

Prevention of Domestic Servitude: redressing imbalances of power

In domestic service we can see some egregious abuses of power: rape and sexual harassment, mental and physical abuses to the point of torture and death (often committed by women), imprisonment and forced labour, again often overseen by women. We also witness a thousand petty cruelties and disrespect, conducted and justified by middle class, pleasant professionals. Importantly, we also see kindnesses, support given at a time of crisis: immigration documents signed, or perhaps a trip home paid to see an ailing mother. The employers of domestic workers have the power to harm or help their employee in unmediated ways, and not all will use it to harm.

For some then the question of prevention becomes, how can we encourage employers to use their power well, to encourage and support their domestic worker, and how can we discourage and punish abusive employers? It is important that the privacy of the household should not mean impunity for abusive employers and those who are abused must have access to redress. I want to spend the short time I have however to suggest that we need a twin track approach that does not just give us the tools to address individual cases, but also addresses some of the root causes of domestic servitude, including the imbalance of power between worker and employer. That is, it is not simply about requiring employers to not abuse their power, but at looking at ways of redressing this imbalance. Domestic servitude is not just about moral turpitude and abusive personalities, it is symptomatic of inequality between genders, between states, and between groups of people whether they are described in terms of race, ethnicity, religion or even age. Unless we think big we will end up dealing only with case after case, with focussing on *after* terrible events and often missing those who are most vulnerable. This means we have to link the prevention of domestic servitude to wider social and policy issues.

Thinking of the conditions which would mitigate domestic servitude I would have three proposals: for states to regulate well trained, decent paid care and/or support for carers; for domestic labour to be recognised as an honourable occupation; and for visas which are independent of individual employers and which give a right to stay and citizenship after a minimum period.

State regulated care

Interdependence is part of being human, we all need to care and be cared for, but at some stages in our lives our needs for physical care are particularly intense. The most prolonged periods tend to be in our childhood and old age. This care has often traditionally relied on unpaid female labour. It is socially and economically necessary, but it is not profitable, it is lauded as priceless but is economically worthless. The proportion of people requiring physical

care in Europe is set to increase. For some this will be provided by (female) family members – usually with very limited support, often at high mental and emotional cost. But the increased feminisation of the paid labourforce has diminished the available free female labour, and increased life expectancy has made the needs of older people more complex. Paid care for the elderly will increase. But it is labour intensive. For private businesses it is extremely difficult to make money other than by squeezing labour. For private individuals buying a service it can represent an overwhelming cost – paying tax and employers’ contributions on another person’s full time wage (and at least two workers are required to provide 24 hour care for a needy person) is more than a single income can stand. There are structural reasons why care work is very poorly paid. While many employers might want to pay a decent wage and offer decent conditions it may be simply beyond them. The unfettered market is generally not a good mechanism for allocating and regulating care, whether this care is provided inside or outside the private household.

A one-size-fits-all approach will not work. Different types of arrangement work for different types of people, both care users and care workers. But there needs to be regulation and/or oversight of care provision for the protection of all. Oversight and regulation will help prevent both egregious and petty abuses; it will also protect vulnerable care users. And it is possible. New York State last month passed a bill only last month requiring paid holidays, sick days and overtime for domestic workers irrespective of legal status. In itself this is not sufficient: anxiety and lack of knowledge may mean domestic workers do not avail themselves of protections, especially if they are isolated. Facilitating the organising of domestic workers is of crucial importance to redressing imbalances of power. While it will always be hard to access the most vulnerable, other domestic workers are more likely than most to come across this group.

Concretely, to counter domestic servitude we must engage with the very live debates around care provision and the rights of care workers inside and outside the private household.

The value of domestic labour

Legally recognising domestic work as work, requiring time and physical and emotional input is an important first step in acknowledging its worth. But domestic work is not just care work, and while caring may be priceless, other aspects of domestic work such as cleaning, certainly aren’t. Price is usually the major consideration in judging its value (the cheaper the better) because this kind of labour is invisible. It is noticed only in the not doing of it or if it is done not to the taste/standards of others. Even if it is done well it is rarely regarded as ‘skilled’: it is work that anyone could do – if only they didn’t have more important things to do. Indeed it is of its essence that it is ‘unimportant’ (unlike care in this respect too). But we all need a level of

hygiene and order to be productive, washed and ironed clothes to do our 'important' jobs. The homes of the wealthy are not just boxes filled with necessities, it is a space where we can enjoy our 'quality of life' as well as being an expression of ourselves, our class, and our relationships.

The maintenance of this also requires work. But this is not valued. From classical times women's work connected with house and home was deemed as not honourable and unskilled, but regarded simply as natural. The other side of that of course is that it comes unnaturally to men. Despite the unskilled nature of domestic labour, men are often surprisingly incompetent at performing the most basic household tasks. This is the performance of low status, of domestic labour simply not being worth bothering about. Domestic work is not only low skilled but low status and the people who do it are similarly disrespected. The countries where domestic workers are most abused are often countries where women's rights, and the rights of poor women in particular are least regarded. Increasing the status accorded to domestic labour requires a significant social shift, but it is one that will have to occur in order to prevent domestic servitude. It will require men to take on responsibility for domestic chores and management, and for middle class children to not be the household labour deficit that many currently are. Until then, one practical way forward is to recognise the importance of experience and 'soft skills' and not only reward accordingly, but offer a career path, a way in which women can feel they are developing all aspects of themselves. This would accord domestic work more status in the eyes of workers and of employers and society at large. It is an honourable occupation.

Visa status

These are only first steps, but they are already long term goals, not susceptible to easy policy changes given the social and economic conjuncture. In the meantime domestic work is a heavily gendered and racialised sector and migrants continue to do this work because that is where the labour demand is. As well as working towards this more general goal it is important that the demand for this work is acknowledged rather than an uncomfortable contradiction that is ignored (How is it that national women do not do this work? Why do national men not do this work?). This means a visa regime that permits people to enter to do domestic work. But it is of crucial importance that this visa is not dependent on the employer given the nature of the power relations in private households. Immigration enforcement and employment protection must be separated. States should not be giving employers of domestic workers even more authority and control than they already have, still less should they be enforcing employers' threats to e.g. ensure the worker leaves the country if they ask for an improvement in terms and conditions. This should be the case whoever the employer is, including for diplomats. The

visa status should lead to permanent settlement in order to not trap women into a life of service to others, and to enable her to develop her own life and relations with her children.

Conclusion

Prevention of domestic servitude is ambitious and we all have a stake in it. Those who have the largest stake are of course domestic workers themselves. Their role is not simply to be rescued or protected from abuse, but to prevent it from happening in the first place, and in this respect support and recognition of their organising, and listening to their demands and their analysis is critical.