

INTERNATIONAL WOMEN'S DAY

The Kafala system and women domestic workers



TASNEEM SIDDIQUI

MARCH 8 is being celebrated throughout the world as International Women's Day. In Bangladesh, women from all backgrounds, working in the formal and informal sector, or as professionals will articulate their

domestic workers who work in the Gulf and other Arab countries. This year, 1,03,000 female workers migrated abroad, which is 22 percent of the total migrant workers. While some of them succeed in achieving their dream of social and economic advancement, others fall into the trap of debt, contract substitution, non-payment of wage, verbal or physical abuse or sexual exploitation. The majority may not know that the United Nations has marked this day for them as well. This article is dedicated to them.

Gulf. Currently, some Gulf Cooperation Council (GCC) countries are considering reforms of the system. Until substantive changes take place, all workers including women domestic workers have to work under the system. Therefore, it is important that a departing woman migrant has adequate information about her rights and obligations under the Kafala system.

The literal meaning of kafeel is sponsor. A worker can only secure work permit in GCC countries if a kafeel sponsors him/her. For most part, employers are kafeels. They can be individuals or companies. Nonetheless, migrants' immigration status, stay and exit, all are tied to the kafeel. In theory, all expenses, including payment of levy to government, travel and insurance costs are to be borne by the kafeels. For decades, the kafeels have not been bearing the costs any more. They are passed on to those women and men who want to migrate for employment through the operation of a series of agents and sub-agents, both at sending and receiving ends. Under the Kafala system, some categories of workers enjoy provisions for overtime, gratuity, weekly and annual leave. These provisions are not applicable to those who work in the houses as security guards, domestic workers, gardeners and drivers.

The Kafala system is particularly strict when it comes to the movement of female domestic workers. In almost all cases these workers are not permitted to go out of the household premises. Confined status and home sickness take toll on some. A section of them try to return home before completing their tenure.

Prior to their deployment, women domestic workers need to know that untimely return may be permissible

under the law, but the employer can demand the reimbursement of levy and travel costs from the domestic worker as on paper the employer had paid those costs. Before departing for employment, women domestic workers must have the mental preparation that she will have to remain confined within the household and may have to bear costs if they opt for early return due to home sickness.

The possibility of women migrants facing verbal, physical or sexual harassment or abuse within the household remains high. When such abuses take place or when a domestic worker fears that such an incident may occur, they should not attempt to flee from their employer and find work elsewhere. As per the law of most GCC countries, a woman domestic worker can change an abusive employer up to three times. The embassy can help them in this respect. If they run away, they are liable to be prosecuted and jailed. In case of physical or sexual abuse, they need to go to the police or find a way to their embassy. They also need to go to a hospital to secure medical evidence in favour of their claim. In the courts, they can secure legal remedy if they lodge a complaint within three months of the occurrence.

In almost all cases, the kafeel takes away female domestic worker's passport upon arrival. This may not create problem when the kafeel ensures her protection and fulfills all the obligations under the job contract. But there are incidents where the domestic workers may experience non-payment of salary and allowance. They may not be given annual leave. The employer may also lodge false complaints against them to avoid due payment. In all these situations, the women domestic workers are entitled to register a complaint to competent authorities

(such as police, ministry of interior and labour courts). If the passport is with the kafeel, they cannot secure redress for lack of identity documents that provides evidence of their bonafide legal status. It is advised that they make two sets of photocopies of passport, and other relevant documents and keep one set in a secured place at home and carry another set with them as proof of their identity when needs arise. If possible, they may open an email account with the help of union information centres and keep a scanned version on line in that account.

Law enforcement agencies of the destination countries sometime arrest the workers when they receive complaints from the employers. Sometime they are forced to sign false confessions. The women migrants are to be informed that if they are arrested and asked to sign any document, they should not. Female domestic workers have a right to ask for the services of an interpreter and know the charges against them and contents of any document that they are asked to sign.

International Women's Day will be meaningful for the women domestic workers when government and civil society organisations can ensure dissemination of these information to them prior to departure, provide assistance through embassy in the destination and raise voice in the multilateral forums for meaningful reform of the current ill practices of the Kafala system. Perhaps the time has come to collectively push for the ratification of the ILO Convention 189 on Domestic Workers by all parties, including Bangladesh.

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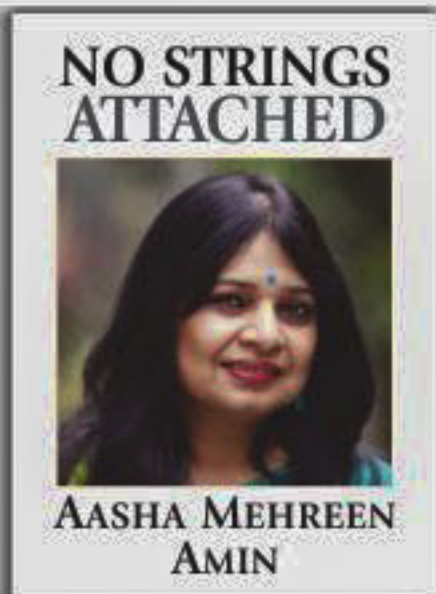


PHOTO: UN WOMEN

demands in various seminars, dialogues, rallies, etc. However, one group of women will be unable to raise their voice; they are the women

Many problems that migrants in general or women domestic worker, in particular, encounter emanate from the practice of the Kafala system in the

Does porn cause sexual violence?



