get the license, became the legal “safeguards” of the union’s members before the state. For example, the union’s general assembly elected Nisrine, a 36 year old Lebanese accounting worker, as its president, although she had no previous engagement in union activities. She joined FENASOL in 2014 through its national campaign on the right to housing. Nisrine described her feelings regarding the struggles of migrant domestic workers in Lebanon as such:

“I encourage the idea of a union for domestic workers so they stop being enslaved. I feel pity for them. Now they have a union so they know that [the migrant women] are like us. They have the same rights similar to us who work in private companies. At my family house, we employ a domestic worker from Bangladesh. I feel enthusiastic to always share with her what I do and what we do in the union for them. She likes it and she even told her family in Bangladesh about it. I want the union to achieve the demands raised by domestic workers, in order to gain something for them, so that when they come to work they [won’t] be afraid of their employers and the placement agencies. We want to convey to them the idea that we, as Lebanese, stand by their side and we will obtain [their rights] for them, but they have to be good to us as well. I previously worked in a maids’ recruitment agency and I was bothered by the way the owner used to deal with them.”<sup>24</sup>

Nisrine’s discourse, spoken with a tone of pity, reflects the way she positions herself in relation to migrant domestic workers. She relates to the experience of domestic workers from her relatively more privileged position as a worker who is formally employed in a private company on a contract, which guarantees minimum wage and social and health security – basic rights that the migrants do not enjoy. She is also speaking from her social position as a Lebanese national and an employer of a migrant domestic worker, which has an impact on the claims she makes: in speaking on behalf of the migrants, a line of demarcation is drawn between “us” and “them”. The problem of this differentiation, besides it reproducing the hegemonic discourse on migration, is that it constructs the migrant worker as substantially different from the Lebanese. The issue of shared labour experiences between Lebanese domestic workers and migrants is replaced by the discourse on how Lebanese domestic workers are here to save the others. However, one needs to take a step back and dig deeper into the language of pity. For

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<sup>24</sup> Interview by the author with Nisrine, a union president, Beirut, February 2015.

instance, Aradau<sup>25</sup> argues that what she terms “politics of pity” can in some cases create commonalities and challenge the existing social order which has caused suffering. In this framework, pity functions as “an anti-governmental technology, concerned with emancipation from particular systems of power.” However, Aradau cautions that pity and other emotions are socially constructed and shaped by social institutions and power relations. This is evident in the way Nisrine conditions sympathy towards migrants in return for “them being good to us,” i.e. that they do what they are asked to do.

Furthermore, here, there is a limit to Nisrine's solidarity. Solidarity pertains to an understanding that one's interests and those of the other members of the same political community are aligned insofar as one inhabits shared political spaces with them and it involving a feeling of identification with others. However, being an employer of a domestic worker herself, Nisrine's political solidarity cannot transgress the language of pity. In this context, her feeling of pity does not act as a base for “emancipation from systems of power.”<sup>26</sup> Rather, it is rooted in the power relations that structure her encounter with the Bangladeshi domestic worker she employs. Hence, the position she occupies as a union leader for domestic workers is very much conflated with her position as an employer of a domestic worker. Even so, focusing on her discourse does not imply that the discursive practices pertain to individual choices, but rather that they are socially constructed. In fact, “politics of pity” is the result of a paternalistic approach and position towards migrant domestic workers held by many of the promoters of the project. It is rooted in the framework of victimisation that various NGOs have advocated for and practiced for years. It is also part of the local and global human rights regime on migration. The victimising discourse contributes to the construction of the migrant domestic workers as solely the objects of power of the state, the neoliberal market, and migratory regimes. Reflecting on this issue, Pande has argued that the victim discourse produces a category of labour that disciplines workers:

“The demand for the extension of human rights to MDWs [migrant domestic workers] on the basis of their overarching vulnerability delimits the political potential of workers to resist exploitation and abuses, form alliances, and fight for their own rights. Such third party demands, made on humanitarian grounds, conceal and diminish powerful struggles organised by the workers themselves”.<sup>27</sup>

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<sup>25</sup> Claudia Aradau, “The perverse politics of four-letter words: Risk and pity in the securitisation of human trafficking,” *Millennium-Journal of International Studies*, Vol. 33, No. 2, 2004, p.251-277.