AASHA MEHREEN AMIN

IT is hardly a topic we like to talk about -- a 'dirty', 'shameful', 'necessary evil' -- but something that its consumers are not willing to give up. For young boys, it is often an initiation into manhood. Pornography is perhaps the best kept open secret in almost all modern societies where there may be laws that prohibit its production, use and sale, but in reality it is the most accessible form of sexual gratification. The internet and mobile phone have formed the perfect accomplices to perpetuate this phenomenon that degrades and dehumanises women and children reducing them to objects that can be used and abused. It is a medium that propagates a distorted version of sex and sexuality. In a world where sexual violence has become the biggest obstacle to women's emancipation and children's physical and mental health, how much of it can be attributed to the influence of pornography?

In March 2015, five SSC examinees gang raped their classmate on the roof of their tutor's house in Savar, while he was away. After they raped her, they demanded TK 10,000 and when she refused, they uploaded a video of the rape. Ain O Shalish Kendra (ASK) recorded 245 gang rapes and 484 rapes in 2015. As many as 16 of the victims of gang rape were between 7 to 12 years old and 58 between 13 and 18.

Were all these rapists prompted by watching pornography? Unfortunately, there is no study to prove such a theory as research related to this issue in Bangladesh is hard to find. In any case,

it would be an oversimplification to say that porn is the main cause of sexual violence. Not all men who watch porn become rapists or have the urge to rape while not all rapists watch porn. But there is overwhelming research to show that the content in pornography does create distorted perceptions about women and sex. Robert Jensen, a professor of Journalism at University of Texas in his article 'Pornography and Sexual Violence', has found through his studies on the subject, a few basic themes in pornography: "women want sex all the time from all men, they enjoy all the sexual acts demanded of them, and even when they resist they can be persuaded with a little force because, after all, women are all basically the 'nymphomaniacs many men fantasise about'". Jensen and his co-researcher Debbie Okrina have found that there are few things that haven't been 'pornographised'. Sex with slaves on plantations, prisoners in Nazi concentration camps, with women who are disabled and the most debauched of all -- with children of all ages -- anything goes in the triple X world. Women having sex simultaneously with multiple partners, being raped, having objects inserted into their bodies -- all kinds of perversions are made to seem 'acceptable' in these films.

Many researchers in the West have found that men who are already predisposed towards sexual violence are further encouraged after watching pornography that seem to justify those acts. There is also enough research to show that continuous watching of porn (which can lead to addiction) does have significant effects on men and boys regarding women's role in society, sex, rape etc. Donna Rice Hughes, an internationally known internet safety expert, in her research, has found that boys' (14 years or younger) frequent

exposure to pornography may result in their involvement in sexually deviant acts, especially rape. The study Hughes cites, of convicted child molesters, has found that 77 percent of those who molested boys and 87 percent of those who molested girls admitted to the habitual use of pornography in the commission of their crimes.

We may dismiss this as being the consequences of the liberal West's obsession with sexuality. But even in conservative Bangladesh, where you can't even say the word 'sex' out loud without evoking horrified gasps, porn has been alive and kicking. And now, because of the ease with which video clips can be uploaded and viewed on the internet, perverts can have hidden cameras to record rapes, consensual sex with girlfriends and create 'unofficial' porn that can be used to blackmail, extort or just get back at someone.

A study conducted by Manusher Jonno Foundation in 2009 reveals that many school going and out of school children are exposed to pornography through CDs, posters and view cards. The research also made some frightening discoveries - around 77 percent of respondents to one of the studies said they get involved in pornography as viewers, while a significant number of children have turned into performers and sellers of porn clips. Sometimes shopkeepers of video stores, relatives and pimps convince children to take part in child pornography. Street children are especially vulnerable as they are left to fend for themselves and the promise of extra money lures them into the trap.

With internet porn, there are virtually no limits to finding porn, as a huge number of youngsters have access to mobile phones and cybercafes. Gary

Wilson, author of *Your Brain on Porn*, explains that "with internet porn one can escalate both with more novel 'partners' and by viewing new and unusual genres." Also, as there is no age limit to users of internet porn, even pre-adolescent children can be exposed to sexually explicit material that they are not ready for. This may lead to confusion, misinformation about a child's sense of self and a disruption in the normal personality development of a child. If a child's introduction to sexuality is derived from pornographic images, s/he is likely to form distorted ideas and attitudes regarding sex, sexuality and the image of women which can carry on up to adulthood.

Not that adults who regularly watch porn remain unaffected. Studies in the US as cited by Donna Rice Hughes have shown that exposure of male adults to even six weeks of pornography brought out certain negative attributes. This included "an increased sexual callousness toward women, trivialisation of rape as a criminal offense or even no longer considering it a crime at all, a distorted perception about sexuality and an appetite for deviant, bizarre, or violent types of pornography".

There will be, no doubt, many detractors who say that just blaming porn for the rising incidence of sexual crimes is an oversimplification of a very complex problem. But there is little scope to deny its role as a catalyst in sexual violence. For a conservative society like ours, where formal sex education is nonexistent, where any interaction between males and females (unless they are married) is frowned upon, and where females are regarded as subordinate to men, pornography seems to be the main source of information regarding sex. Pornography

reinforces the objectification and sexualisation of women and children, it promotes the notion that they can be subjugated to do anything a man wants and that coercion, force, in other words rape, is a justifiable act. If this is what porn has the potential to do, why are we allowing it to seep into our lives with such success?

In 2012, the Parliament enacted the Pornography Control Act 2012 which declares pornography in any form to be a crime and punishable with up to seven years imprisonment. The Act, furthermore, declares 10 years of imprisonment and a fine of five lakh taka for child pornography. Despite such a stringent law, how many of those individuals who have uploaded videos of rapes, gang rapes, sexual encounters with girlfriends, wives or ex-wives, children, for blackmailing or defaming, been convicted and sent to jail? The answer is hardly any, if at all.

The reason perhaps lies in our tendency to gloss over practices that have been tacitly accepted in a patriarchal environment, no matter how harmful the implications may be for women and children's security. Pornography is one of the most lucrative industries in the world because the demand for it is never ending. Now, thanks to the widespread use of the smart phone and internet, the unlimited range of pornography is reaching even the remotest of villages, bombarding young (and older) impressionable minds with unrealistic, deviant, sometimes violent, versions of sex. If we are really serious about ending sexual violence, why don't we start by removing porn from our lives once and for all?

The writer is Deputy Editor, Editorial and Op-ed, The Daily Star.

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QUOTABLE Quote. Image of Rokeya Shakawat Hossein. Quote: When we lost our ability to differentiate between freedom and servitude, between advancement and debasement, it is then that men became bhushami (owner of land), grihosshami (owner of homestead) and gradually our shami (owner/husband).

CROSSWORD BY THOMAS JOSEPH. ACROSS: 1 Rough voice, 5 Step, 10 Sharif of 'Dr. Zhivago', 11 Israel's national language, 13 U2 singer, 14 One way to communicate, 15 Pizza herb, 17 Homer's neighbor, 18 Toto, for one, 19 Periodical, for short, 20 Make mistakes, 21 Racer Yarborough, 22 Insensitive, 25 Computer type choices, 26 Towel word, 27 Pale, 28 Play division, 29 Cotton fabric, 33 Turf, 34 Etch, 35 Made flat, 37 Pennsylvania port, 38 Withdraw from a case. DOWN: 39 Petty fight, 40 Like a judge, 41 Some heirs, 1 Automaton, 2 Love, in Lombardy, 3 Less loony, 4 Headway, 5 Black eye, 6 Caruso, for one, 7 'Castle' network, 8 Tony Stark's alter ego, 9 Gave out new hands, 12 Doorstops, often, 16 Melodies, 21 Capitol group, 22 Beer after a shot, 23 Get back, 24 1920s style, 25 Viper feature, 27 Short of breath, 29 Gagger group, 30 Brother of Groucho and Chico, 31 Bird-related, 32 Track events, 36 Essence.

BEETLE BAILEY by Mort Walker. Comics showing Beetle Bailey and Sarge. BEETLE BAILEY: LOOKS LIKE BEETLE FOUND THE PERFECT HIDEOUT! SARGE: YEAH, SARGE CAN'T GET TO HIM IN THERE. BEETLE BAILEY: BUT BEETLE CAN'T GET OUT, EITHER. BEETLE BAILEY: GREG+MORT+WALKER. YESTERDAY'S ANSWER: S T I P O U S E R O M P, T P O U S E R O V A L, E X E T E R V E R A, M I R E D M E R I T, S E A M T O D A T E, P A R T L A D, K N O W I T A L L, C I A A M O S, A L T A R S P A I L, T A U P E M I L N E, E U R O M A R I N A, R E A R E D I T E D, S A L T T E N O R S.

BABY BLUES by Kirkman & Scott. Comics showing characters discussing a baby. BABY BLUES: WHEN IS JUST A BABY, SO SHE DOESN'T KNOW THAT SHE GAVE HER PUPPY A NAUGHTY NAME. BABY BLUES: IF YOU HEAR HER SAY IT, DON'T ENCOURAGE HER. JUST IGNORE IT. BABY BLUES: OKAY. BABY BLUES: HAW! HAW! ALL RIGHT, WREN! BABY BLUES: LIKE THAT?