<sup>26</sup> *Ibid.*

<sup>27</sup> Amrita Pande, “From ‘Balcony Talk’ and ‘Practical Prayers’ to Illegal Collectives: Migrant Domestic Workers and Meso-Level Resistances in Lebanon,” *Gender & Society*, Vol. 26, No. 3, 2012, p.385.

Finally, having Lebanese women preside over a union for workers who are predominantly migrants shows the dual act of power. On one level, the state, through its laws and regulations, does not allow migrant activists to exercise their activism to its full potential and form unions of their own. The state's authority is always there to impose itself from the outside. The workers have to relegate their position in the union to a formal Lebanese leadership that does not necessarily share their knowledge, political history in organising, or working conditions as domestic workers. At the same time, this strategy is the only option available to withstand the government's rejection of the migrant workers' union, and ultimately protect its migrant members from any potential arbitrary actions carried out by the state.

### **Redistribution Isn't Enough**

FENASOL's assistance in the organisation of domestic workers involves the navigation of two distinct sets of issues. The first converges with "standard" trade union concerns – such as collective bargaining to ensure the domestic workers' rights for a day off, formal recognition of domestic work under the labour law, minimum wage, and ending the *kafala* system – which all fall under what Frazer<sup>28</sup> terms as claims for "redistribution." In other words, these are concerns that emanate from the socio-economic injustices that migrant domestic workers face. These claims were raised by the workers during their congress and were also commonly underlined by my interlocutors. The right to mobility and decent working conditions were the concerns raised by the workers, irrespective of their nationalities. The second set of issues that FENASOL leadership finds difficulty in handling are the gender-specific constraints and problems that women workers have to contend with in their daily lives, such as sexual violence. The federation's leadership continues to perceive these issues as outside of its realm of intervention and within the women's rights groups' domain of expertise. With the sudden increase in the membership of women domestic workers, FENASOL's leadership struggles with cases of sexual abuse that surface, as lack of knowledge and absence of internal mechanisms to deal with such issues remain a challenge. Under the current structure of the Federation, there are no gender sensitive bodies through which women can seek support. Castro Abdallah, president of FENASOL, detailed how he personally dealt with the case of a domestic worker who was raped by her employer and asked Abdallah for help. He said the following:

“Two hours ago a Bangladeshi worker came to me. She came four months before. Her employer raped her. She had the courage to tell me about the issue. She came back today. I told her: you should file a legal case against him. But she's scared to face him.”

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<sup>28</sup> Nancy Fraser, "From Redistribution to Recognition?: Dilemmas of Justice in a Post-socialist Age," in Cynthia Willett (ed.), *Theorizing multiculturalism: a guide to the current debate*, Malden, Wiley-Blackwell, 1998, p.19-49.



He went on to tell me about another case:

“A few months back, a domestic worker that speaks French came to me. Rabie, an ILO staff [member], happened to be here, so he translated [...] what she was saying. She was collapsing. I talked to her and I tried to [encourage] her to speak: “what was he [the employer] doing to you? Did he grab your hand?” She wasn't resisting him much it seems. She was weaker at nights when he approaches her. She became uncomfortable when he started to force her to use her mouth. I told her, ‘I don't care, we should file a legal complaint’ and that the Federation will pay for it. I asked her if there [was] any evidence that she was raped. She replied that the last time he raped her was a week ago. She told me that she couldn't forget it. She cannot sleep and stop blaming herself. She used to accept to have sex with him, but when sex became oral, I think she didn't want it anymore. And there are many similar cases, but the women refuse to file legal complaint[s].”<sup>29</sup>

Abdallah's words reveal a number of problems. First, the worker who comes to complain about sexual violence has no one to address but a man. Meanwhile, the newly established executive board of the union for domestic workers does not yet have the capacity to deal with individual cases. Second, a woman must prove that she was raped and her resistance is the object of scrutiny. Third, the context in which she is offered a place to speak about her experience does not respect her most definite need for anonymity and privacy: “Rabie happened to be there to translate.” We do not know if the woman was okay with having another male stranger translating such a personal experience. Fourth, the woman is left with only one option: to file a legal complaint. Fourth, Abdallah expressed his surprise that the women refused to file a legal complaint; in so doing, he not only ignored women's understanding of their sexual vulnerability, but also minimised the particular dangers confronting women who take legal action against their sexual abusers. This denotes an ignorance of the profound impact of institutionalised racism, sexism, and classism in the justice system regarding women in general and women migrant workers in particular. Additionally, it disregards the dominant position that the alleged rapist, as a Lebanese male employer, has over his domestic worker.

A study conducted by the ILO and the Caritas Lebanon Migrant Centre in 2014 found that migrant domestic workers' access to justice is very difficult.<sup>30</sup> The study shows how

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<sup>29</sup> Interview by the author with Castro Abdallah, president of FENASOL, Beirut, February 2015.

<sup>30</sup> Caritas Lebanon Migrant Centre and International Labour Organisation, “Access to Justice for Migrant Domestic Workers in Lebanon,” Beirut, 2014, available at: [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms\\_247033.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_247033.pdf) [last accessed February 11, 2015]

racism, class discrimination, and male dominance operate in a legal and culturally accepted system which excludes migrant and women workers from access to their basic rights. However, the issue highlighted here is not limited to FENASOL. Labour unions are continually dominated by men while women remain underrepresented in the activities and leadership of all labour unions in Lebanon. For instance, among 100 representatives of the 50 federations of trade unions in the executive council of the CGTL, there is not one single woman representative. A series of internal challenges associated with unions themselves have hindered the participation, organisation, and representation of women workers. A male-dominated culture within mainstream unions makes it easy to overlook women-specific issues. Hence, labour unions need to combine politics of redistribution with anti-racist/sexist politics – which are intertwined and cannot be separated – as they are main components of migrant domestic workers’ lives. For the workers, the concern is as much about social justice and redistribution as it is about gender justice and dignity. In that sense, FENASOL cannot choose to deal with one aspect of their work and neglect the other, as they both constitute the labour experience of women workers. Otherwise, women workers will be rendered victims twice: first, by those who exploit their labour, and second, by those who claim to defend them.

Furthermore, it is equally interesting to see how the discourse of different union actors reproduces unequal power relations. On the day of the trade union congress, following the formal proceedings, a small ceremony took place in which female activists handed symbolic gifts to the active supporters of the union for domestic workers. When the turn came to Abdallah to be handed the gift, tens of union members started to cheer him by calling him “papa” followed by a long round of applause. Following this scene, I became more attuned to the language that the union leadership and the workers use in addressing each other. For example, in many instances, Abdallah would call the women, “*al banat*,” which in Arabic means “girls” and sometimes could refer to “daughters.” My Cameroonian interlocutor member of the union justified this by saying:

“We always address Abdallah as Papa, because it shows respect; and respect for us is rigor [...] I cannot allow myself to be at the same level as him. He is the president of the federation. In my head I think: he is the founder. But I am also not inferior to him. We are all comrades. I am not... how to explain? I respect... I have respect for him.”<sup>31</sup>

It is common in Lebanon to hear employers talk about their domestic workers as “daughters.” The worker, on her part, is usually expected to address her employers by “papa” and “mama.” This myth of close kin is part of the effort to

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<sup>31</sup> Interview by the author with Marguerite, Beirut, February 2015.

secure the worker's dependence and devotion to the family that employs her. In other words, this discursive intimacy usually entails granting the employer more control over the worker as guardian and protector. Inherent to this relationship with the employers is that the domestic worker is not perceived as an independent woman. The “daughter” in this sense is subject to a paternalistic authority and consequently expected to disregard her own needs as an adult woman. In the context of the union, however, the words “*banat*” and “papa” point to the conflicting position the domestic workers occupy as unionists and as workers in the domestic sector. It also includes two contesting elements: being unionists, which entails a status of parity and camaraderie with fellow unionists; and being a woman employed in the domestic sector, which pushes the supposedly “fellow unionists” to promote a discourse of protection and guardianship. This is to show that the nature of the work, its location, and gender, are all contingent on the ways in which the workers are discursively produced within the labour union context. Moreover, it demonstrates that, as an institution, the federation is not immune to the discourse of guardianship that claims protection of the domestic worker in the family sphere. On the contrary, by reproducing the same discourse, a hierarchal relation is forged between the women workers and the federation's leadership, such as the image of Papa Abdallah and his *banat*.

### **Conclusion**

In this paper, I provided an analysis of the politics within, as well as the power shaping the relations between the different union actors I encountered during my fieldwork. I highlighted how, by forming a union, women domestic workers are challenging the state regulatory power which continuously treats them as replaceable workers and exceptions to Lebanese labour laws, and denies them the right to organise and thus, to have a political voice. On another level, workers have to navigate the minefield of power within the context of their union and the FENASOL's structure itself. For instance, I highlighted the challenges in solidarity-building where gender, class, and nationality limit the fragile alliances within the core of the union; and that despite the best of intentions of FENASOL leadership, the patriarchal ideology and paternalistic discourse limits the potential that can emerge from the union. While FENASOL has taken groundbreaking steps towards the inclusion of migrant women organising in its mandate and goals, the success of this inclusion requires significant transformations of democratic practice and discourse within the organisation to shift power dynamics, that account for gender, migration, labour, and mobility within the domestic worker union constituency in Lebanon. Given these conditions, I approached the initiative to organise migrant domestic workers in a union, under the auspices of FENASOL, the ILO, and the NGOs, with skepticism, viewing these bodies as an organising structure that is highly mitigated by power relations between the different actors over gender and nationality

lines. This leads us to pose the question of whether the unions have given up on agitational politics and have been coopted by global governance. At the same time, many of the migrant domestic workers have often reacted to the discourse that victimises them, leading to the establishment of their union. Perhaps it is because of this that the union gives hope to migrant domestic workers, since, at the very least, it offers possibilities of restructuring labour dynamics. If nothing else, the energy, enthusiasm, and hope consistently expressed by migrant domestic workers are to be taken seriously. It is a reminder that workers in even the most isolating field of work can attempt to reconfigure power relations and inequality underpinning their working conditions. With migrant workers representing half of the working class in Lebanon, the questions for those concerned with social change are: how to benefit from the migrants' significant presence? How to work alongside them to build their organised political power? How can strong alliances be built across nationality lines to enhance political change? And what effects might this have on our perceptions of political and social structures regarding labour?

Irrespective of whether the union members succeed in attaining the rights they are struggling for, what is also important is that they are engaging in an attempt, learning through it, and teaching us at the same time to challenge the structural inequities and the institutions of sexism and racism that are part and parcel of our capitalist present. Their struggle, in my view, is not only about achieving small gains; it is about opening up space for those who have not been allowed to have a say in determining the conditions of their existence. By virtue of this struggle, they are transformed, and are transforming society along with them. As Anna puts it, "having this union was one of those historical moments when everyone present knew that an important barrier had been crossed [and] that there would be no turning back."<sup>32</sup>

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<sup>32</sup> Interview by the author with Marguerite, Beirut, February 2015.

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